



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

AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on **9 October 2018 at 7.30 pm**.

Yinka Owa
Director – Law and Governance

Enquiries to : Zoe Lewis
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Despatched : 1 October 2018

Welcome:

Members of the public are welcome to attend this meeting.

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

Committee Membership

Councillor Klute (Chair)
Councillor Picknell (Vice-Chair)
Councillor Kay (Vice-Chair)
Councillor Convery
Councillor Graham
Councillor Khondoker
Councillor Chapman
Councillor Cutler
Councillor Woolf
Councillor Nathan

Wards

- St Peter's;
- St Mary's;
- Mildmay;
- Caledonian;
- Bunhill;
- Highbury West;
- Junction;
- St Peter's;
- Canonbury;
- Clerkenwell;

Substitute Members

Councillor Poyser
Councillor Williamson
Councillor Chowdhury
Councillor Wayne
Councillor Champion
Councillor Webbe
Councillor Hamitouche
Councillor Lukes
East;
Councillor Gantly
East;
Councillor Gill

- Hillrise;
- Tollington;
- Barnsbury;
- Canonbury;
- Barnsbury;
- Bunhill;
- Barnsbury;
- Highbury
- Highbury
- St George's;

Quorum: 3 councillors



A.	Formal Matters	Page
1.	Introductions	
2.	Apologies for Absence	
3.	Declarations of Substitute Members	
4.	Declarations of Interest	
	<p>If you have a Disclosable Pecuniary Interest* in an item of business:</p> <ul style="list-style-type: none"> ▪ 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. <p>In both the above cases, you must leave the room without participating in discussion of the item.</p> <p>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.</p> <p>*(a)Employment, etc - Any employment, office, trade, profession or vocation carried on for profit or gain.</p> <p>(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.</p> <p>(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.</p> <p>(d) Land - Any beneficial interest in land which is within the council's area.</p> <p>(e) Licences- Any licence to occupy land in the council's area for a month or longer.</p> <p>(f) Corporate tenancies - Any tenancy between the council and a body in which you or your partner have a beneficial interest.</p> <p>(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.</p> <p>This applies to all members present at the meeting.</p>	
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B.	Consideration of Planning Applications	Page
1.	240 Seven Sisters Road (including 240a, 240b and 240c,) Islington, London, N4 2HX	9 - 86

2.	Laser House, 132-140 Goswell Road, London EC1V 7DY	87 - 166
C.	Consideration of other planning matters	Page
D.	Urgent non-exempt items (if any)	

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

Date of Next Meeting: Planning Committee, 8 November 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.

COMMITTEE AGENDA

1 240 Seven Sisters Road (including 240a, b and c)
Islington
LONDON
N4 2HX

2 Laser House, 132 - 140 Goswell Road, London, EC1V 7DY.

1 240 Seven Sisters Road (including 240a, b and c)
Islington
LONDON
N4 2HX

Application Number: P2017/3429/FUL
Ward: Finsbury Park
Proposed Development: Demolition of existing buildings &
Application Type: Full Planning Application
Case Officer: Matthew Duigan
Name of Applicant: Tide Construction Ltd
Recommendation:

2 Laser House, 132 - 140 Goswell Road, London, EC1V 7DY.

Application Number: P2018/1578/FUL
Ward: Bunhill
Proposed Development: Partial demolition of rooftop struc
Application Type: Full Planning Application
Case Officer: John Kaimakamis
Name of Applicant: Northern & Midland Holdings
Recommendation:

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London Borough of Islington

Planning Committee - 10 September 2018

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 10 September 2018 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Picknell (Vice-Chair), Kay (Vice-Chair), Convery, Graham, Chapman, Nathan, Cutler, Woolf and Wayne (Substitute) (In place of Khondoker)

Councillor Martin Klute in the Chair

18 INTRODUCTIONS (Item A1)

Councillor Klute welcomed everyone to the meeting and officers and members introduced themselves. The procedure for the conduct of the meeting was outlined.

19 APOLOGIES FOR ABSENCE (Item A2)

Apologies for absence were received from Councillor Khondoker.

20 DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)

Councillor Wayne substituted for Councillor Khondoker.

21 DECLARATIONS OF INTEREST (Item A4)

There were no declarations of interest.

22 ORDER OF BUSINESS (Item A5)

The order of business would be B3, B2, B4, B6, B1 and B5.

23 MINUTES OF PREVIOUS MEETING (Item A6)

RESOLVED:

That the minutes of the meeting held on 9 July 2018 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

24 JUDD HOUSE, 18-29 MORA STREET, LONDON, EC1V 8BT (Item B1)

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.

(Planning application number: P2017/4339/FUL)

In the discussion the following points were made:

- The planning officer advised that the employment and training contribution in Appendix A of the officer report should be £16,930 and not £18,425 as stated.
- A member raised concern about the statement that said that Paddington Church's Housing Association and the Housing Corporation no longer existed. He said Paddington Church's Association was now under Genesis Housing and the Housing

Corporation was now Homes England. He was concerned that the premise for the application was that these organisations being non-existent extinguished the current use. He raised concern that the committee was being asked to abandon a building that was used for homeless people and there was a need for this type of accommodation. It was hard to find accommodation for homeless people and if the application was granted, the building would not be used as a hostel again.

- Policy DM3.9 was considered and there was discussion as to whether this application met at least one of the required points in this policy. The planning officer stated that she considered that it did.
- A member stated that the building had been designed as an office block and had been empty for a number of years. It had been sold in 2009 by Paddington Churches Housing Association. The applicant stated that for the last four years the building had been a hostel it was vacant and there had been no demand.
- The Chair stated that the requirement to provide replacement accommodation presumed occupancy but in this case there were no occupants to consider as the hostel was no longer in use. There would be challenges in making the building suitable for hostel use and if the application was refused the chance of getting all the right circumstances in place to reopen the hostel was minimal.
- Discussion took place on whether there would be any benefit in deferring the item, to allow for the statements made by the applicant in terms of Paddington Church's Housing Association and the Housing Corporation to be checked, to undertake theoretical viability, to reconsider the valuation and/or to make enquiries to see if any homeless provider might be interested. The planning officer advised that there was a risk of appeal for non-determination and the NPPF guided against holding sites vacant.

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.

25

N1 CENTRE AND BASEMENT CAR PARK, PARKFIELD STREET, LONDON, N1 0PS
(Item B2)

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) floorspace and Leisure (D2) floorspace, retaining 27 car parking spaces. Conversion of unit at first floor level from Retail (A1) to Restaurant and Café (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.

(Planning application number: P2018/2124/FUL)

In the discussion the following points were made:

- The planning officer advised that the Heads of Terms on page 86 of the agenda should be replicated on page 88.
- The applicants confirmed that as Item B3 had been granted, they were happy to withdraw Item B2.

RESOLVED:

That it be noted that this item had been withdrawn from the agenda.

26 **N1 CENTRE AND CAR PARK [BASEMENT], PARKFIELD STREET, LONDON, N1 (Item B3)**

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 metres.

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.

(Planning application number: P2017/2964/FUL)

In the discussion the following points were made:

- The planning officer advised that the applicant had put in two applications (Items B2 and B3 of the agenda) as they wanted B2 to be considered if B3 was not granted. If B3 was granted, B2 would be withdrawn.
- The Committee were pleased that a solution had been found to retaining the Angel Wings.
- In response to a member's concern about the materials to be used, the applicant advised that stainless steel would be used to link in with the Angel Wings and terracotta would be used in reference to some of the buildings in the Angel.
- In response to a member's question about the changes to the side staircase, the applicant advised that the left hand staircase went from the first floor to Liverpool Road and had been flared out at the base to be more welcoming and provide larger treads.
- Concern was raised about the impact of servicing on residents' amenity.

Councillor Klute proposed a motion to add a condition to restrict servicing to between 7.30am and 10.30pm unless there were existing servicing restrictions which could be retained. This was seconded by Councillor Kay and carried.

RESOLVED:

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

27 **REBOND HOUSE, 98-124 BREWERY ROAD, LONDON, N7 9BG (Item B4)**

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.

(Planning application number: P2017/1969/FUL)

In the discussion the following points were made:

- The planning officer advised that there were typographical errors in Condition 8 and it should be amended to read: "At least 2,517sqm (GIA) of B1c floorspace and

1,195sqm (GIA) of B8 shall be provided. The B1c and B8 floorspace shall be strictly limited to uses within the use B1c 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).

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.”

- A member asked whether the design would enable each floor to be self-contained so the building could be multi-tenanted. The applicant stated that no decision had yet been taken on this and detailed design work had not yet been undertaken but they wanted to keep the space flexible.
- In response to a member’s question about daylight and sunlight, the planning officer advised that the previous application had an extension and this had now been reduced so the daylight and sunlight figures should have improved.
- The applicants confirmed they would like to keep the current occupiers in place for as long as they could.
- A member stated that there was a cluster of technical services industries in the area and it was hoped the design would encourage similar businesses to the current occupiers, to locate there.
- The Chair raised concern about the design and the comments expressed by the design and conservation officer.

Councillor Klute proposed a motion to amend the last sentence of Condition 23 to read, “The details shall include a revised top floor and roof-form to be shown in context and to scale of 1:100 to address concerns expressed by the design and conservation officer”. 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 with Condition 23 amended as 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.

28 STREET RECORD, SONDERBURG ROAD, ISLINGTON, LONDON (Item B5)

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).

RESOLVED:

That the starting of the stopping up process be approved subject to the applicant entering into an indemnity agreement to pay all the council’s costs in respect of the stopping up.

29 ZIMCO HOUSE, 16-28 TABERNACLE STREET AND 10-14 EPWORTH STREET (Item B6)

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.

Planning Committee - 10 September 2018

(Planning application number: P2018/0523/FUL)

In the discussion the following points were made:

- The Chair advised that the previous application was similar to this one. It had been refused by the Planning Committee on the servicing arrangements and protection of residents' amenity however it had been allowed at appeal and was an extant permission.
- In response to a member's question about whether daylight and sunlight tests had been carried out on the new proposal, the planning officer stated that they had not been as only minor adjustments had been made.
- In response to a questions as to which windows were to be obscurely glazed and fixed shut and whether there would be any use of the green roofs, the planning officer advised that all rear courtyard facing windows would be obscurely glazed in order to prevent overlooking of 10 Epworth Street, the glass balustrades across the front of the green roofs were for maintenance only and Condition 25 would prevent any of the green roofs being used for amenity space.
- The Chair referred to the design review panel's suggestion that rather than obscurely glazed windows, screening could be provided by planting on the rear terraces. The planning officer stated that planning did not usually support his approach as the landscaping required maintenance and if the plants died, the screening would be lost.
- The Chair noted that there had been much objection to the previous scheme but there was only one objector to this scheme which suggested that the applicant had undertaken positive engagement with residents.
- A member expressed disappointment that the scheme provided no active frontage, affordable housing or residential units but considered it preferable to the previous scheme.
- A member stated that the residents of 10 Epworth Street were disabled and their needs should be considered during the construction.

Councillor Klute proposed a motion to amend Condition 8 to require the construction method statement to be drawn up in consultation with 10 Epworth Street. This was seconded by Councillor Graham and carried.

RESOLVED:

That planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report with Condition 8 amended as 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.

The meeting ended at 9.50 pm

CHAIR

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PLANNING COMMITTEE

Date: 9th October 2018

AGENDA ITEM NO: B1

EXEMPT

Application number	P2017/3429/FUL
Application type	Full Planning Application
Ward	Finsbury Park
Listed building	Unlisted
Conservation area	n/a
Development Plan Context	Finsbury Park Town Centre Finsbury Park Key area Major and Local Cycle Routes Local Flood Risk Zone Adjacent to TLRN Adjacent to Railway Land
Licensing Implications	Premises licence required
Site Address	240 Seven Sisters Road (including 240a, 240b and 240c), Islington, LONDON, N4 2HX
Proposal	Demolition of existing buildings and redevelopment of the site to provide a building of 8 storeys (ground plus 7 upper storeys) accommodating a 192-bedroom hotel (C1 use), ground floor bar/restaurant (A4/A3 use) together with ancillary hard and soft landscaping, cycle parking, refuse storage, and related works.

Case Officer	Matt Duigan
Applicant	Tide Construction Ltd
Agent	DP9 Ltd

1. RECOMMENDATION

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

- a) the conditions set out in Appendix 1; and
- b) 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; and

- c) any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined)



3. PHOTOS OF SITE/STREET

Photograph 1: Birdseye of application site



Photograph 2: View from Seven Sisters Road looking south across site to adj. student block



Photograph 3: View from Seven Sisters Road



Photograph 4: Wider site context





Photograph 6: View from Isledon Road towards Seven Sisters Road



4. SUMMARY

- 4.1 The application is for the demolition of existing buildings and redevelopment of the site to provide a building of 8 storeys (ground plus 7 upper storeys) accommodating a 192-bedroom hotel (C1 use), ground floor bar/restaurant (A4/A3 use), together with ancillary hard and soft landscaping, cycle parking, refuse storage, and related works.
- 4.2 Officers have placed significant weight on the fact that there is an acute shortage of land in the Borough to meet pressing housing need. As such, careful consideration has been given to whether a hotel (as opposed to residential development) is appropriate at this site. In this case the Council's Public Protection officer has raised concern that the location of the site, adjacent to a railway line and busy road, means that future occupiers of the site will be subjected to noise and vibration, making the site unsuitable for permanent residential accommodation. The use of the site as permanent residential

accommodation is further restricted by the shape and size of the site, as well as the proximity to neighbouring developments.

- 4.3 The proposed hotel would be within the designated Finsbury Park Town Centre, and as such is considered acceptable in land use terms and accords with relevant policy (Policy DM4.11 of the Development Management Policies 2013), and the Finsbury Park Development Framework SPD (2015).
- 4.4 The application has responded successfully to the comments made by the Design Review Panel (DRP) in terms of height, massing and overall design and is considered to be sufficiently sympathetic in scale and appearance to the local area, respecting the setting of the Grade II* listed 'Rainbow Theatre'.
- 4.5 The proposal would create a more attractive public realm and result in a more pedestrian-friendly environment. The application would meet inclusive design requirements and is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport.
- 4.6 For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and is thus recommended for approval subject to referral to the Greater London Authority (for consideration by the Mayor of London at Stage 2) and the imposition of conditions and the completion of a section 106 agreement to secure the necessary obligations.

5. SITE AND SURROUNDING

- 5.1 The site is 0.12 hectares in size, and is located on the south-eastern side of the junction of Seven Sisters Road and Isledon Road. The site's eastern boundary is formed by the railway viaduct of the East Coast Main Line. To the south of the site is the 7-storey development at 189 to 219 Isledon Road.
- 5.2 The larger part of the site is vacant, cleared and hoarded, although there are single-storey commercial properties (240a, 240b and 240c Seven Sisters Road) within the red line site boundary. Two of the commercial properties are occupied by restaurant / café businesses (Use class A3) and the other commercial premises accommodates a hair dressing salon (Use class A1). These form part of a terrace of 5 commercial properties, and it is noted that the remaining 2 properties (240d and 240e Seven Sisters Road) do not form part of the application site.
- 5.3 Surrounding uses include student accommodation and a gym (in the Pure Highbury development at 189-219 Isledon Road), retail and other town centre uses along Seven Sisters Road, a mosque, welfare centre, bookshop and related uses at the Muslim Welfare House at 233 Seven Sisters Road, and the former Rainbow Theatre (at the corner of Seven Sisters Road and Isledon Road) currently used as a place of worship by the Universal Church of the Kingdom of God.
- 5.4 The site is within the boundary of the Finsbury Park Town Centre, but is not within the Town Centre's Primary or Secondary Frontages. Secondary Frontages exist opposite the site at 209 to 233 Seven Sisters Road. Heritage assets close to the site include the former Rainbow Theatre (Grade II* listed). The site itself is not within a conservation area.

- 5.5 Heights surrounding the site vary, but remain within the predominant low- to medium-rise scale found across Islington. The recently-constructed neighbouring development incorporating student accommodation and a gym (Pure Highbury) is 7 storeys in height. The railway viaduct adjacent to the site rises approximately 8m above street level. Buildings to the north of the site on the opposite side of Seven Sisters Road are 3 storeys in height with pitched roofs above.
- 5.6 The site has a high PTAL score of 6b, indicating excellent access to public transport. Several bus routes serve Seven Sisters Road and Isledon Road. Finsbury Park station is a busy intermodal interchange station in north London. The interchange consists of a National Rail station, a London Underground station and two bus stations, all interconnected. An entrance/exit to/from Finsbury Park station exists directly opposite the site on the northwest side of Seven Sisters Road, providing access to the Victoria and Piccadilly lines. National rail services also serve Finsbury Park station.
- 5.7 Seven Sisters Road and Isledon Road are TfL-controlled routes. A 23m long loading and disabled parking bay exists outside 240a to 240e Seven Sisters Road. Parking restrictions (including special match day restrictions) apply to all streets in the area surrounding the site. A pedestrian crossing exists at the road junction immediately outside the site. The setting back of the Pure Highbury development has effectively created a widened pavement, which pedestrians are able to use.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes to demolish existing buildings on the site (namely a hair dressing salon and café/restaurant businesses) and creating an 8 storey building accommodating 192 hotel rooms.
- 6.2 At basement level would be 10 hotel rooms, as well as plant and other ancillary spaces for the operation of the hotel. At ground floor level there would be a hotel reception, and separate bar and restaurant facilities. A further 182 hotel rooms would be located on the upper floors.
- 6.3 Loading and unloading would be from an existing loading bay on Seven Sisters Road. The proposed scheme has a primary alignment to Seven Sisters Road (maximising the street frontage). The building has an almost triangular footprint and a T-shaped floorplan on the upper floors responding to the internal layout of the hotel accommodation.
- 6.4 The proposal also responds to the footprint of the neighbouring Pure Highbury development with a set back ground floor entrance. The ground floor street frontage is glazed, while the upper floors consist of a horizontal brick frame, expressed stone slabs, metal panels and variation of window modules. The façade is also curved in order to respond to the corner context and the angle of the Seven Sisters Road / Isledon Road junction.
- 6.5 The building would provide an active street frontage to Seven Sisters Road and an improvement to the public realm with associated hard and soft landscaping, cycle parking and related works. The hotel accommodation is grouped around a central core arrangement. The ground floor entrance to the hotel is set back from the corner of Isledon Road and Seven Sisters Road and provides access to the hotel reception, which leads to back-of-house facilities and lift and stair core.

- 6.6 The bar and restaurant has its own entrance from the middle of the building's Seven Sisters Road street frontage. On the site's boundary with 240d Seven Sisters Road would be an access to a small rear yard with bicycle storage. The roof plan shows a green roof, solar PVs, plant area and lift overruns.

Revision 1

- 6.7 As initially submitted, the application proposed the demolition of existing buildings and redevelopment of the site to provide a building of 10 storeys (ground plus 9 upper storeys) accommodating a 228-bedroom hotel (C1 use), ground floor bar/restaurant (A4/A3 use) and basement music venue (D2 use), together with ancillary hard and soft landscaping, cycle parking, refuse storage, and related works.
- 6.8 In May 2018 the application was amended to provide a building of 8 storeys (ground plus 7 upper storeys) accommodating a 182-bed hotel (C1 use), ground floor bar/restaurant (A3/A4 use) and basement live music venue (D2 use). The proposal was revised to reduce the height by two storeys in order to be more sympathetic to its surrounding context and so as to reduce impact on the setting of nearby heritage assets. Additionally, alterations were made to the eastern façade (i.e. the side seen from Finsbury Park train station platforms) to address concerns raised by the GLA that the elevation lacked visual interest.

Revision 2

- 6.9 In July 2018, advice from the Council's noise, licensing and finance officers was that there was a combination of overlapping issues which meant that the live music venue was unworkable, as such this option is no longer supported by officers.
- 6.10 Because of the sites inclusion in the town centre, it is required to provide an element of affordable workspace. The Applicant proposed the affordable workspace in the basement. The Council's affordable workspace officer advised that the size of the space, its location in Finsbury Park, and the lack of natural light and outlook would mean the proposed affordable workspace was unsuitable. The Council's affordable workspace officer advised in this case it would be preferable to take a financial contribution towards off site affordable workspace. The Applicant agreed to an offsite contribution towards affordable workspace, and the scheme design was revised to omit onsite workspace. The proposal now involves an 8 storey building, accommodating bar/restaurant facilities as well as 192 hotel rooms.

7. RELEVANT HISTORY:

240 Seven Sisters Road:

- 890610: planning permission granted on the 26/03/1990 for the erection of a 3-storey building for use as retail on ground floor and offices above.
- 980444: permission granted on the 14/05/1998 for the erection of a metal staircase from first floor to ground level to northeast elevation at The Powerhaus.
- P051077: permission granted on the 20/07/2005 for the refurbishment and extension of the existing building to provide a bar, nightclub, casino and music venue.

- P101545: LB Islington granted planning permission on 26/11/2010 for the renewal of planning permission ref: P051077.
- E12/06309 and 18/2014 issued notice 01/07/2014 under Section 215 (land and buildings adversely affecting the amenity of the area) regarding 240 Seven Sisters Road.
- P2014/1189/EIA determined on the 16/04/2014 that EIA was required for the demolition of 240 Seven Sisters Road.
- Department for Communities and Local Government (National Planning Casework Unit) determined on 18/06/2014 (NPCU/EIASC/V5570/73789) that EIA was not required for demolition of the former Sir George Robey PH.
- P2014/3044/PRA determined on the 21/08/2014 that prior approval was required and refused for the demolition of the Sir George Robey PH.
- P2014/3669/PRA determined on the 09/10/2014 that prior approval was required and approved for the demolition of the Sir George Robey PH.

240a Seven Sisters Road:

- P040886 granted on the 18/08/2004 for the change of use of the existing shop (A1 use) to food and drink (A3 use).

240c Seven Sisters Road:

- P002729 granted on the 19/01/2001 for the erection of a rear extension and change of use to A3 (café/restaurant).
- P2016/2308/FUL granted on the 08/08/2016 for alterations to the shopfront including the installation of new external security grilles.
- P2016/2355/ADV advertisement consent granted 08/08/2016 for display of a fascia sign.

240e Seven Sisters Road:

- 960051 granted permission on the 04/03/1996 for the use as a mini-cab office.
- P060468 advertisement consent 10/04/2006 for the installation of a shop sign.
- P060186 granted 10/04/2006 for the installation of a new shop front fascia.

Northern side of Seven Sisters Road

Officers have also considered the authorised use of nearby premises so as to clarify where neighbouring residential occupiers are located.

225-229 Seven Sisters Road

- 861572 granted permission on the 21/01/1987 for the change of use of the premises to provide offices, rehearsal rooms and a crèche.
- P031580 granted permission on the 24/11/2003 for the construction of new shopfronts, erection of single storey rear extension and other rear elevation alterations all in association with continued use as mixed use with associated offices. The plans show that the first, second and rooms in the roof were to be used as office space.
- Council tax and Building Control records also show the premises from 225 to 229 Seven Sisters Road to have been in commercial use since at least 2004.

223 Seven Sisters Road

- P052720 granted permission on the 09/03/2006 to change of use of first and second floors from dental surgery to B1 office use.
- Council tax and Building Control records also show the premises at 223 Seven Sisters Road to have been in commercial use since 1995.

221 Seven Sisters Road

- 820511 granted permission on 23/06/1982 to use the premises as offices.
- Council tax and Building Control records also show the premises at 221 Seven Sisters Road to have been in commercial use since 2001.

PRE-APPLICATION ADVICE:

- Q2016/0687/MJR and Q2016/4968/MJR – advice given between summer 2016 and summer 2017 that visitor accommodation is supported by policy within town centres.

Advice given included that the previous A4 public house / music venue use should be re-provided as part of a mixed use development. Additionally, that it would be sensible to include some of the adjoining single storey commercial units (240a, 240b and 240c Seven Sisters Road) in order to provide a more comprehensive approach to redevelopment and to allow for the creation of a more cohesive street frontage.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 582 adjoining and nearby properties on 22 September 2017 and a site notice and press advert were displayed on 28 September 2017. The public consultation of the application therefore expired on 13 October 2017, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 In response to the first round of consultation, two responses had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Positive submissions:

- A hotel will generate jobs and attract visitor spending to Finsbury Park;
- The scheme would create an active frontage to Seven Sisters Road;
- Non-continuous facade at street level, reflecting the typical width of shopfronts in the surrounding area;
- Brick facade at upper levels, with a light colour palette, reflecting the surrounding vernacular;
- Widening of the pavement, and the introduction of street trees on Seven Sisters Road;
- General height and massing, with stepped-back top floors.

Objections / Concerns:

- The staggered windows do not reflect the Victorian terraced vernacular of surrounding streets, and remove the human scale from the design. *(The façade design has been considered by both the Design Review Panel and the Council's Design and Conservation officer, and the façade design is considered acceptable and would help to enhance the street scape, particularly in delivering a cohesive street frontage along Seven Sisters Road).*
 - The width of the pavement and the existing pedestrian crossings spanning Seven Sisters Road are not fit for purpose. The development is likely to increase demands on these. *(The pavement width along Seven Sisters Road would be increased by the proposal. The existing pedestrian crossings spanning Seven Sisters Road are controlled by TfL, who have raised no objection to the proposal in terms of impact on crossings).*
 - Hotel operators often install advertising and branding that is unwelcome in size, number, illumination, and harms the skyline - including visibility from key viewpoints such as railway lines. This could be restricted, conditioned and controlled. *(Any advertising or signage will require separate consent).*
 - It is understood that the design has developed in consultation with hotel operators, but that an occupier has not been secured to date. There is a risk that once the principle of hotel use is established, the eventual occupier will develop the design in a less acceptable direction, in order to reflect their own business model and house style. *(Planning conditions require approval of materials and samples, to ensure quality is maintained, irrespective of the operator. Conditions would also be imposed on any consent to ensure the hotel management is appropriate, irrespective of the actual named operator).*
 - The junction of Seven Sisters Road/Isledon Road/Fonthill Road needs to be improved from a pedestrian safety point of view. *(The junction is controlled by TfL, who have raised no objection to the proposal in terms of a pedestrian safety point of view. Planning obligations are recommended to ensure safety audits are undertaken).*
- 8.3 The application was revised to reduce the height by two floors and additionally omit the live music venue proposal. As such a second round of consultation was undertaken on 18 August 2018. Letters were sent to occupants of 582 adjoining and nearby properties and a site notice and press advert were displayed. The public consultation of the application therefore expired on 07 September 2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.4 There were no responses made by the public in response to the second round of consultation.

External Consultees

- 8.5 **Greater London Authority**– stage 1 response letter confirming:
- Principle of a hotel redevelopment is acceptable in strategic planning terms

- The loss of the existing hairdressing salon, and café/restaurant uses is acceptable;
- The proposed design is supported, subject to further attention being given to proposed eastern elevation;
- Further details required on energy strategy and sustainable drainage;
- Transport issues need addressing re cycle parking, drop off/pick up facilities; investigate off street servicing; re-assess delivery and servicing; consideration of public realm and revisions to trip generation and travel plan.

(The GLA were concerned the building (as originally proposed) lacked architectural interest when viewed from the train station (over-ground) platform. In response, the architect has reconsidered this elevation. The design of now incorporates staggered panels of intricately bonded brick work. The eastern elevation also features an expressed edge beam to emphasize the horizontal scale of that façade. The brick panels have a vertical bias, to counter the horizontal edge beam. The Council's Design and Conservation officer raises no objection to the proposal).

8.6 Transport for London

- The A503 Seven Sisters Road and Isledon Road form part of the Transport for London Network (TLRN), for which TfL is the highway authority. A s278 agreement and conditions as well as planning obligations are required re maintenance and construction impact. *(Planning obligations are recommended to deal with this).*
- Recommended condition regarding London Underground infrastructure. *(see condition 27).*
- Welcomed car free proposal but asked for further explanation how needs of disabled people travelling to and from the site will be met. *(Planning obligations are to be secured to improve on street provision of accessible parking bays and improvements to the accessibility of public transport).*
- Accepted that due to site constraints no dedicated coach parking can be provided. However, a 'no group booking' condition should be imposed to avoid coaches serving the site. *(See Condition 30).*
- Cycle Parking: Based on the new land use mix submitted of a 192-bedroom hotel and a 445 sqm restaurant and bar at ground floor level. Considering the case history, TfL can accept provision of cycle parking in accordance with current London Plan standards rather than the draft new London Plan. This makes the total requirement 12 long-stay and 13 short-stay spaces. *(As the cycle storage is in part on the footway, this is to be secured by way of a planning obligation and planning Condition (23)).*
- As discussed at the recent meeting between Islington and TfL, we would prefer for the short-stay spaces to be located adjacent to the main hotel entrance with limited provision at the kerbside on Seven Sisters Road close to the proposed restaurant/bar entrance. Pedestrian flows along the footway on Seven Sisters Road can be difficult to manage and TfL is concerned about maintaining clear footway space. At this stage we remind the applicant and Council that to deliver cycle parking on-street a Section 278 (S278) will be required with TfL as the highway authority for Seven Sisters Road. A S278 with TfL should therefore be secured by condition or a clause in the Section 106 (S106) agreement. We suggest the cycle parking drawings submitted for the scheme are labelled as 'indicative only' or similar for now and the final positioning for Sheffield stands in the public realm is agreed with TfL as part of the S278

detailed design process. *(Planning obligations are recommended to deal with this).*

- Construction: TfL raised concerns about construction at both Pre-application and Stage 1 of the GLA referral process. We do not object on construction grounds; it is likely that that construction can be facilitated if the application receives planning permission. However, extensive further engagement with TfL will be required to agree an appropriate construction methodology and access strategy for the site. We request a Construction Logistics Plan (CLP) is secured by condition and discharged in consultation with TfL. We would also welcome a condition restricting construction traffic to outside periods of peak network congestion (7-10am and 4-7pm). *(See Condition 4).*
- We also remind the applicant that approvals from TfL will be required for all temporary and permanent works and traffic management proposed along Seven Sisters Road. In principle TfL do not support the footway closure proposed for long periods. Clearly there should be a priority for pedestrian movement. The Applicant's construction team should carry out a survey of pedestrian flow outside the site and share the results with TfL. It may be preferable to create a pit lane in the carriageway for one or more phases of the build, subject to traffic modelling demonstrating this would not cause bus journey time delays or extensive queuing of vehicles on the TLRN. *(An informative will be added to any consent to advise the Applicant that the Construction Logistics Plan must be informed by the TfL advice).*
- The arrangement proposed at the southern end of the construction access, adjacent to the pedestrian crossing, may need to be redesigned. A Stage 1 Road Safety Audit will need to be carried out when it is developed in further detail. TfL is concerned about how pedestrians can be managed to make sure they comply with banksmen and cross Seven Sisters Road as would be required to avoid safety issues. The construction access may also limit visibility at and around the pedestrian crossing and traffic signals, especially when occupied by construction vehicles. Any significant increased risk of potential conflicts and collisions would be completely unacceptable, especially considering the Mayor and TfL's commitment to delivering a 'Vision Zero' approach in London to make its streets safer for all. *(Planning obligations are recommended to deal with this).*
- We look forward to discussing these issues further with the Applicant as and when necessary.
- Servicing/refuse: The site is served by an existing loading bay to the north. Notwithstanding the concerns expressed by TfL above about access during construction, all servicing for the new hotel proposed, including refuse collections, should take place using the existing loading bay in accordance with existing on-street restrictions. *(See Condition 6).*

8.7 **Network Rail** - With reference to the protection of the railway, Network Rail has no objection in principle to the development. Network Rail suggested various conditions and informatives because of the close proximity to the railway retaining wall and the electrified railway. Network Rail advised that there is a requirement for the Applicant to contact their property services team. They also advised that surface and foul water must be diverted away from Network Rail property; crane usage would need to be controlled along with excavations/earthworks. Other issues Network Rail will need to agree with include security; method of construction; demolition; use of machinery and scaffolding. Further advice was provided in relation to required separation distances to the operational railway; noise / soundproofing; trees / shrubs /

landscaping; lighting; access to the railway; glint/glare. *(These matters are addressed in Condition 28 and by way of informatives).*

8.8 **English Heritage** - Raised no objection and stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.

8.9 **London Fire and Emergency Planning Authority**

- There should be fire brigade access to the perimeter of the building(s) and sufficient hydrants and water mains in the vicinity.
- This Authority strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. *(Informatives are recommended to advise the Applicant of the above matters).*

8.10 **Crime Prevention Design Advisor**

- Access and Movement - Within the hotel layout I would suggest the main reception is the central location for the meet and greeting of guests. From this location the access and movement throughout the entire building can be controlled. Any encrypted FOB access or card readers issued to residents should then allow access via lift control, stair cores and also each individual floor. This has the added benefit of restricting the movement of guests between floors and deter anti-social behaviour by large group bookings. Having access control from reception will also assist with the integrity of the building as with a bar present there is implied permission that any person may use it and therefore non-residents can access this area.
- Safe location for the storage of left luggage by guests, protected with PAS24:2016 door and strict management policy on its use.
- Training should be given to hotel staff on the risks of Child Sexual Exploitation and on how to identify the signs that this is occurring. Presentations from the Metropolitan Police can be given to all staff under 'Operation Makesafe'.
- CCTV could be used in these vulnerable points to reinforce any security put in place.
- Any cycle storage should be in a position where there is good natural surveillance, the stand used should allow for three points of locking (both wheels and the frame) and covered by CCTV. If within a secure room they should have the same security stands and protected with a PAS24:2016 door, minimum of two magnetic locks (two thirds from top and bottom) of the frame controlled with encrypted FOB access. Self-locking and self-closing mechanism fitted and no advertising what the use to the room is for.
- Bin storage should be separate from the building but if it does have access into the hotel then the connecting door will need to be a PAS24:2016 minimum of two magnetic locks (two thirds from top and bottom) of the frame controlled with encrypted FOB access. Self-locking and self-closing mechanism fitted. The door to public realm can be 'robust and fit for purpose' with self-locking and self-closing mechanisms and no advertising what the use of the room is. *(See Condition 26 and informatives)*

8.11 **London Underground** - Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:

- the development will not have any detrimental effect on our tunnels and structures either in the short or long term;
- the design must be such that the loading imposed on our tunnels or structures is not increased or removed;
- we offer no right of support to the development or land.

Therefore, we request that the grant of planning permission be subject to conditions and informatives requiring the submission of a design and method statement for all of the foundation, basement and ground floor structures. (*See Condition 27 and Informatives*).

Internal Consultees

8.12 **Access Officer**

- The site has a PTAL rating of 6b which is clearly an advantage, but the applicant is reminded that the rating takes no account of the accessibility of public transport to people with mobility impairments. Essential car use and a range of sustainable alternatives should therefore be provided on site, or a contribution secured to fund off site provision. The contribution being directed towards sustainable transport alternatives, which can include dial a ride, taxi plus, accessible cycle parking. The S.106 contribution should be of £2,000 x 22 bays (£44,000) towards sustainable transport, or turning conventional parking bays into wheelchair bays.
- It is noted that 10% of bedrooms will be wheelchair accessible, which is welcome. There will be an accessible WC on each floor that will enhance the visitability of the accommodation.
- The applicant has taken into account the key principles of inclusive design as set out in DM 2.2, which is welcome. The applicants state that “Lifts serving all floors within the building are DDA compliant with both audio and visual destination display, complete with stand-by power generation, we would be looking for adherence to BS8300:2009 and our own Inclusive Design SPD.
- In the basement there is an accessible shower for the use of all staff.
- The choice of rooms with either bath or shower is welcome.
- In terms of cycle racks, we will be looking at a way of providing Sheffield racks along the kerb and outside the hotel’s main entrance (which is more spacious). We also consider that the absence of music venue would imply that less racks are needed along this pavement.
- The applicant is reminded that customers may receive visitors who could need power charging for their mobility scooters. Therefore, short term visitors should be allowed to charge their mobility scooter if they require so.
- It is positive that lift 2 has become an evacuation lift. It will be the responsibility of the building’s management team to evacuate all users in an emergency.

(Conditions 9 and 10 and planning obligations are recommended to address the above).

8.13 **Conservation and Design Officer**

Height: The site is within the setting of the GII* listed former Rainbow Cinema. The townscape is otherwise characterised by low rise (3 storey) Victorian shops with flats above, although it is acknowledged that the site is immediately adjacent to a 7 storey modern student housing block. The previous (10 storey) proposals would have substantially harmed the setting of the GII* listed building and the locally listed building, as well as the townscape, by virtue of the excessive height being an uncharacteristic and overbearing form of development that would have dominated the surrounding buildings.

An 8 storey building is now proposed. While the reduction in height is welcomed a building of this height, which is one storey higher than the adjacent 7 storey modern student housing block, will still cause some harm to the setting of the GII* listed former Rainbow Cinema. However, this harm is less than substantial and should be weighed against the public benefits.

Design Detailing: The lower part of the brick piers should be a dark brick (engineering brick) or dark stone (granite) as light brickwork stains very badly in this heavily trafficked and polluted area.
(See Condition 3, which controls materials).

Landscaping: Removable trees in raised planters were proposed to the wide pavement under which services run. These should be secured if there is no better alternative.

Response to DRP concerns: The DRP raised concern over the height as originally proposed (10 storeys), and recommended that two storeys be removed. The applicant reduced the overall height in accordance with the DRP advice (an 8 storey building is now proposed).

The DRP also sought to know more about how servicing would work and recommended the wider area be reviewed in case there was a possibility of wider improvements being made. In response the Applicant did review the wider area in conjunction with adjoining landowners. Ultimately, while no agreement was reached with the student accommodation building (Pure Highbury) at 189 Isledon Road, the Applicant has set the hotel back to allow a greater area to be dedicated to footway and public realm, and purchased three adjoining properties (240a, 240b and 240c Seven Sisters Road). This has allowed the scheme to more comprehensively address Seven Sisters Road in street scape terms, and also allows an accessway to be created along the eastern boundary of the site leading from the servicing bay to the 'back of house' areas (bins stores etc) of the hotel.

8.14 Energy Conservation Officer:

The energy strategy involves a low carbon approach for the design of the building's fabric and associated engineering system has been used to minimise energy use.

The Energy Statement commits to a Carbon Offset contribution of £328,440. This is the correct sum for the 357 tonnes of outstanding emission (and will need to be secured as a planning obligation).

The proposed U-values for the development are as follows: external walls = 0.15, roof = 0.15, floors = 0.15, doors = 1 and windows = 0.9. These are better than the values recommended in the Environmental Design SPD.

Energy demand will be curbed by incorporating measures including high levels of thermal insulation, detailing to reduce air permeability and thermal bridging, and low-energy lighting.

A study of the nearest district heating network identified the nearest convenient connection is some 670m from the application site. The Council's energy services team accept that this makes connection at present unworkable.

Suitable wording would be included in the application's section 106 agreement to ensure potential future connection in the event that a DEN is established in the future.

Conditions are required to ensure PV panels are installed on the roof. These should be combined with a green roof to provide the added benefits of reducing flood risk, improving ecology and biodiversity, reducing urban heat island effect, improving air quality etc.

(The various requirements are to be secured by Conditions 11, 12, 13, 14, 16, 17 and by way of planning obligations).

8.15 **Tree Preservation / Landscape Officer** – No objection.

8.16 **Refuse/Recycling** – No objection subject to a condition to secure a refuse / recycling management strategy.

(See Condition 22)

8.17 **Public Protection / Pollution Officer**

Noise and Vibration: The site is bounded by the East Coast Main line, Thameslink and other lines operating out of Finsbury Park to the east on elevated lines. The Piccadilly line runs close under the site also. To the north and east of the site is the Seven Sisters Road with the junction of Isledon Road/Fonthill Road directly opposite. Therefore the site is subject to high levels of vibration and noise, both airborne and groundborne noise. The site is listed as an "Important Area" in the DEFRA noise maps i.e. where the 1% of the population that are affected by the highest noise levels from major roads are located. To the north of Finsbury Park is a road rail access point and frequent noise from maintenance of the railway would also impact upon occupiers. The site would be classified as Noise Exposure Category D in the guidance where planning permission for permanent residential development should be refused.

Any proposed permanent residential accommodation on the site would result in sealed facades with mechanical ventilation with potential overheating issues. External areas would be subjected to impacts well in excess of World Health Organization guidelines and so compliant balconies and external amenity spaces would be unfeasible. The EPPP team would strongly object to any proposed permanent residential development on the site.

Permitting residential at this location would make it difficult to object to future applications for uses that generate significant levels of noise being located next to existing residential properties.

Clearly for a hotel use, the likely time that an occupier would be in the room and the exposure that an occupier would experience would differ from that of an occupier of

a permanent residential property and also with a shorter period of stay. Hence a hotel use is less sensitive. With guests spending less time in a hotel, there is a lower expectation that windows should be openable, particularly given the trade off for a hotel room next to a major transport hub.

Air quality: There is no safe level for air pollution exposure and all of Islington is an Air Quality Management Area. Clearly this is an area of particularly poor air quality. Assessed against the EU air quality objectives, the site exceeds the NO₂ annual mean at every level facing onto Seven Sisters Road.

The following conditions should be imposed:

Condition: *"The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014."*

(See condition 18)

Details of the plant are not known at the moment, so a post installation report is recommended to demonstrate compliance with the above condition:

Condition: *"A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 16. The report shall include measurement of the new plant following installation. The report shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the use hereby permitted."*

(See Condition 24)

To address air quality impacts at the site for new receptors and for existing nearby receptors the following condition is advised:

Condition: *"Before commencement of the development, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:*

- *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.*
- *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 "Sustainable Design and Construction" SPG and EP-UK & IAQM's "Planning For Air Quality" in the compilation of the report."

(See Condition 20)

With the proximity to the railway line and new receptors being introduced to the area I would advise the following contaminated land condition too:

Condition: *"Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority*

- a) The development shall be carried out strictly in accordance with the Jomas Associates ground investigation report dated 04 August 2017 and CLR11 and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.*
- b) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a) of this condition.*

Disruption would be caused would be caused during the demolition/construction process so the following condition is advised:

Condition: *"A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority."*

The applicant should pay reference to the LBI's Code of Practice for Construction Sites and the guidance contained within on noise, dust, air quality, Non Road Mobile Machinery register.

(See Conditions 5)

8.18 Licencing:

I was asked to comment on the live music venue proposal, and the issue for me with a grassroots music venue is that I don't believe this could be sustained in the basement of a premises without either a larger capacity or a late licence (e.g. 3am).

If someone wanted to set up a venue under 250 capacity with a curfew of midnight, it would need to be multi-purpose, and be able to sustain another business at other times when it is not providing live music. My belief is that it would also need to be on the ground floor of the premises, to be able to provide food, have outside seating etc., and attract other customers.

Providing live music is a loss making cultural activity, all grassroots live music venues subsidise the live music offer through other activities, especially food or club nights. The average bar sales at a live music venue for live gigs is on average under £10 per person across the whole evening, for all sales. The ticket money, when available, is retained by the promoter and used to fund the activities. There will be significant risk taking and no guarantee that the venue will be profitable.

A basement music venue in this location without a very late licence wouldn't be sustainable in the long term. For example: the 100 club is struggling to survive with a 2am licence on Oxford Street, Silver Bullet had a 4am licence, but only survived on money made from club nights.

A recent study by the Music Venue Trust showed that the UK is only major territory when grass roots music venues aren't funded by central Government. The other funding varies from 15% in some countries to over 50% in France.

- 8.19 **Planning Policy:** Taking account of the sites location in a town centre, opposite Finsbury Park tube and rail station, along with noise and vibration from the road and railway line, no objection is raised in principle to a hotel at this site.

No objection is raised to the loss of the former public house given the demolition and time which has elapsed since it was last in use. Nor is there an objection to the loss of existing food businesses or the hair dressing salon. The hair dressing salon business was relocated to another site nearby, at the Applicant's cost, and this helps mitigate any impact to the vitality and viability of the town centre.

It is noted that the site is identified in emerging site allocation policy as being suitable for a hotel, which reflects the fact the site is so affected by noise, vibration and air-quality impacts that it is not suitable for residential accommodation.

- 8.20 **Spatial Planning and Transport (Transport Officer)** – The surrounding roads are controlled by TfL. No objection raised from a local highway authority perspective.

- 8.21 **Sustainability Officer** –

BREEAM 'excellent' is being targeted which is welcomed. Green roof areas should be installed under and in between the solar panels in order to maximise green roof coverage.

(BREEAM standards are to be secured by Condition 16 and Green roof details in Condition 12)

Greywater recycling is proposed which is welcomed and is particularly suitable for a hotel development. Rainwater recycling for internal use should also be incorporated. Further details will have to be secured via condition, including tank location.

(Rainwater harvesting requirements would be secured by condition 17, informatives are also recommended to advise the Applicant of requirements)

The incorporation of small areas of soft landscaping and/or installation of planters to the external areas is recommended to provide biodiversity and drainage benefits. In relation to the bird boxes, at least one swift brick should be installed above 5 metres.

(Condition 15 requires bird and bat boxes, and an informative is recommended to advise the Applicant of requirements)

- 8.22 **Affordable Workspace Officer** – In this case it was decided that a financial contribution will be sought instead of the delivery of the physical affordable

workspace on site. This decision was based on the size, location and nature of the affordable workspace. The decision was further influenced by knowledge gained through past experience where the Inclusive Economy Team had difficulties in attracting end-user workspace operators to similar premises.

The size of the space is on the smaller end of the spectrum. It will be hard to attract interest from potential operators to manage this site as a stand-alone workspace due to its size and location.

In the short term, there are no other affordable workspaces planned to be delivered in Finsbury Park. This means there is not a way that multiple small spaces could be linked i.e. there is no way we could put in place a multiple license operation.

The position of the space at basement level would provide limited natural light and no outlook. In addition, affordable workspaces are normally located below or within commercial office buildings, where entrepreneurs and SMEs using the space can benefit from opportunities to grow their operations, either by establishing connections with larger businesses located within the building and/or increased footfall from operating at ground floor level. In this case, that synergy won't exist, as the development above is a hotel.

Given the situation, an off-site contribution should be sought.

(A planning obligation is required to secure the contribution).

Other Consultees

- 8.23 **Finsbury Park Ward Councillors** – Raised concern that the proposed hotel would displace the potential for the site to be redeveloped for residential purposes (losing the opportunity to address the acute housing need).
- 8.24 **Members' Pre-application Forum** - The Proposals were presented to the Members' Pre-Application Forum on the 8th May 2017.
- 8.25 **Design Review Panel** – Islington's Design Review Panel considered the proposed development at pre-application stage on 14 March 2017 (when the scheme was for a 10-storey 228-bedroom hotel). The Panel's pre application stage written comments (issued on 4 April 2017) are appended as Appendix 3 to this report for completeness and in summary these were as follows:
- Concerns were raised in relation to the 10 storey height as the site is not seen as a corner site but as an extension of the street.
 - Concern about the impact of the height on the prominence of the tower at the Grade II* listed building and, because of its close proximity to the student accommodation, the perceived 'wall' of development. Recommended that the building should be reduced by 2 storeys.
 - Welcome the proposed pavement widening but more information needed e.g. how would the 'plaza' function; what trees could actually be planted.
 - More information needed on proposed servicing of the building.

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).
 - 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).
- 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), Islington Core Strategy (2011), Development Management Policies (2013). The policies of the Development Plan are considered relevant to this application and 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) and Development Management Policies (2013):
- Finsbury Park Town Centre
 - Finsbury Park key area
 - Cycle routes
 - Controlled Parking Zone
 - Within setting of Grade II* Listed building

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 the proposal are the following:
- Land use
 - Design and Appearance
 - Public Realm and Landscaping
 - Accessibility
 - Neighbouring amenity
 - Energy conservation and sustainability

- Highways and transportation
- Air Quality and Noise
- Basement
- Planning obligations/mitigations

Land Use

Suitability of the site for permanent residential accommodation.

- 10.2 Concerns have been raised during the consultation that the opportunity for the site to deliver housing, including affordable housing was being lost. Because there is an acute shortage of land in the Borough to meet pressing housing need, careful consideration has been given to whether or not it would be appropriate to locate permanent residential accommodation at the site (as opposed to a hotel).
- 10.3 In this case the Council's Public Protection officer has raised strong objections that the location of the site, adjacent to a railway line, and busy road, means that future residential occupiers of the site will be subjected to disturbance caused by noise and vibration. The site is bounded by the East Coast Main line, Thameslink and other lines operating out of Finsbury Park to the east on elevated lines. The Piccadilly line runs close under the site also. To the north and east of the site is the Seven Sisters Road with the junction of Isledon Road/Fonthill Road directly opposite. The site is subject to high levels of vibration and noise, both airborne and groundborne noise. The Council's Environmental Pollution, Policy & Projects Team advise that the site is listed as an "Important Area" in the DEFRA noise maps i.e. the site is part of the 1% of areas which are affected by the highest road and rail noise levels.
- 10.4 To the north of Finsbury Park is a road rail access point and frequent noise from maintenance of the railway would also impact upon occupiers. Any proposed permanent residential on the site would need to be enclosed in sealed facades with mechanical ventilation with potential overheating issues. External areas would be subjected to noise impacts well in excess of World Health Organization guidelines and so balconies and external amenity spaces would be unfeasible. The Council's Environment and Public Protection team advise that they would strongly object to any proposed permanent residential development on the site.
- 10.5 Permitting residential at this location would also set a highly undesirable precedent, making it difficult to object to uses that generate significant levels of noise, where these are proposed next to existing residential properties.
- 10.6 From a policy perspective, it is important to note that Islington's Core Strategy Policy CS 12 states that the Council will identify areas where high levels of external noise and vibration may make residential development unacceptable. In this regard, the Council's adopted Finsbury Park Development Management SPD (2015) includes an assessment of noise and vibration, identifying the site as being within an area that is the most impacted by noise and vibration (caused by trains on the railway and vehicles travelling along Seven Sisters Road).
- 10.7 Development Management Policies (2013) Policy DM2.1 (Design) Part A (x) requires that new residential development should 'provide a good level of amenity including consideration of noise and the impact of disturbance'. The location of the site in relation to the railway and Seven Sisters Road make compliance with this policy extremely problematic. The Development Management Policies

(2013) policy DM3.7 relates to noise and vibration, seeks to ensure that residential developments are adequately separated from major sources of noise (and specifically makes reference to busy roads and railway lines). Policies DM 3.5 and DM3.6 require residential development to provide acceptable areas of external amenity spaces and play space for children. The environmental conditions (noise and air pollution) mean that compliant play or amenity space could not be accommodated. The use of the site for permanent residential accommodation does not accord with planning policy.

- 10.8 There is no safe level for air pollution exposure and testing of air quality in the area shows that it is of particularly poor quality. Assessed against the EU air quality objectives, the site exceeds the NO₂ annual mean at every level facing onto Seven Sisters Road. Poor air quality in the vicinity of the site means external amenity spaces would not be feasible. The Council's Public Protection officer has raised concern that poor air quality in the vicinity of the site makes the site less than ideal for permanent residential use.
- 10.9 The use of the site as permanent residential accommodation is further restricted by the shape and size of the site, as well as the proximity to neighbouring developments. Adequate setbacks (to prevent overlooking and allow for acceptable outlook from flats) would limit the developable area of the site. The close proximity of neighbouring buildings to the site impacts upon the potential for windows to be introduced on the elevation facing the student accommodation (adjoining the southern boundary of the site). Positioning windows where they are not affected by the railway line or by road traffic, would also limit the layout of units. Single aspect units are not encouraged as they are not considered to be a good standard of accommodation.
- 10.10 The ground and first floor levels would be below the level of the railway viaduct, meaning residential development proposed at ground or first floor levels, along the eastern boundary of the site, would have little/no outlook, and would receive limited daylight. Combined with this is the fact that there would be no opportunity to provide external amenity spaces that would not be unacceptably affected by poor air quality, noise and vibration. There are a number of interconnected and overlapping issues, which are location specific, and make the site unsuitable as a location for permanent residential accommodation.

Acceptability of the proposed hotel use.

- 10.11 At the regional level, London Plan Policy 4.5 seeks to support the visitor economy as well as the needs of businesses and leisure visitors to the capital. This policy highlights a strategic demand for new visitor bedrooms in London and identifies appropriate locations for the provision of hotels, noting that outside the Central Activities Zone hotel development should be focused in town centres. This site is located within a highly accessible town centre and thus its location is acceptable in strategic planning terms.
- 10.12 Islington's Core Strategy (2011) policy CS2 relates to Finsbury Park stating that redevelopment of low density sites around the station is supported, including for employment floorspace. The definition of employment floorspace extends to cover hotels. Islington's Development Management Policies (2013) policy DM4.11 relates to hotel and visitor accommodation and sets out where hotels are acceptable in principle, namely designated Town Centres; and areas in close proximity to national railway hubs. The site meets both these criteria.

- 10.13 The policy goes on to set out further detailed criteria that need to be satisfied including a need to contribute to the balance and mix of uses in the immediate locality and to support the area's primary retail/business/cultural role and not compromise economic function/growth. To understand what this part of the policy seeks to achieve reference is made to the supporting text to the policy, which states the following:

“while hotels can create jobs and support the visitor economy, it is important to ensure that other planning objectives are met: in particular, ensuring that hotels do not limit the achievement of other priorities (including economic and housing growth), securing a balance of uses, protecting residential amenity, and addressing local impacts (particularly traffic impacts).”

Proposals will be resisted where they would result in an over-concentration of hotels and similar uses (such as other visitor accommodation, hostels and student accommodation) in the surrounding area (generally within a 500m radius of the site).”

- 10.14 Because of the shortage of developable land in the Borough, and the potential for hotels to displace uses for which there is a greater priority, it is important to understand if, in the vicinity (a 500m radius) of the site, there is already an overconcentration of hotels (to the detriment of the area's primary retail/business/cultural role and potentially compromising economic function/growth).
- 10.15 The application is supported by an analysis of the current supply and pipeline supply of visitor accommodation within Islington. The study established that there are currently 1,254 rooms within the 500-metre radius of the proposed Hotel. Adding the proposed hotel would raise the number to 1,439.
- 10.16 This was compared in the Applicant's study to areas in the South of Islington, which show significantly higher concentrations of visitor accommodation (Finsbury Park is not considered to be overly saturated with visitor accommodation).
- 500m radius of Angel Junction: 2,616 rooms,
 - 500m radius of Clerkenwell Junction: 2,890 rooms.
- 10.17 This approach, which compares density of hotel rooms around the site with other areas, is consistent with the way in which concentration has been tested in appeal situations. The proposed additional hotel rooms at the application site would not materially alter the concentration of hotels and similar uses (such as other visitor accommodation, hostels and student accommodation) within a 500-metre radius of the Site. Nor is the area surrounding the site currently over-concentrated with hotels and similar uses (such as other visitor accommodation, hostels, student accommodation and Airbnb listings), especially when compared to other areas within Islington. In this instance, the provision of the hotel at the site would not result in any harm to the areas economic function/growth.
- 10.18 The Council's Crime & Disorder Intelligence Analyst undertook an analysis of complaints within a 500m radius of the site. There were 1,132 complaints over the last 12 months. Officers were able to cross reference the location of 'problem causing' addresses with the address of hotels and similar accommodation within the catchment area. Of the 1,132 complaints within 500m of the site, there were 3 (relating to noise) which can be linked to hotels or similar accommodation. The

analysis does not indicate that the existing supply of hotels and similar accommodation in the vicinity of the site is resulting in a concentration of adverse impacts on residential amenity. Subject to conditions being imposed on any consent granted to ensure the hotel is appropriately managed, impacts to neighbouring occupiers would be adequately mitigated.

- 10.19 Development Management Policies (2013) Policy DM4.11 requires hotel proposals to contribute to the economic function of the area. In this regard there would be jobs created in the hotel as well as in the bar and restaurant. Hotel guests would also spend in the local area, and a planning obligation is required to ensure the development contributes towards the provision of affordable workspace in Finsbury Park. There is an existing retail use (Use Class A1) use on site (a hair dressing salon). That occupier has been relocated by the Applicant to another premises approximately 200m from the site. This helps to mitigate against any harm to the viability and vitality of the town centre. No objection is raised to the loss of the existing restaurant/cafe businesses on site, particularly given the proposed provision of a restaurant on site.
- 10.20 The site has excellent public transport connections, which is a locational requirement for hotels set out in of policy DM4.11 of the Development Management Policies (2013). The policy also requires hotel proposals to adequately address various other criteria, including highways, servicing, and inclusive access requirements. These matters are discussed in following sections of this report, and in summary, the application is acceptable in terms of highway impacts, servicing and inclusive access.

Loss of existing uses on the site.

- 10.21 The loss of existing restaurant/cafe businesses at the site is considered acceptable given the proposed restaurant / bar use at ground floor level of the development. An existing hair dressing salon (use Class A1) would be demolished as part of the proposal. The loss of this unit has been mitigated by the Applicant by funding and facilitating the relocation of that tenant to another vacant premises approximately 200m away. The Applicant covered relocation expenses and provided compensation for inconvenience and disruption. Given the situation, no objection is raised to the loss of existing units at the site.

Loss of historic uses that had existed on the site.

- 10.22 The site had formerly accommodated a public house, which also acted as a live music venue. The use of the public house and venue ceased over 14 years ago, and the building was demolished in 2015. Relevant case law (particularly *Iddenden v Secretary of State for the Environment*) confirms that in these circumstances the previous uses of a site are effectively extinguished.
- 10.23 However, the history of a site is a matter that can be a material planning consideration under Section 38(6) of the Planning and Compulsory Purchase Act 2004. The history of the site, includes the use of the former public house as a live music venue.
- 10.24 It is of note that the Development Plan includes policies which protect against the loss of cultural facilities, (such as live music venues), unless various requirements are met. The fact that cultural facilities are protected by policy is a material consideration in this case, and as such the loss of the care home has been taken into account.

- 10.25 The Council advised that a live music venue should be included as part of the proposed scheme, and the application proposed a live music venue at the basement level (in part to ensure noise and disturbance could be enclosed). The live music venue was to be offered to the Council at a peppercorn rent. However, following feedback from a number of the Council's officers, it was found that the proposed live music venue would not be workable.
- 10.26 The Council's Licensing officer advised that there is strong evidence to show that in the United Kingdom live music venues are generally financially unviable. Even at a pepper corn rent, additional subsidies would be required to cover furniture, fittings and ongoing running costs (including business rates etc). The Council's Finance officer has separately advised that there is not a budget to cover these costs. As such concern was raised as to the financial viability of the proposal.
- 10.27 The Council's Licensing officer has further advised that live music venues need to operate until late in the night (i.e. 3am) to be successful. In this case, the Council's Acoustics officer advised that such late operating hours would give rise to conflicts with the amenity of near-by residential occupiers, as well as hotel guests, due to noise and disturbance associated with the use of the venue late at night (e.g. associated with patrons of the live music venue leaving the premises). The Applicant has not agreed to the music venue being open until 3am, on the basis that there would be impacts to the amenity of hotel guests.
- 10.28 The Council's Licensing officer also advised that the proposed size of the venue (accommodating approximately 150 persons) would need to increase to accommodate a 500-person capacity in order to be successful. Taking account of the requirements set out in the Building Regulations, a venue of that capacity (along with plant rooms and ancillary space associated with the hotel) would not fit within a single basement level (necessitating the creation of an additional basement level). Given the additional costs involved in creating a 500 person live music venue, such an obligation is difficult to justify (in planning policy terms and also in terms of the tests for planning obligations).
- 10.29 In summary, there are a number of issues that prevent the successful provision of a live music venue on site, such that this option has been discounted.

Affordable workspace

- 10.30 Policy DM 5.4 of the Development Management Policies (2013) requires major development proposals in town centres to include an appropriate amount (5% of proposed floor space) to be provided as affordable workspace. The Applicant revised the plans to omit the music venue and instead include affordable workspace in the basement (equating to 5% of the proposed floor area). The affordable workspace proposal was referred to the Council's Affordable Workspace officer, who raised various concerns, including that affordable workspace located in basements has proven to be unsuccessful in other parts of the Borough. Additionally, the location, in Finsbury Park, was less popular as a place for affordable workspace than locations closer to the central city. Evidence from actual affordable work space operations show that success is most likely where the rest of the building is in office use (facilitating potential business interactions between office space users and the affordable workspace occupiers). Affordable workspace provided as part of a hotel development would not generate the same synergies.

- 10.31 The advice from the Council's Affordable Workspace officer is that in this case, an offsite contribution should be taken, in lieu of on-site affordable workspace provision. The Council's Workspace Viability Report 2011, sets out how offsite affordable workspace calculations should be undertaken, and in this case a contribution of £946,356 is required. This would be secured by way of a legal agreement associated with any permission granted.
- 10.32 The Applicant provided advice to confirm they agree to meet in full the offsite contribution. The Applicant subsequently revised the proposal and now seeks permission for a further 10 hotel rooms (raising the total number of rooms to 192) to be located in the basement instead. While basement hotel rooms are not ideal (due to a lack of natural light and outlook), in this case the basement accommodation would represent 5% of the total rooms in the development. This is a modest number of rooms with limited/no outlook. It is also noted that 7 of the rooms would receive natural light (from light wells). The Council has accepted this sort of arrangement at other sites, where the number of basement rooms has been limited. Given the small number of rooms in the basement, and the temporary nature of the accommodation, no objection is raised.

Summary.

- 10.33 The proposal is considered to contribute appropriately to the mix and balance of uses in the locality. The scheme would support the area's retail and business role and would not lead to an overconcentration of visitor accommodation in the vicinity, and is acceptable in principle.

Design & Appearance

Policy Context

- 10.34 The National Planning Policy Framework (2018) states that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. 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.
- 10.35 Planning policies relevant to design and conservation are set out in chapter 7 of the London Plan (2016). Policies CS8, CS9 and CS10 in Islington's Core Strategy (2011), and policies in chapter 2 of Islington's Development Management Policies (2013), 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.
- 10.36 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".
- 10.37 At the local level, policy CS9 of Islington's Core Strategy (2011) sets out an aim for new buildings to be sympathetic in scale and appearance and to be

complementary to local identity. Policy CS2 of the Core Strategy (2011) focuses on Finsbury Park and states that high quality design encouraged.

- 10.38 Policy DM2.1 of Islington's Development Management Policies (2013) requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing.

Site Context

- 10.39 The recently-constructed neighbouring development to the south (known as 'Pure Highbury') incorporating student accommodation is 7 storeys in height. The railway viaduct adjacent to the site rises approximately 8m above street level. Buildings to the north of the site on Seven Sisters Road are 3 storeys in height with pitched roofs above. The former Rainbow Theatre's entrance frontage, which faces the site, stands slightly taller than the nearby 'Pure Highbury' development.
- 10.40 The site also forms part of the adopted Finsbury Park Development Framework, which includes the tall buildings of City North, which rise up to 21 storeys in height. A key built element of the area near to the site is the former Rainbow Theatre, which is located at the junction of Seven Sisters Road and Isledon Road. Now in use as a church, the 1930's building is Grade II* listed.

Assessment

- 10.41 Within the urban context described above, the proposed 8-storey building is considered appropriate, although it would be impact upon the setting of the Grade II* listed 'Rainbow Theatre' building. The site is on the prominent Isledon Road / Seven Sisters Road junction adjacent to buildings of a similar height and also forms part of the wider Finsbury Park area which includes significantly taller buildings, particularly those at City North.



Comparative building Heights

- 10.42 An earlier iteration of the scheme proposed a 10-storey building. However, there were objections as at 10 storeys, the height was considered excessive. There was concern at the impact of the proposal on the prominence of the tower to the Grade II* former Rainbow Theatre. The Applicant was advised to reduce the height of the building by two storeys, and the scheme was revised accordingly.

- 10.43 In terms of elevations, the Design Review Panel (DRP) had questioned whether the elevations could be better articulated. The Panel observed that the brick panels appear to ‘float’ above the glazed ground floor and suggested the building would be more successful if it were grounded with brick piers. The base of the building was redesigned accordingly and is now grounded with brick piers. The elevation is now composed of two main parts, the glazed ground floor base (with brick piers) and the solid upper floors, with a curved leading edge as shown in the image below.



Seven Sisters Road elevation

- 10.44 The elevations proposed are composed of a horizontal brick frame, stone bands that wrap around the building and a composed rhythm to fenestration and openings, consistent with the surrounding context. The proposed grouping of windows is considered to highlight the horizontal nature of the design whilst also breaking down the massing of the building. At the same time, the verticality of the recessed elements in the window design offers a well-considered and elegant contrast to the horizontal character of the building. The visual appearance of window bays would also provide additional variation and relief along the façade whilst the overall appearance would be further enhanced by angled metal panels providing an interesting elevational composition.



View of final proposal along Seven Sisters Road

Impact on Heritage Assets

- 10.45 In considering whether to grant planning permission for development which affects a listed building or its setting, Section 66 of the Town and Country Planning Act states that the local planning authority shall have special regard to the desirability of preserving the setting or any features of special architectural or historic interest which the heritage asset possesses.
- 10.46 The proposal is now one storey higher than the adjacent 7 storey modern student housing block and is considered to cause some harm to the setting of the GII* listed former Rainbow Cinema. However, this harm is less than substantial and should be weighed against the public benefits, including regeneration of a derelict site, a wider footway and improved public realm, jobs during the construction period and the ongoing operation of the hotel and bar/restaurant spaces. Additionally, there would be a significant contribution towards provision of affordable workspace initiatives in the Borough.
- 10.47 Overall, the scale, massing, height and proposed architectural language is considered to work successfully and the architecture of the proposal is considered to make a positive contribution to the creation of a coherent streetscape. The application has responded successfully to the comments made by the DRP in terms of height, massing and overall design and is considered to be sufficiently sympathetic in scale and appearance to the local aesthetic and identity.
- 10.48 Samples of materials would be required by condition (3) in order to ensure that the development is built out to the highest quality. The proposal is considered to be in accordance with Policy 7.6 of the London Plan, Policy CS2, CS8 and CS9 of Islington's Core Strategy (2011) and the aims and objectives of Development Management policies (2013) Policies DM2.1 and DM2.3.

Public Realm and Landscaping

- 10.49 Islington's Development Management Policies (2013) Policies DM2.1 and DM8.4 encourage greater permeability by improving movement through areas and seeking an improved pedestrian environment. Core Strategy (2011) Policy CS2 states that permeability and legibility of the wider area will be improved through interventions linked to a public realm strategy and that improvements to the pedestrian environment along Seven Sisters Road will be sought. In this regard it is worth noting that the footway is to be widened, and the public realm would be enhanced. At present the footway to the front of the site varies in width from approximately 2m to 3m. This would be increased to approximately 4.5m along the Seven Sisters Road frontage and to over 8m on the Isledon Road frontage.
- 10.50 The proposal has been set back from the street to accommodate two trees near the entrance to the building. The DRP welcomed the proposed pavement widening and tree planting, which weigh positively in favour of the scheme in the planning balance.
- 10.51 The Ecological report submitted with the application accepts that the ecological value of the site is quite low but makes a number of recommendations which should be incorporated within the final design of the proposal. The recommendations include the installation of a green roof (*Condition 12*) and the provision of bird nesting and bat roosting opportunities (*Condition 15*).

Accessibility

- 10.52 The relevant policies are 7.2 of the London Plan and Islington's Development Management Policies (2013) Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 10.53 Islington's Development Management Policies (2013) require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development. Crucially, Islington's Development Management Policies (2013) Core Strategy (2011) and London Plan Policies all require 10% of all new hotel rooms to be wheelchair accessible.
- 10.54 The proposal includes a total of 19 wheelchair accessible bedrooms which is the 10% required by policy. A contribution of £44,000 will be sought by way of section 106 agreement for the provision of wheelchair accessible parking bays and alternative modes of transport.
- 10.55 Entrance doors, approaches, corridor widths, lifts and bathrooms would meet national and local guidelines and permission would be suitably conditioned to ensure that the needs of those with mobility and visual impairments are suitably met. A number of additional inclusive design measures as detailed in the consultation section of the report will be needed. Details would be required by condition in the event that permission is granted (Conditions 9 and 10).

Neighbouring Amenity

- 10.56 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.
- 10.57 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.

- 10.58 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”*.
- 10.59 Daylight: the BRE Guidelines stipulate that... *“the diffuse daylighting of the existing building may be adversely affected if either:*
- *the Vertical Sky Component [VSC] 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).
- 10.60 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 fact the site (except for single storey commercial buildings) is effectively cleared.
- 10.61 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.”*
- 10.62 At paragraph 2.2.8 the BRE Guidelines state: *“Where room layouts are known, the impact on the Daylighting Distribution [DD] 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”*.
- 10.63 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.
- 10.64 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”*

10.65 Paragraph 1.3.45-46 of the Mayor of London’s Housing SPD states that:

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

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

10.66 Sunlight: The BRE Guidelines (2011) state in the following relation to sunlight:

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

- Receives less than 25% of Annual Probable Sunlight Hours [APSH], or less than 5% of annual 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.”*

10.67 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.”*

- 10.68 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.”
- 10.69 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’.
- 10.70 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

- 10.71 The properties identified in the table below have been tested with respect of daylight and sunlight impacts, and will still meet all of the BRE standards for daylight and sunlight in the event the development is built.

Properties which PASS the BRE sunlight and daylight tests	
Seven Sisters Road	Fonthill Road
219 Seven Sisters Road	150 Fonthill Road
217 Seven Sisters Road	152 Fonthill Road
215 Seven Sisters Road	154 Fonthill Road
213 Seven Sisters Road	156 Fonthill Road
211 Seven Sisters Road	158 Fonthill Road
209 Seven Sisters Road	160 Fonthill Road
207 Seven Sisters Road	162 Fonthill Road
205 Seven Sisters Road	164 Fonthill Road
203 Seven Sisters Road	

- 10.72 The VSC and NSL has been assessed for all existing residential properties near the site. To establish if properties were in residential use, officers and the Applicant undertook visits to the properties and checked planning and building control history. Discussions were held with local Real Estate Agents and Council tax records were also examined. The checks show that the terrace of premises from 221 to 233 Seven Sisters Road is largely in commercial use (shops and the like at ground floor level and offices above).
- 10.73 However, there are flats above the ground floor uses of 221 and 231 Seven Sisters Road, and as such sunlight and daylight testing was undertaken for these properties.
- 10.74 The Table below highlights where there would be transgressions in relation to the BRE standards:

					Vertical Sky Component			No Sky Line (Daylight Distribution)			
Flat No.	Room/Window			Room Use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Whole room m²	Previous m²	Proposed m²	Percentage reduction in Daylight Distribution
	Floor	Room Ref	Window Ref								
231 Seven Sisters Road											
231 Seven Sisters Road	First	R1	W1	Living Room	34.32	24.56	28	8.63	8.37	6.37	24
		R2	W2	Living Room	35	24.36	30	8.63	8.41	7.01	17
	Second	R1	W1	Bedroom	37	28.09	24	8.69	11.83	8.38	29
		R2	W2	Bedroom	36.82	27.09	26	8.7	11.86	9.22	22
	Third	R1	W1	Assumed	37.96	30.33	20	28.69	26.79	25.63	4
			W2		30.9	30.9	0				
			W2		3.35	3.35	0				
221 Seven Sisters Road											
221 Seven Sisters Road	First	R1	W1	Assumed	31.93	22.74	29	9.96	9.58	8.09	16
		R2	W2	Assumed	31.87	23.15	27	7.5	7.35	5.74	22
	Second	R1	W1	Assumed	34.14	25.49	25	9.97	13.49	10.6	21
		R2	W2	Assumed	34.06	25.9	24	7.51	10.07	7.19	29

- 10.75 The living room windows at 221 and 231 Seven Sisters Road would see reductions in VSC of up to 30% and DD of up to 29% which is considered to be a lesser/minor infringement, particularly given the built up urban setting in which the site is set.
- 10.76 These rooms currently benefit from a significant amount of uninterrupted sky visibility due to the area of open space at the application site, which is either unbuilt on or accommodates single storey buildings (which is relatively untypical in an urban setting).
- 10.77 There is a student living block located at 189-219 Isledon Road (known as Pure Highbury) which adjoins the application site to the South. There are windows in the northern elevation of the student living building that would be affected by the development.
- 10.78 It should be noted that the temporary nature of occupation in student accommodation means that adherence of the BRE standards is not strictly required (it applies to dwellings). The design of the student living building features single aspect, north facing bedroom windows in close proximity to the application site boundary. Unless the application site remains undeveloped, there is bound to be an impact on the windows in the northern elevation of the student living building.
- 10.79 While the accommodation is not permanent (not dwellings), for clarity and transparency officers have required the windows in the student living building be

tested to understand the impacts. The windows and rooms that fail the BRE targets in terms of VSC and DD are shown in the table below:

					Vertical Sky Component			No Sky Line (Daylight Distribution)			
Flat No.	Floor	Room Ref.	Window Ref.	Room Use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Whole room m²	Previous m²	Proposed m²	Percentage reduction in Daylight
189-219 Isledon Road											
189-219 Isledon Road	First	R1	W1	Bedroom	34.2	33.21	3	12.26	12.26	11.96	2
			W2		34.27	31.69	8				
			W3		33.36	25.91	22				
			W4		31.6	17.26	45				
		R2	W5	Bedroom	25.19	13.39	47	8.96	7.59	6.96	8
		R3	W6	Bedroom	22.67	13.04	42	8.32	7.79	6.8	13
		R4	W7	Bedroom	19.66	11.82	40	7.31	7.13	6.68	6
		R5	W8	Bedroom	17.47	5.77	67	9.64	8.69	1.82	79
		R6	W9	Bedroom	21.41	7	67	8.75	7.72	1.6	79
		R7	W10	Bedroom	25.66	8.27	68	8.92	7.97	1.53	81
		R8	W11	Bedroom	28.73	9.57	67	9.45	8.43	1.46	83
		R9	W12	Bedroom	31.52	11.85	62	9.45	8.97	3.47	61
		R10	W13	Bedroom	32.61	14	57	9.45	8.97	3.49	61
		R11	W14	KD	33.55	18.12	46	28.69	28.65	28.55	0
			W15		34.46	23.51	32				
			W16		38.02	38	0				
189-219 Isledon Road	Second	R1	W1	Bedroom	35.72	34.76	3	12.26	12.26	11.96	2
			W2		35.72	33.11	7				
			W3		35.02	27.01	23				
		R2	W4	Bedroom	27.22	15.35	44	8.96	7.7	7.13	7
		R3	W5	Bedroom	24.23	14.79	39	8.32	7.86	6.93	12
		R4	W6	Bedroom	20.61	13.09	36	7.31	7.14	6.73	6
		R5	W7	Bedroom	18.91	7.17	62	9.64	9.36	2.18	77
		R6	W8	Bedroom	23.13	8.88	62	8.75	8.56	1.99	77
		R7	W9	Bedroom	27.57	10.45	62	8.92	8.66	1.92	78
		R8	W10	Bedroom	30.68	11.86	61	9.45	8.94	1.84	79
		R9	W11	Bedroom	33.3	14.09	58	9.45	9.27	3.74	60
		R10	W12	Bedroom	34.27	16.11	53	9.45	9.29	3.89	58
		R11	W13	KD	34.93	19.99	43	28.69	28.69	28.68	0
			W14		35.67	25.02	30				
			W15		38.35	37.68	2				
			W16		38.73	38.71	0				
189-219 Isledon Road	Third	R2	W4	Bedroom	29.71	18.28	38	8.96	8.02	7.56	6
		R3	W5	Bedroom	26.24	17.43	34	8.32	8.07	7.31	9
		R4	W6	Bedroom	21.7	14.86	32	7.31	7.14	6.77	5
		R5	W7	Bedroom	20.33	9.21	55	9.64	9.36	2.75	71
		R6	W8	Bedroom	25.07	11.8	53	8.75	8.59	2.62	69
		R7	W9	Bedroom	29.7	13.82	53	8.92	8.72	2.59	70
		R8	W10	Bedroom	32.7	15.3	53	9.45	9.02	2.52	72
		R9	W11	Bedroom	34.99	17.29	51	9.45	9.28	4.11	56
R10	W12	Bedroom	35.74	19.04	47	9.45	9.32	4.4	53		

Flat No.	Floor	Room Ref.	Window Ref.	Room Use	Vertical Sky Component			No Sky Line (Daylight Distribution)			
					Existing (%)	Proposed (%)	Percentage reduction in VSC	Whole room m ²	Previous m ²	Proposed m ²	Percentage reduction in Daylight
		R11	W13	KD	36.19	22.47	38	28.69	28.67	28.53	0
			W14		36.73	26.93	27				
			W15		38.95	38.38	1				
			W16		39.28	39.26	0				
189-219 Isledon Road	Fourth	R2	W4	Bedroom	32.86	22.76	31	8.96	8.69	8.53	2
		R3	W5	Bedroom	29.21	21.72	26	8.32	8.16	7.83	4
		R4	W6	Bedroom	23.22	17.57	24	7.31	7.14	6.87	4
		R5	W7	Bedroom	21.83	12.24	44	9.64	9.36	3.98	57
		R6	W8	Bedroom	27.67	16.52	40	8.75	8.62	3.9	55
		R7	W9	Bedroom	32.21	19	41	8.92	8.8	3.98	55
		R8	W10	Bedroom	34.63	20.29	41	9.45	9.26	4.09	56
		R9	W11	Bedroom	36.26	21.68	40	9.45	9.28	4.76	49
		R10	W12	Bedroom	36.76	22.96	38	9.45	9.33	5.08	46
		R11	W13	KD	37.11	25.72	31	28.69	28.67	28.67	0
			W14		37.45	29.33	22				
			W15		39.17	38.74	1				
			W16		39.41	39.4	0				
189-219 Isledon Road	Fifth	R2	W4	Bedroom	36.7	29.21	20	8.96	8.81	8.79	0
		R3	W5	Bedroom	34.38	29.13	15	8.32	8.2	8.17	0
		R4	W6	Bedroom	27.17	23.31	14	7.31	7.14	7.09	1
		R5	W7	Bedroom	24.37	17.64	28	9.64	9.36	6.95	26
		R6	W8	Bedroom	32.34	24.52	24	8.75	8.63	6.67	23
		R7	W9	Bedroom	35.37	26.15	26	8.92	8.84	6.73	24
		R8	W10	Bedroom	36.56	26.56	27	9.45	9.3	6.73	28
		R9	W11	Bedroom	37.25	27.27	27	9.45	9.28	6.06	35
		R10	W12	Bedroom	37.46	28.11	25	9.45	9.33	6.38	32

10.80 Beginning with Room R1 on the 2nd, 3rd and 4th floor levels, it is noted that some windows would see reductions in VSC of more than 20%. A check of the room layout shows these are open plan corner rooms on a curved façade, with only part of the room facing the application site. These rooms benefit from 3 or 4 windows and the extent of glazing allows so much light into the room that DD in the rooms is almost unaffected (with only a 2% reduction).

10.81 The other student bedrooms rooms shown in the table would see more significant reductions in VSC and DD, albeit to a lesser degree on upper levels. For example, on the sixth floor, the reductions would be less than 30%, and this level of reduction would be considered a minor infringement, in view of the urban context in which the site is set. In many cases the retained levels of VSC are very high.

10.82 Not surprisingly, the impacts are greatest (e.g. 68% reductions in VSC) on the lower levels where the windows are to single aspect, north facing bedrooms. These rooms currently benefit from a significant amount of uninterrupted sky visibility due to the area of open space at the application site. Given the scarcity

of land in the Borough, it isn't reasonable to prevent development at the application site on the basis of protection of non-permanent residential accommodation.

- 10.83 Consideration has been given to reducing the height of the hotel to avoid impacting upon the student accommodation, however impacts from development on daylight should not stand in isolation from other planning policy considerations, but should be weighed with other planning objectives. The BRE compliant redevelopment of the site would involve a very low scale building, and would not be supported in design terms and could not be said to make the best use of what is a highly accessible site.

Sunlight

- 10.84 With the exception of the student living building (where there would be 2 windows which fail the BRE sunlight tests APSH), the testing shows that the impacts to neighbouring residential properties is BRE compliant. The impacts to the 2 rooms where there would be infringements are shown in the table below.

Floor	Window Ref.	Existing		Proposed		Winter Times Former Value	Annual Times Former Value
		Winter %	Annual %	Winter %	Annual %		
189-219 Isledon Road							
First	W5	0	16	0	11	0.00	0.68
Second	W4	0	20	0	15	0.00	0.75

- 10.85 The windows in question face almost directly east, and are located in a 'side return', at the lower level, where the railway viaduct would act to block sunlight. In the existing situation, the windows do not receive direct sunlight in winter for an hour. Looking at the situation across the year (APSH) The proposal would worsen the situation, for example, annual APSH being reduced by more than 20% (32% reduction to W5 and 25% reduction to W4).
- 10.86 In view of the limited number of rooms affected, the limitations associated with the existing orientation of the impacted windows and the temporary nature of student accommodation, no objection is raised. Moreover, no gardens or amenity spaces would be noticeably affected by the proposal.

Sunlight/daylight summary

- 10.87 The development would not cause any unacceptable impact to permanent residential occupiers near the site. There would be impacts to the sunlight and

daylight received to bedrooms in the northern and north-eastern most elevation of the student accommodation (Pure Highbury) to the south of the site.

- 10.88 These impacts need to be considered in light of the fact that the BRE standards relate to dwellings, not temporary student accommodation. Additionally, the design of the student accommodation with single aspect, north facing bedrooms means that almost any development on the application site will cause an impact.
- 10.89 The site is largely unbuilt upon and leaving it undeveloped, or limiting the scale of development to such a low level that there would not be impacts to light in the student accommodation, would not be supported in design terms and could not be said to make the best use of what is a highly accessible site. The development would bring forth benefits, including regeneration of a derelict site, public realm improvements, jobs and a significant contribution towards affordable workspace initiatives in Finsbury Park. Taken together, no objection is raised to the proposals in terms of sunlight and daylight impacts.

Overlooking / Privacy:

- 10.90 Islington's Development Management Policies (2013) Policy DM2.1 identifies that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. The only neighbouring occupiers adjoining the site are along the southern boundary of the site (within the student accommodation block, known as Pure Highbury (189-219 Isledon Road)).
- 10.91 The proposed development has been designed so as to minimise overlooking of this property. There are 6 windows in the proposed hotel on each of floors 2 through to 6 which face towards the student accommodation building. Examination of the relative position of windows shows that one window at each level of the hotel faces to a windowless elevation in the student accommodation building, and as such no overlooking would occur from these windows. A further 2 windows at each level of the hotel are positioned at such an acute angle to the student accommodation building that overlooking of the student accommodation is restricted to glimpsed views, and at a distance of between 17m to 18m. Officers do not consider that there would be any undue loss of privacy from these windows.
- 10.92 However, there are three further windows on each of floors 2 through to 6 which would have views towards the windows of bedrooms in student accommodation building (at a distance of between 10m to 15m). While the viewing angle is quite oblique, there is potential for additional overlooking and a resulting infringement in privacy.
- 10.93 In order to suitably protect privacy, it is considered that any permission should be subject to a condition requiring further details of privacy measures (such as fixed louvres, fins or screens) to be provided (Condition 8) on the 3 hotel rooms at each level. Specifically, privacy measures are required to be fitted to the windows looking out of the following hotel rooms:
- Level 2: rooms 202, 204 and 206
 - Level 3: rooms 302, 304 and 306
 - Level 4: rooms 402, 404 and 406

- Level 5: rooms 502, 504 and 506
- Level 6: rooms 602, 604 and 606

Safety / Security

- 10.94 The proposed use as a hotel would not create any significant negative impact on the amenity of existing residential properties in terms of security or antisocial behaviour. However, the Metropolitan Police have advised that to ensure the hotel itself is adequately secure from crime, details of security measures, including lighting and CCTV, should be required by condition if permission is granted (see Condition 19 and 26), and a Hotel Management Plan is to be secured by Condition (30).

Noise / Disturbance

- 10.95 The proposal has the potential to create noise and disturbance impacts to the neighbouring residential occupiers. The applicant has submitted a Noise Impact Assessment in relation to noise breakout from the restaurant to the neighbouring residential properties (and to the hotel rooms above). This has been examined by the council's Noise Officer who has recommended a number of conditions (18, 20 and 24) to ensure noise does not cause issues. A condition (7) is also recommended controlling the opening hours of the bar/restaurant (limiting the hours of operation to between 06.30am to 00.30am).

Energy conservation and sustainability

Policy context

- 10.96 The London Plan (2016) Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through energy efficient design, the use of less energy and the incorporation of renewable energy. 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.
- 10.97 Policy CS10 of the Core Strategy (2011) requires all development to demonstrate that it has minimised onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 35% against Building Regulations 2013.
- 10.98 In accordance with Islington Planning Policy, 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). Policy CS10 of the Core Strategy (2011) requires that all remaining CO2 emissions be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.99 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, SUDS, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policies (2013) Policy DM7.1 requires for

development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.

Carbon Emissions

- 10.100 A low carbon approach for the design of the building's fabric and associated engineering system has been used to minimise energy use. These measures result in a reduction in site-wide CO₂ emissions of 27% (total emissions i.e. regulated and unregulated) when measured against Part L2A 2013 Building Regulations. The Council's energy services team have accepted that this is the maximum achievable, and are satisfied with the assumptions and recommendations made. This corresponds to 357 tonnes of CO₂ per year. This equates to a Carbon Offset contribution £328,440 (357 tonnes/year outstanding total emissions x £920), which is to be secured by way of a planning obligations as part of any consent.

Energy Reduction (Be Lean)

- 10.101 The proposed U-values for the development are as follows: external walls = 0.15, roof = 0.15, floors = 0.15, doors = 1 and windows = 0.9. These are better than the values recommended in the Environmental Design SPD. Mechanical ventilation with heat recovery is specified for the hotel rooms, with front and back areas ventilated using commercial supply and extract ventilation. Energy demand will be curbed by incorporating measures including high levels of thermal insulation, detailing to reduce air permeability and thermal bridging, and low-energy lighting. The development also seeks to use high levels of insulation in order to achieve low U Values.

Low Carbon Energy Supply

- 10.102 London Plan Policy 5.6B states that Major development proposals should select energy systems in accordance with the following hierarchy:
- Connection to existing heating or cooling networks;
 - Site wide CHP network
 - Communal heating and cooling
- 10.103 A study of the nearest district heating network identified the nearest convenient connection is some 670m from the application site. This makes connection at present unworkable. Notwithstanding this, suitable wording would be included in the application's section 106 agreement to ensure potential future connection in the event that a DEN is established in the future.
- 10.104 The submitted Energy Statement recommends a Combined Heating and Cooling (CHP) as the preferred method of energy production in this instance. The use of CHP provides design development with many benefits, including electrical generation alongside heating and hot water requirements. As part of the proposals, a total CHP system with 83.7% efficiency, a heat to power ratio of 1.5:1 has been chosen to provide 100% of domestic hot water demand.

Renewables

- 10.105 Major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible. The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.
- 10.106 The calculated energy production from the PV panels operation is 4.96 kWh/m². This corresponds to a CO2 saving of 2.6 KgCO₂/m². The PV panels on the roof would be combined with a green roof (to be secured by Condition 11) to provide the added benefits of reducing flood risk, improving ecology and biodiversity, reducing urban heat island effect, improving air quality etc.

Sustainable Design Standards

- 10.107 The Council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the BREEAM via a pre-assessment as part of any application and subsequently via certification.
- 10.108 The development has been assessed against BREEAM and the submission demonstrates that the development would achieve a score of at least 72.3% which exceeds the threshold of 70% required to achieve a rating of 'Excellent'. A condition (16) should be imposed on any consent to ensure this standard is achieved.

Sustainable Urban Drainage System

- 10.109 The application site is Flood Risk Zone 1 and therefore has a low probability of flooding from tidal or fluvial sources. The existing water run-off rate is estimated to be 14.54 l/s. the application proposes to reduce surface water run-off rates to 5 l/s.
- 10.110 This target would be achieved through water attenuation tanks and green roofs. The drainage and SUDS strategy including green roofs will be secured by condition (12 and 13) and the responsibility of maintenance placed on the applicant.

Green Performance Plan

- 10.111 A draft Green Performance Plan has been submitted and is an acceptable draft. A final version would still need to be secured by way of a planning obligation (which is recommended).
- 10.112 In summary, the energy and sustainability measures proposed are in accordance with policy and would ensure a sustainable and green development that would minimise carbon emissions in the future.

Highways and transportation

Policy context

- 10.113 At national level, chapter 9 of the NPPF (2018) requires that in the assessment of applications for new development appropriate opportunities are taken to

promote sustainable transport modes and that safe and suitable access to the site can be achieved for all users; and that any significant impacts from the development on the transport network can be effectively mitigated to an acceptable degree.

- 10.114 The London Plan (2016) promotes development that will not adversely affect safety on the transport network, setting out the following requirements:
- Policy 6.9 seeks secure cycle parking in line with the standards set out in Table 6.3 of the London Plan;
 - Policy 6.10 seeks high quality pedestrian environments; and
 - Policy 6.13 states the maximum standards for car parking should be achieved as set out in Table 6.2 of the London Plan, and that one in five spaces should provide an electrical charging point.
- 10.115 Islington's Core Strategy (2011) policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use, and requiring that all new developments are car-free. Key proposals to increase cycling and improve safety are set out in the Islington Cycling Action Plan. Islington Core Strategy (2011) Policy CS2 (Finsbury Park) states that joint work with Transport for London will be undertaken to improve the pedestrian environment along Seven Sisters Road. These interventions will focus on creating an environment which increases people's sense of personal safety.
- 10.116 At local level, policy DM8.1 within the Development Management Policies (2013) defines Islington's movement hierarchy and requires the design of developments to prioritise the transport needs of pedestrians, public transport uses and cyclists above those of private motor vehicles. Development proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated in accordance with Policy DM8.2.

Existing conditions

- 10.117 The application site has an excellent level of public transport accessibility (PTAL 6b) given its close proximity to Finsbury Park Railway station. The site also has major and strategic cycle routes in close proximity as well as pedestrian routes providing access to a number of bus routes from Seven Sisters Road and Finsbury Park in all directions. There is a loading bay immediately in front of the site on Seven Sisters Road.
- 10.118 The existing loading bay in front of the site is 23 metres long and allows for loading / unloading and parking for blue badge holders. The existing restrictions at the bay are:
- Loading for max 20 minutes between 10am and 4pm;
 - Parking for blue badge holders for max 3 hours between 10am and 4pm;



Existing Loading Bay

- 10.119 There is pay and display on-street parking available to the north of the site on Fonthill Road, which includes disabled parking bays. The site is located on the junction with Seven Sisters Road and Isledon Road. Isledon Road is one-way and Seven Sisters Road two-way; both are bus routes for a number of services. Both roads are part of the TfL Red Route. Seven Sisters Road connects with the A10 to the east which links with the M11 to the north and London Bridge to the south.
- 10.120 In terms of pedestrian / disabled access, two signalised pedestrian crossings are available on Seven Sisters Road, with dropped kerbs, tactile paving and tactile buttons, this provides a level and safe crossing point, which leads to both disabled access points to Finsbury Park Station. These can be found on either side of the Railway Bridge.

Trip generation, parking and cycle parking

- 10.121 The applicant's Transport Assessment details the transportation and highways implications of the proposed development.
- 10.122 The applicant's consultant has assessed the trip generation for the hotel and restaurant floorspace and has concluded due to the excellent public transport accessibility, the close proximity to Finsbury Park station and the car-free nature of the development, the vast majority of trips to the site would be by public transport or on foot. TfL reviewed the assessment and advised it was acceptable.
- 10.123 The proposed development would be car-free in accordance with Core Strategy (2011) policy CS10 and Development Management Policies (2013) Policy DM8.5. A contribution towards accessible parking bays and alternative modes of transport is required to be secured through the section 106 agreement.
- 10.124 Cycle parking spaces will be provided primarily to the rear of the site and will be accessed from Seven Sisters Road through a cycle passage on the eastern side of the scheme. Cycle stands are also proposed on the widened footway on Seven Sisters Road. The number of long and short stay cycle parking spaces provided on site accords with the London Plan Cycle Parking Standards. Both TfL and the Council's Inclusive Design officer have met extensively to discuss and agree the best location for cycle parking. The final design and siting will need to be a matter to be approved as part of the requirement in a s278 legal agreement.

Delivery, Servicing and Construction Traffic

- 10.125 The application proposes to use the existing loading bay in front of the subject site for servicing. The submission includes a survey of the loading bay's existing use, which shows the loading bay to be empty 77% of the time between 7am and 7pm, not used at all between 1pm and 3pm on the day of the survey and only for 10 minutes between 3pm and 4pm. Given that the bay is some 23 metres long with space for 4 vehicles, this should provide sufficient scope for servicing and delivery to be carried out from this bay.
- 10.126 The applicants have modelled the servicing and delivery requirements for the proposed uses and estimate that there would be 4 daily servicing trips lasting on average 20 minutes. Given the existing use and capacity of the loading bay, it is considered that there would be sufficient capacity to accommodate on-street servicing of the proposed use. The Delivery and Servicing Plan (DSP) submitted in support of the application is useful in understanding that servicing of the site could be undertaken in ways which would not cause issues. It is of note that neither the Council's Highway officer nor TfL have raised any objection to the proposed DSP. TfL were clear that refuse collection must take place from the loading bay, and as such the condition (6) requiring compliance with the DSP will reinforce this point.
- 10.127 TfL has raised concern that the construction process could impact on TfL's highways network. While there is no concern that adequate construction management processes can be put in place, further details would be required to be provided to and approved by the Council; (in conjunction with TfL) by condition (4) in the event of planning permission being granted.

Air Quality and Contamination

- 10.128 In accordance with Islington's Development Management Policies (2013) Policy DM6.1, developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits. Where mitigation is not provided and/or is not practical planning permission should be refused.
- 10.129 The air quality impacts associated with the construction and operation of the proposed mixed-use development at 240 Seven Sisters Road in Islington have been assessed. Existing conditions within the study area show poor air quality, with the site lying within an Air Quality Management Area and a GLA air quality focus area. The construction works will give rise to a Negligible Risk of human health effects throughout the construction phase (subject to adequate construction management processes). It will therefore be necessary to apply a package of mitigation measures to minimise dust emissions and this would be secured by way of the imposition of a condition (4) on any consent granted.
- 10.130 Emissions from the proposed energy plant within the development would lead to a negligible increase in nitrogen dioxide concentrations, both 1-hour and annual mean, at nearby existing receptors. The proposed development will increase building frontage along Seven Sisters Road, whereby the presence of buildings on both sides of the road will potentially reduce the dispersion of vehicle emissions and thereby lead to higher concentrations at properties fronting onto the road. The modelling carried out to assess the impacts of creating a street canyon has emphasised the need for future occupiers of the building to be protected from the external air (the hotel rooms would need to be mechanically ventilated).

- 10.131 It is recommended that a condition (20) be imposed on any consent requiring details of measures to mitigate against air quality impacts in the event of planning permission being granted. It is also recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (5).
- 10.132 London Plan policy 5.21 (Contaminated Land) states that appropriate measures should be undertaken to ensure that development on previously contaminated land does not activate or spread contamination.
- 10.133 Islington's Development Management Policies (2013) Policy DM6.1 (Healthy Development) requires adequate treatment of any contaminated land before development can commence. Geotechnical and Geo-Environmental Studies accompanied the application. The Preliminary Risk Assessment and the Conceptual Site Model carried out as part of the Desk Study Report for the application site have identified potential pollutant linkages. The site would be mostly covered with buildings or hard surfaced area, limiting access to the ground (thereby limiting access to any contamination that could potentially be present). Notwithstanding this, a condition (32) is recommended requiring a detailed and intrusive investigation to search for and identify contaminated material and to undertake remediation as necessary.

Basement

- 10.134 The application is supported by a Structural Methodology Statement as well as an Engineering report, which assesses the construction of the new building and basement. The analysis examines geology, hydrogeology, existing and proposed structures, drainage, sequence of works and assesses the impact of the proposal on the adjacent structures (including the railway line and London Underground tube tunnels).
- 10.135 The report makes various recommendations, including the following:
- A detailed survey via trial pits and review of drawings of the adjacent railway retaining wall foundations will need to be performed. This will aid further accurate settlement analysis of the retaining wall foundations and its impact on the railway line above. The scope of the analysis and the wall monitoring arrangements during construction are to be agreed with Network Rail. Propping of the basement piled walls will be provided during the basement excavation in order to minimise ground movements adjacent to the railway retaining wall foundations.
 - A survey to accurately plot the locations of the adjacent London Underground tunnels will need to be undertaken. The basement walls will need to be set out to ensure no pile is within 3m of the outer face of the tunnel structure. Current information available suggests the tunnel wall is approximately 3.5m from the proposed basement wall at the nearest point. A party wall agreement will need to be put in place with London Underground with monitoring and basement design parameters to be agreed during the detailed design stage.
- 10.136 The above requirements will need to be secured by condition of any consent granted. The application was referred to Network Rail and London Underground who have provided comments and suggested conditions (29), informatives and planning obligations (which are also recommended).

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.137 The Community Infrastructure Levy (CIL) Regulations 2010, part 11 introduced the requirement that planning obligations under section 106 must meet three statutory tests, i.e. that they 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.
- 10.138 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.
- 10.139 A number of site-specific contributions will be sought, which are not covered by CIL. The section 106 agreement will include the contributions listed in Appendix 1 of this report.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application is for the demolition of existing buildings and redevelopment of the site to provide a building of 8 storeys (ground plus 7 upper storeys) accommodating a 192-bedroom hotel (C1 use), ground floor bar/restaurant (A4/A3 use), together with ancillary hard and soft landscaping, cycle parking, refuse storage, and related works.
- 11.2 The proposed mix of uses in this town centre location, in close proximity to a National Railway Station, is considered acceptable in land use terms. The loss of existing retail units is also considered acceptable. A financial contribution is to be secured (£946,035) towards the provision of offsite affordable workspace initiatives. The proposal is thus considered to be in accordance with London Plan Policy 4.5, Islington Core Strategy (2011) CS14 and Development Management Policies (2013) policies DM4.4 and 4.11.
- 11.3 Overall, the scale, massing, height and proposed architectural language is considered to make a positive contribution to creating a coherent streetscape. The design has responded successfully to the comments made by the DRP in terms of height, massing and overall design and is considered to be sufficiently sympathetic in scale and appearance to the local aesthetic and identity. The proposal is thus in accordance with Policy 7.6 of the London Plan, Policies CS2, CS8 and CS9 of Islington's Core Strategy and the aims and objectives of Development Management Policy DM2.1 and DM2.3.
- 11.4 The proposal would create a more attractive public realm and result in a more pedestrian-friendly environment. The application would meet inclusive design requirements and provides an accessible and inclusive environment in accordance with planning policy.
- 11.5 The proposal would not have any unacceptable impact on neighbouring residential amenity. The application is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision

of sustainable forms of transport. For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is thus recommended for approval subject to conditions and the completion of a section 106 agreement to secure the necessary mitigation measures.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to referral to the Mayor of London, as well as the 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 reinstatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways and TfL, paid for by the applicant and the work carried out by LBI Highways and TfL. Conditions surveys may be required.
- The removal of redundant existing dropped kerbs, to be paid for by the applicant and carried out by LBI Highways and TfL.
- Enter into a S287 agreement with TfL for works to the footway, including public realm works and installation of cycle parking facilities.
- A Stage 1 Road Safety Audit carried out to examine how pedestrians can be managed to avoid safety issues when crossing Seven Sisters Road during construction. Funding the implementation of audit recommendations.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of 10 work placements. The placements must last a minimum of 26 weeks. The council's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage. If these placements are not provided, a fee of £50,000 to be paid to the council.
- Payment towards employment and training for local residents of a sum of £13,903.
- Provision of a contribution towards offsite provision of affordable workspace £946,035, to be paid no later than 12 months from the date of commencement.
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £9,845 and submission of a site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 22 additional accessible parking bays or a contribution towards bays or other accessible transport initiatives of £44,000.
- A contribution towards offsetting any projected residual carbon dioxide emissions of the development, to be charged at the established price per tonne of carbon dioxide for Islington (currently £920). Total £328,440
- Connection to a local energy network (DEN or SHN). As a minimum, future-proofing of any on-site heating/hot water system so that the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a Green Performance Plan.
- Submission of a draft full Travel Plan for council approval prior to occupation, and of a full Travel Plan for council approval six months from first occupation of the development or phase.
- Car-free development.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

RECOMMENDATION B

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

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Approved Plans:</p> <p>D0099 Rev P11; D0200 Rev P7; D0100 Rev P13; D0203 Rev P7; D0202 Rev P7; D0201 Rev P7; D0108 Rev P9; D0107 Rev P9; D0106 Rev P9; D0105 Rev P9; D0104 Rev P9; D0103 Rev P9; D0102 Rev P9; D0101 Rev P9; D0001 Rev P2, D0204 P7, D0205 Rev P6.</p> <p>Approved supporting documents:</p> <p>Concentration Survey of Hotels and Similar Uses dated 23 August 2018; Seven Sisters Energy Statement Version 8 dated 17 August 2018; Transport Assessment R03PW 180814 Dated August 2018; Framework Travel Plan dated August 2018; Delivery and Servicing Plan dated August 2018; Access Statement 69094/PW/SPM dated 17 August 2018; Planning Statement dated August 2018; Design and Access Statement dated August 2018; Environmental Noise and Vibration Survey and Assessment SRB/0768/A Dated 18 August 2017; Site Waste Management Plan V1 dated July 2017; Geo-environmental and Geotechnical Assessment P99869J1035 V1 dated August 2017; Statement of Community Involvement dated August 2017; Kitchen Extract Ventilation 4139-4-2-REP-ME01-B dated August 2017; Below Ground Drainage and SUDS Report Rev P4 dated 18 August 2017; Flood Risk Assessment 11995 dated August 2017; Structural Method Statement 17.728-RP-01 Rev PL1 dated 24 July 2017; Air Quality Assessment J2823A/1/F3 dated 17 August 2017; BREEAM Pre-assessment.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Samples (Details)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any above ground work commencing on site. The details and samples shall include:</p> <p>a) Facing Brickwork(s); Sample panels of proposed brickwork to be used showing the colour, texture, pointing and textured brickwork and boundary walls shall be provided;</p> <p>b) Window details;</p> <p>c) Roof materials;</p>

	<p>d) Metal cladding; e) Doors and access points; f) Feature bands; g) Canopies; h) Any other materials to be used (including cycle stands).</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 and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Demolition and Construction Management Plan and Construction Logistics Plan (Details)</p> <p>CONDITION: No development shall take place until a Demolition and Construction Management Plan (DCMP) and Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London.</p> <p>The DCMP and CLP shall set out the measures proposed to ensure demolition and construction will be undertaken in a manner which does not cause harm to the amenity of nearby occupiers, pedestrian or highway safety and shall include:</p> <ul style="list-style-type: none"> a) Identification of construction vehicle routes; b) How construction related traffic would turn into and exit the site; c) Details of banksmen to be used during construction works; d) Storage of plant and materials used in constructing the development; e) The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; f) Wheel washing facilities; g) Measures to control the emission of dust and dirt during demolition and construction; h) A scheme for recycling/disposing of waste resulting from demolition and construction works. i) Measures to prevent construction vehicles driving onto footpaths at any time j) The notification of the Council, neighbours and TfL with regard to specific works and advance notification of any access way, pavement, or road closures; k) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking, size, frequency, dwell time and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; l) 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.) m) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Seven Sisters Road and Isledon Road at all times, including emergency service vehicles; n) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. o) Confirmation that construction traffic is not to attend the site during periods of peak network congestion (7-10am and 4-7pm). <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p>

	<p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	<p>Construction Environmental Management Plan (Details)</p> <p>A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority."</p> <p>The applicant should pay reference to the LBI's Code of Practice for Construction Sites and the guidance contained within on noise, dust, air quality, Non Road Mobile Machinery register.</p> <p>REASON: In order to mitigate the impacts of the development.</p>
6	<p>Delivery & Servicing (Compliance)</p> <p>CONDITION: The development shall be constructed and operated strictly in accordance with the Delivery and Servicing Plan hereby approved. No change therefrom shall take place without the prior written consent of the Local Planning Authority. Refuse collection shall only take place from the loading bay on Seven Sisters Road.</p> <p>REASON: The vehicle facilities are considered to form an essential element of the development, without which the scheme would have a harmful impact on both amenity and the free-flow and safety of traffic and the public highways.</p>
7	<p>Hours of operation for Restaurant and bar (Compliance)</p> <p>CONDITION: The ground floor bar and restaurant hereby approved shall not be open to members of the public except between the hours of 06:00 hours through to 00:30 hours the following day.</p> <p>REASON: To ensure that the operation of the bar and restaurant does not unduly impact on residential amenity.</p>
8	<p>Obscure Glazing and Privacy Screens (Details)</p> <p>CONDITION: Notwithstanding the plans hereby approved, further details of privacy measures to prevent overlooking from the hotel towards the student accommodation building at 189-219 Seven Sisters Road shall be submitted and approved in writing by the Local Planning Authority prior to any works above first floor level commencing on site.</p> <p>Specifically details of privacy measures for the following hotel room windows are required:</p> <ul style="list-style-type: none"> • Level 2: rooms 202, 204 and 206, • Level 3: rooms 302, 304 and 306, • Level 4: rooms 402, 404 and 406, • Level 5: rooms 502, 504 and 506,

	<ul style="list-style-type: none"> Level 6: rooms 602, 604 and 606. <p>The measures to prevent overlooking shall be installed prior to the occupation of the relevant hotel rooms and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking between habitable rooms within the development itself, to protect the future amenity and privacy of residents.</p>
9	<p>Inclusive Design (Details)</p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design and Islington's Development Management Policy 4.11.</p> <p>Plans and details confirming that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> a) Refuge Areas on all upper and lower floors; b) Cycle storage and changing facilities including provision of accessible cycle storage and mobility scooter storage (with 30 minutes of fire protection); c) Maximum feasible amount of wheelchair accessible rooms (fully fitted out) up to a minimum of 19 wheelchair accessible bedrooms; d) Details of how each floor plan and layout accords with good inclusive design principles and needs. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter; e) Details of accessible baby changing facilities; f) Accessible toilet facilities for restaurant and bar use; f) Accessible bathroom and shower facilities for staff. <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
10	<p>Inclusive Design (Compliance)</p> <p>CONDITION: All lifts serving the hotel accommodation hereby approved shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
11	<p>Solar Photovoltaic Panels (Details)</p> <p>CONDITION: Prior to any works above first floor level, details of the proposed Solar Photovoltaic Panels 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"> a) Location; b) Output of panels c) Area of panels; and d) 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>

	REASON: In the interest of addressing climate change and to secure sustainable development.
12	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Prior to any work above first floor level commencing on the development details of the biodiversity (green/brown) roofs shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The green/brown roof shall:</p> <ul style="list-style-type: none"> a) Be biodiversity based with extensive substrate base (depth 80 -150mm); b) Contribute towards a 50% reduction in surface water run-off; and c) Be 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) roofs should be maximised across the site and shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved, shall be laid out within 3 months of next available appropriate planting season after the construction of the building it is located on and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats, valuable areas for biodiversity and minimise run-off.</p>
13	Drainage and SUDS (Details)
	<p>CONDITION: The SUDS measures as outlined in the approved Drainage Statement shall be installed and operational prior to the occupation of the development hereby approved.</p> <p>Further details shall be submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ul style="list-style-type: none"> a) a timetable for its implementation, and b) a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
14	Energy Efficiency – CO2 Reduction (Compliance/Details)

	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy Statement which shall provide for no less than a 27% on-site total CO2 reduction (regulated and unregulated emissions) in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Statement, the following should be submitted and approved:</p> <p>A revised Energy Statement, which shall provide for no less than a 27% onsite total CO2 reduction (regulated and unregulated emissions) in comparison with total emissions from a building which complies with Building Regulations 2013, and clearly set out the value of any revised carbon offset contribution.</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation.</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>
15	<p>Landscaping (Details)</p> <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 prior to completion of the 8th floor level. The scheme shall include the following details:</p> <ul style="list-style-type: none"> a) existing and proposed underground services and their relationship to both hard and soft landscaping; b) soft plantings: including grass and turf areas, shrub and herbaceous areas; c) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, and retaining walls; d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; e) inclusive design principles adopted in the landscaped features; f) bird and bat boxes; and g) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. 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>

	REASON: In the interest of biodiversity, sustainability and to ensure that a satisfactory standard of visual amenity is provided and maintained.
16	BREEAM (Compliance)
	<p>CONDITION: The Hotel portion of the development shall achieve a BREEAM New Construction 2014 rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
17	Rainwater Harvesting (Details)
	<p>CONDITION: Details of the rainwater and greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing above first floor level.</p> <p>The details shall demonstrate the maximum level of recycled water that can feasibly be provided to the development. The rainwater and greywater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable management and use of water, and to minimise impacts on water infrastructure, potential for surface level flooding.</p>
18	Noise of 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 $L_{Aeq,T}$ 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 $L_{A90,Tbg}$. 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 the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
19	Lighting Plan (Details)
	<p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures), and the location and design of any CCTV camera equipment shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing above first floor level. The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
20	Air Quality Assessment (Details)
	<p>CONDITION: Before commencement of any works above first floor level, an air quality report shall be submitted to and agreed by the Local Planning Authority. The report shall detail:</p> <p>a) the area within the boundary of the site, which may exceed relevant national air quality objectives.</p>

	<p>b) specify how the detailed application will address any potential to cause relevant exposure to air pollution levels exceeding the national air quality objectives.</p> <p>c) identify areas of potential exposure.</p> <p>d) detail how the development will reduce its impact on local air pollution.</p> <p>The report shall include evidence that regard has been given 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 “Sustainable Design and Construction” SPG and EP-UK & IAQM’s “Planning For Air Quality” in the compilation of the report.”</p> <p>REASON: To ensure an adequate air quality to future occupiers.</p>
21	No Plumbing or Pipes (Compliance/Details)
	<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>
22	Refuse/Recycling Provided (Details)
	<p>CONDITION: Details of refuse / recycling storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved 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>
23	Cycle Parking (Details)
	<p>CONDITION: Notwithstanding the submitted plans, details of long and short stay bicycle storage (12 long-stay and 13 short-stay spaces) shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL prior to any work above first floor level commencing on site.</p> <p>The approved bicycle storage shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site, to promote sustainable modes of transport and to secure the high quality design of the structures proposed.</p>
24	Noise Impact Assessment (Details)
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical</p>

	<p>plant to demonstrate compliance with the Environmental Noise and Vibration Survey and Assessment SRB/0768/A Dated 18 August 2017. The report shall include measurement of the new plant following installation. The report shall be submitted to and approved in writing by the Local Planning Authority within 2 months of occupation.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
25	Roof-Level Structures (Details)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) shall be submitted to and approved in writing by the Local Planning Authority prior to any work commencing on site above the first floor level. 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.</p>
26	Security (Details)
	<p>CONDITION: Prior to works commencing above first floor level, details of how the development will be designed to be secure from crime shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Metropolitan Police. The details shall include:</p> <ul style="list-style-type: none"> a) Measures to control access and movement; b) Safe locations for luggage storage. <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>
27	London Underground (Details)
	<p>CONDITION: The development hereby permitted shall not be commenced until detailed design and method statements (prepared in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> a) provide details on all structures; b) accommodate the location of the existing London Underground structures and tunnel; c) accommodate ground movement arising from the construction thereof; d) mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels.

	<p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>Reason: To ensure that the development does not impact on existing London Underground transport infrastructure.</p>
28	<p>Network Rail Method Statement (Details)</p> <p>CONDITION: A method statement detailing impacts on Network Rail's assets and infrastructure shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail's Asset Protection Project Manager prior to commencement of works commencing on site. The method statement shall include details of the following:</p> <ul style="list-style-type: none"> a) Risk assessment in relation to railway infrastructure, b) Demolition and construction details, c) Vibro-impact machinery, d) Scaffolding, e) Cranes, f) Boundary protection. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of safety, the protection of railway infrastructure and to mitigate the impacts of the development.</p>
29	<p>Basement Structural Method Statement (Details)</p> <p>Prior to commencement of basement excavation, a detailed survey via trial pits and review of drawings of the adjacent railway retaining wall foundations shall be submitted and be approved by the Local Planning Authority in consultation with Network Rail. The survey shall establish an accurate settlement analysis of the retaining wall foundations and its impact on the railway line above. The scope of the analysis and the wall monitoring arrangements during construction are to be agreed with Network Rail.</p> <p>Propping of the basement piled walls shall be provided during the basement excavation in order to minimise ground movements adjacent to the railway retaining wall foundations.</p> <p>In addition, and prior to excavation of the basement, a further survey shall be undertaken and submitted to and approved by the Local Planning Authority in consultation with London Underground. The survey shall accurately plot the locations of the adjacent London Underground tunnels. The proposed basement walls will need to be set out to ensure no pile is within 3m of the outer face of the tunnel structure.</p> <p>Thereafter the development shall be undertaken in strict accordance with the approved surveys.</p>

	<p>REASON: In the interests of safety, the protection of railway and tube infrastructure and to mitigate the impacts of the development.</p>
30	<p>Hotel Management Plan (Details)</p> <p>CONDITION: Prior to occupation of the hotel hereby approved, a Hotel Management Plan shall be submitted and approved in writing by the Local Planning Authority. The Hotel Management Plan shall include the following information:</p> <ul style="list-style-type: none"> a) Hotel staff training on safety and security matters; b) Measures to be put in place to prevent any group bookings of 4 or more people or booking for guests who would arrive by coach; c) Complaint recording and complaint handling procedures; d) Maximum length of stay being limited to 90 consecutive days in any 12 month period and measures to ensure that visitor accommodation is not permanently occupied; e) Emergency evacuation procedures for disabled guests. <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 mitigate the impacts of the development and reduce the likelihood of coaches arriving at the site given that it will have no coach parking facilities.</p>
31	<p>No obscure glazing at ground level (Compliance)</p> <p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level shall be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
32	<p>Contaminated Land (Details)</p> <p>CONDITION:</p> <ul style="list-style-type: none"> c) The development shall be carried out strictly in accordance with the Jomas Associates ground investigation report dated 04 August 2017 and CLR11 and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. d) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a) of this condition. <p>REASON: Given the history of the site the land may be contaminated, investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</p>

List of Informatives:

1	Planning Obligations Agreement
	You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that occupiers of the proposed development will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people, or other exemption under the Council Parking Policy Statement.</p>
5	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.</p> <p>Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk</p> <p>Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p> <p>Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing a positive pumped device (or equivalent</p>

	reflecting technological advances) 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. Fitting only a nonreturn valve could result in flooding to the property should there be prolonged surcharge in the public sewer. If as part of the basement development there is a proposal to discharge ground water to the public network.
6	<p>Water Pressure</p> <p>INFORMATIVE: Thames Water will aim to provide customers with a minimum pressure of 10m head (approximately 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> <p>Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water have contacted the developer in an attempt to agree a position on water networks but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission. No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or - a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan.</p> <p>The developer can request information to support the discharge of this condition by visiting the Thames Water website at thameswater.co.uk/preplanning. Should the Local Planning Authority consider the above recommendation inappropriate or are unable to include it in the decision notice, it is important that the Local Planning Authority liaises with Thames Water Development Planning Department (telephone 0203 577 9998) prior to the planning application approval.</p> <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> <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</p> <p>Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk</p>

7	Surface Water Drainage
	<p>INFORMATIVE: In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.</p>
8	Materials
	<p>INFORMATIVE: In addition to compliance with condition 3 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>
9	Construction Management
	<p>INFORMATIVE: You are advised that condition 4 covers transport and environmental health issues during construction works and should include the following information:</p> <ul style="list-style-type: none"> a) identification of construction vehicle routes; b) how construction related traffic would turn into and exit the site; c) details of banksmen to be used during construction works; d) the method of demolition and removal of material from the site; e) the parking of vehicles of site operatives and visitors; f) loading and unloading of plant and materials; g) storage of plant and materials used in constructing the development; h) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; i) wheel washing facilities; j) measures to control the emission of dust and dirt during construction; k) a scheme for recycling/disposing of waste resulting from demolition and construction works; l) noise; m) air quality including dust, smoke and odour; n) vibration; and o) TV reception.
10	Sprinkler Systems
	<p>INFORMATIVE: While fire safety and floor layout will be further considered though the building control process, you are strongly advised by the London Fire and Emergency Planning Authority to install sprinkler systems as these significantly reduce the damage caused by fire and the consequential cost to business and housing providers, and can reduce the risk to life.</p>
11	London Underground
	<p>INFORMATIVE: The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation and construction methods; This site is also adjacent to Network Rail assets. Please</p>

	contact them directly to query what affect if any your proposals will have on their railway.
12	Network Rail
	INFORMATIVE: The applicant should contact Network Rail's Property Services Team if they haven't done so already (propertyserviceslneem@networkrail.co.uk) to understand further the implications this may have. Often these sites are sold and are the subject of a demarcation agreement which may include particular rights in relation safe operation of the railway and associated infrastructure. It must be remembered that where Network Rail has access rights over the development site; access must not be blocked or restricted at any time.
13	Network Rail 2
	<p>INFORMATIVE: Given the proximity of the site to the operational railway infrastructure, including a retaining wall and 25kV overhead line equipment, it is essential that the developer contact our Asset Protection Team (details below) to discuss the proposed development well in advance of any work starting on site. This is to ensure that the proposals have no impact on the operational safety of the railway infrastructure and that construction work can be carried out safely. Points to be considered include (but are not limited to) the following;</p> <ul style="list-style-type: none"> - Maintaining Network Rail access to the retaining wall to enable continued inspection and maintenance on a 24/7 basis as required - Whilst noting that further discussion with Network Rail is necessary (and presumably LUL for the Victoria Line Tunnels) the geotechnical calculations are subject to speculation about the founding of the railway embankment/retaining wall and are only considering settlement. It's probable that there will be uplift due to removal of existing buildings and the basement excavation and also lateral movement due to the latter to be considered for a full assessment of potential effects on Network Rail's infrastructure. - Erection of access scaffolding for the new building construction would impede Network Rail's reserved access rights and require use of Network Rail's retained land (CR32733), which would need formal agreement with Network Rail Property. - The daylight and sunlight report is only concerned with effects of the new and existing buildings on each other. It will also be necessary to consider effects on the railway and, particularly, glint and glare affecting train drivers and their ability to sight signals. - There should be no balconies on the railway face - which is shown as being only 3.5m clear of the retaining wall for a railway with 25kV overhead power transmission equipment. - Boundary treatments should be agreed to ensure that risk of trespass onto the railway infrastructure is not increased by any part of the proposed development.
14	Land in Network Rail Ownership
	INFORMATIVE: It is noted that the development is partly based on land owned by Network Rail and that the developer has completed the Certificate B section of the application form accordingly. The developer should contact our Property Services Team (propertyserviceslneem@networkrail.co.uk) if they have not already done so to discuss the possible use of Network Rail land and reach agreement as soon as possible.
15	Drainage
	INFORMATIVE: All surface and foul water arising from the proposed works must be collected and diverted away from Network Rail property. All soakaways must be

	<p>located so as to discharge away from the railway infrastructure. The following points need to be addressed:</p> <ol style="list-style-type: none"> 1. There should be no increase to average or peak flows of surface water run off leading towards Network Rail assets, including earthworks, bridges and culverts. 2. All surface water run off and sewage effluent should be handled in accordance with Local Council and Water Company regulations.
16	Cranes
	<p>INFORMATIVE: All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p>
17	Excavations and Earthworks
	<p>INFORMATIVE: All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken. Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.</p>
18	Other Network Railway Informatives
	<p>Encroachment:</p> <p>The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail air-space and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or air-space is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.</p> <p>Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.</p>

	<p>Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land.</p> <p>Noise/Soundproofing: Every endeavour should be made by the developer to provide adequate soundproofing for the proposed hotel rooms. Please note that in a worst case scenario there could be trains running 24 hours a day and the soundproofing should take this into account.</p> <p>Trees/Shrubs/Landscaping: Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. For information about what trees are not permitted please contact Network Rail. A comprehensive list of permitted tree species is available upon request.</p> <p>Lighting: Where new lighting is to be erected adjacent to the operational railway the potential for train drivers to be dazzled must be eliminated. In addition the location and colour of lights must not give rise to the potential for confusion with the signaling arrangements on the railway. Detail of any external lighting should be provided as a condition if not already indicated on the application.</p> <p>Access to Railway: All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development. Particularly, as outlined above access to inspect and maintain the adjacent railway retaining wall must remain clear and unobstructed both during and after construction.</p> <p>Glint and Glare: As noted above, the documentation provided does not include a specific glint and glare study to ascertain the effect the proposed development will have on the operation of the adjacent railway particularly in terms of signal sighting and driver distraction from reflective surfaces etc. The applicant should supply further details on this point before we can comment further.</p>
19	<p>TfL Informative</p> <p>The A503 Seven Sisters Road and Isledon Road form part of the Transport for London Network (TLRN), for which TfL is the highway authority. A s278 agreement and conditions as well as planning obligations are required re maintenance and construction impact. The Applicant is reminded that to deliver cycle parking on-street a Section 278 (S278) will be required with TfL as the highway authority for Seven Sisters Road.</p>

	<p>TfL raised concerns about construction at both Pre-application and Stage 1 of the GLA referral process. The current construction proposals are not accepted and extensive further engagement with TfL will be required to agree an appropriate construction methodology and access strategy for the site.</p> <p>Approvals from TfL will be required for all temporary and permanent works and traffic management proposed along Seven Sisters Road. TfL do not support the footway closure proposed for long periods. It may be preferable to create a pit lane in the carriageway for one or more phases of the build, subject to traffic modelling demonstrating this would not cause bus journey time delays or extensive queuing of vehicles on the TLRN. The arrangement proposed at the southern end of the construction access, adjacent to the pedestrian crossing, may need to be redesigned. A Stage 1 Road Safety Audit will need to be carried out when it is developed in further detail. TfL is concerned about how pedestrians can be managed to make sure they comply with banksmen and cross Seven Sisters Road as would be required to avoid safety issues. The construction access may also limit visibility at and around the pedestrian crossing and traffic signals, especially when occupied by construction vehicles. Any significant increased risk of potential conflicts and collisions would be completely unacceptable, especially considering the Mayor and TfL's commitment to delivering a 'Vision Zero' approach in London to make its streets safer for all.</p> <p>You are advised that in preparing the CLP, reference should be made to the Construction Logistics Plan Guidance provided by TfL, which can be found at the following web site: http://content.tfl.gov.uk/construction-logistics-plan-guidance-for-developers.pdf</p>
20	<p>Secure Design Informative</p> <p>You are advised that in discharging condition 2? The Metropolitan Police make the following suggestions:</p> <ul style="list-style-type: none"> • Access and Movement – the main reception should be the central location for the meeting and greeting of guests. From this location the access and movement throughout the entire building can be controlled. Any encrypted FOB access or card readers issued to residents should then allow access via lift control, stair cores and also each individual floor. This has the added benefit of restricting the movement of guests between floors and deter anti-social behaviour by large group bookings. Having access control from reception will also assist with the integrity of the building as with a bar present there is implied permission that any person may use it and therefore non-residents can access this area. • Safe location for the storage of left luggage by guests, this should be protected with PAS24:2016 door and strict management policy on its use. • Hotel staff training should be given to the risks of Child Sexual Exploitation and on how to identify the signs that this is occurring. Presentations from the Metropolitan Police can be given to all staff under 'Operation Makesafe'. • CCTV should be used in these vulnerable points to reinforce any security put in place. • Cycle storage should be in a position where there is good natural surveillance, the stand used should allow for three points of locking (both wheels and the frame) and covered by CCTV. If within a secure room they should have the same security stands and protected with a PAS24:2016 door, minimum of two magnetic locks (two thirds from top and bottom) of the frame controlled with encrypted FOB access. Self-locking and self-closing mechanism fitted and no advertising what the use to the room is for.

	<ul style="list-style-type: none"> Bin storage should be separate from the building but if it does have access into the hotel then the connecting door will need to be a PAS24:2016 minimum of two magnetic locks (two thirds from top and bottom) of the frame controlled with encrypted FOB access. Self-locking and self-closing mechanism fitted. The door to public realm can be 'robust and fit for purpose' with self-locking and self-closing mechanisms and no advertising what the use of the room is.
21	Biodiversity and sustainability
	<p>Green roof areas should be installed under and in between the solar panels in order to maximise green roof coverage.</p> <p>The incorporation of small areas of soft landscaping and/or installation of planters to the external areas is recommended to provide biodiversity and drainage benefits.</p> <p>In relation to the bird boxes, at least one swift brick should be installed above 5 metres.</p>
22	Refuse and recycling collection
	You are advised that in relation to condition 22 the Council will expect the proposals for

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 2.11 Inner London

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.9 Mixed and balanced communities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.5 London's visitor infrastructure

Policy 4.9 Small shops

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

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

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 London's transport connectivity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

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 CS2 (Finsbury Park)

Policy CS8 (Enhancing Islington's Character)

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS14 (Retail and Services)

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

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

DM4.10 Public houses

DM4.11 Hotels and visitor accommodation

DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

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

5. Designations

The site has the following designations under the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013:

- Finsbury Park Town Centre
- Finsbury Park key area
- cycle route
- Controlled Parking Zone

6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan	London Plan
<ul style="list-style-type: none">- Environmental Design SPD (adopted October 2012)- Finsbury Park Development Framework SPD (March 2015)- Finsbury Park Town Centre SPD (June 2014)- Inclusive Design in Islington SPD (adopted February 2014)- Inclusive Landscape Design SPD (adopted January 2010)- Planning Obligations (Section 106) SPD (adopted November 2013) and replacement SPD (consultation draft	<ul style="list-style-type: none">- Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)- The Control of Dust and Emissions During Construction and Demolition SPG (July 2014)- London Planning Statement SPG (adopted May 2014)- Planning for Equality and Diversity in London SPG (adopted October 2007)- Shaping Neighbourhoods – Character and Context SPG

- published July 2016)
- Streetbook SPD (adopted October 2012)
- Urban Design Guide SPD (adopted December 2006) and replacement Urban Design Guide SPD (consultation draft published July 2016)
- (adopted June 2014)
- Social Infrastructure SPG (adopted May 2015)
- Sustainable Design and Construction SPG (adopted April 2014)
- Town Centres SPG (adopted July 2014)
- Use of Planning Obligations in the Funding of Crossrail, and the Mayoral Community Infrastructure Levy SPG (adopted April 2013)

APPENDIX 3 DESIGN REVIEW PANEL LETTER



CONFIDENTIAL

ATT: Alexandra Milne
DP9 Ltd
100 Pall Mall
London
SW1Y 5NQ

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/118

Date: 4 April 2017

Dear Alexandra Milne,

ISLINGTON DESIGN REVIEW PANEL

RE: 240 Seven Sisters Road, London, N4 2HX (pre-application ref. Q2016/0687/MJR)

Thank you for attending Islington's Design Review Panel meeting on 14 March 2017 for a first review of the above scheme. The proposed scheme under consideration is for a 10-storey building accommodating a 228 room hotel and a ground floor restaurant and bar (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 The scheme was reviewed by Dominic Papa (chair), David Gibson, Sarah Featherstone, Malcolm Turner, Stephen Archer and Martin Pearson on 14 March 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

Site and use

The Panel recognised that it was a challenging site adjacent to the railway lines/bridge and a heavily trafficked and polluted road and accepted that this made policy compliant uses other than a hotel use difficult. A hotel is a suitable town centre use in such a highly accessible location. Panel members noted the history of the site as an important live music venue and questioned whether there was greater scope for a larger basement, perhaps as a venue space, or alternatively simply allowing the ground floor to work harder.

Height, bulk and massing

The Panel had strong concerns over the excessive height, bulk and massing of the proposed hotel building. They did not view the site as a 'corner site' but as an extension of the street. Panel members were concerned at the perceived 'wall' of development, its impact on the prominence of the tower to the Grade II* former Rainbow Theatre and its extremely close proximity to the Pure Highbury building. They stated that further information on the

relationship between the two buildings in terms of privacy, daylight and sunlight would be required.

Panel members did not support a design which proposes bedrooms longer and, therefore, larger than necessary simply to bring the building line below out to allow for the bedrooms to the top two floors to be set-back. If a set-back were to be proposed the rooms should be re-planned to avoid bedrooms to floors below being longer/larger than necessary.

The Panel recommended that the building should be reduced by two storeys. One possibility could be omitting both the set-back glazed floors, which would help avoid the aforementioned layout issue, or omitting one brick floor and one set-back glazed floor. The reduction in height would then help reduce the bulk and any negative visual impact arising from this.

Elevational treatment and articulation

Panel members questioned whether the elevations could be better articulated. The Panel observed that the brick panels appear to 'float' above the glazed ground floor in contrast to the example of the Turnmills building which is grounded with brick piers. Panel members also questioned the precise appearance of the two set-back floors as further information is required.

Public realm and landscaping

The Panel welcomed the proposed pavement widening and tree planting but required further information. Panel members questioned the possible appearance of the 'plaza' and how it might function and sought confirmation on what trees could be planted where. Further information would also be required on any proposed planting to the set-back and how this would work in relation to a balustrade. A glazed balustrade was considered unsuitable in such a heavily trafficked, polluted environment as it would need regular cleaning.

Servicing

The Panel would have liked more detailed information on the proposed servicing of the building. However, they recommended that rather than simply utilising the existing loading bays, the servicing of the buildings in the immediate area should be reviewed in case there is a possibility of wider improvements being made. A study might reveal, for example, a possibility to relocate the existing loading bay to better service the evolving uses of this and adjoining sites. Panel members noted the unsatisfactory distance from the proposed hotel entrance and the loading bay where taxis would pick-up from.

Summary

The Panel accepted the proposed hotel use, but raised strong concerns over the excessive height, bulk and massing of the proposed building which would have a negative impact on the townscape and GII* former Rainbow Theatre. Consequently, panel members recommend that the building should be reduced by two storeys as the reduction in height would then help reduce any negative visual impact arising from the bulk. The Panel did not support a design which proposes bedrooms longer and, therefore, larger than necessary simply to allow for the bedrooms to the top two floors to be set-back. Panel members welcomed the proposed pavement widening and tree planting but required further information, especially as to how the public realm will appear and function. The Panel required more detailed information on the proposed servicing of the building and recommended that the immediate area should be reviewed in case there is a possibility of wider improvements being made. As currently proposed the Panel was not supportive of the scheme and thought the above concerns would need to be addressed prior to the submission of an application.

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.

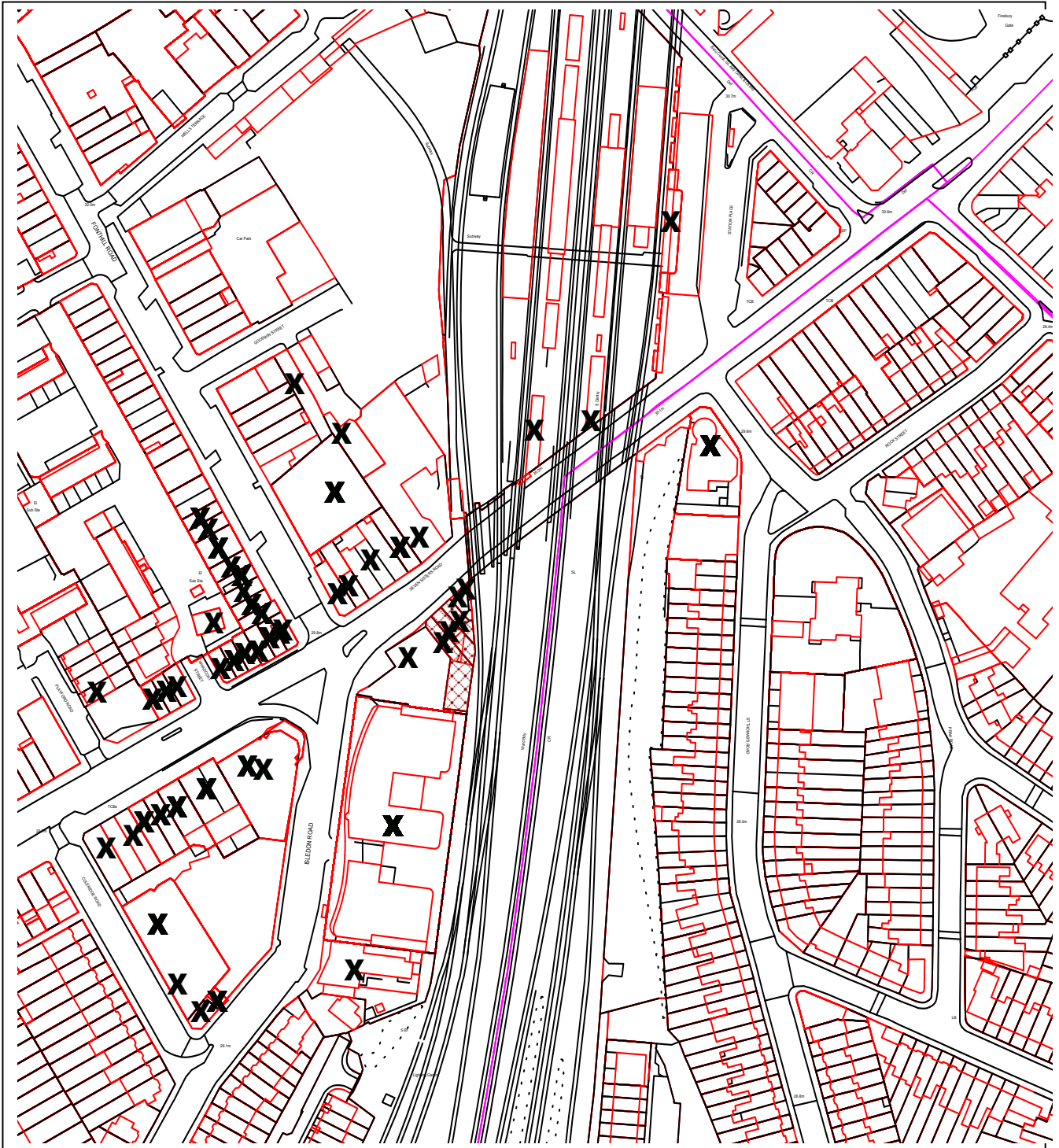
Yours sincerely,

A handwritten signature in black ink, appearing to read 'Lucy', is placed over a rectangular area of the document that has been redacted with a light grey pattern.

Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

ISLINGTON



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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: B2
Date:	9 October 2018	NON-EXEMPT

Application number	P2018/1578/FUL
Application type	Full Planning Permission
Ward	Bunhill
Listed building	N/A
Conservation area	Adjoins Hat & Feathers Conservation Area
Development Plan Context	<ul style="list-style-type: none">- Bunhill and Clerkenwell Core Strategy Key Area- Finsbury Local Plan (FLP) Area- Great Sutton Street Employment Priority Area (General)- Central Activities Zone- Adjoins Hat and Feathers Conservation Area- Within vicinity of Heritage Sites in Historic Clerkenwell at Nos. 73-77, 83 and 89 Goswell Road.
Licensing Implications	Not applicable
Site Address	Laser House, 132-140 Goswell Road, London, EC1V 7DY.
Proposal	Partial demolition of rooftop structures and retention of the existing building along with the construction of a three-storey extension (including plant areas) to the existing building and new three-storey infill building to the corner of Goswell Rd and Pear Tree Street resulting in a part 3, part 4, part 5, part 6-storey building including internal reconfiguration and refurbishment of the existing facades to provide for 8,146 square metres (GIA) of office floorspace (Use Class B1(a)) including 481 square metres (GIA) of floorspace for small and micro enterprises (SME), and 671 square metres (GIA) of flexible retail/office

	floorspace (Use Class A1/B1(a)) along with associated access arrangements, cycle parking, refuse storage and ancillary works.
--	---

Case Officer	John Kaimakamis
Applicant	Northern & Midland Holdings
Agent	Gerald Eve LLP

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET





4. SUMMARY

- 4.1 Subject to a contribution towards securing offsite housing provision the development of a mixed use Class A1 retail and Class B1 office scheme on this highly accessible site in an Employment Priority Area in the CAZ is considered to be acceptable in land use terms. The provision of high quality Class B1 office accommodation would be consistent with the aims of the development plan.

- 4.2 The proposed refurbishment and extensions to the existing building would respect the heights of buildings in the immediate context and would result in a successful townscape in this location. Further, the high quality design would be sensitive to surrounding heritage assets and complementary to local identity. No part of the proposed development would block, detract from or have an adverse effect on any significant strategic or local protected views.
- 4.3 The design of the extensions and new build elements including their height, scale, appearance and relationship to the street scene is acceptable, subject to appropriately worded conditions to secure aspects of the detailed design of its external appearance and materials to be of a high quality. The scheme maximises the efficient use of the site and in this location with an excellent public transport accessibility rating.
- 4.4 The current proposal when compared against the previously refused application, has limited the extent of loss of sunlight and daylight to the properties to the north along Pear Tree Street, which are in excess of the BRE guidelines. The proposed works opposite these properties in Pear Tree Street are appropriate in townscape terms and when balancing the townscape and other benefits against the sunlight and daylight losses to these properties the harm to these properties is accepted.
- 4.5 The scheme comprehensively considers environmental sustainability and proposes a range of energy efficient and renewable measures to tackle climate change.
- 4.6 No significant transport and parking impacts are posed by the scheme having regard to access, servicing, parking, trip generation, potential public transport impact, promotion of sustainable transport behaviour (through the green travel plan), and potential impacts during the construction period.
- 4.7 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement.

5. SITE AND SURROUNDING

- 5.1 The application site comprises of a part 2, part 3, part 4-storey brick-built building from the 1960s at the junction of Goswell Road and Pear Tree Street, and is known as Laser House. The building's 3-storey frontage onto Goswell Road has a setback fourth floor, a strong horizontal emphasis and well-proportioned fenestration and modest window reveals, cornicing and detailing. While the original main entrance is on Goswell Road, the building has a further main entrance considerably set back from the Goswell Road frontage, leaving a generous space in front, which is occupied by a number of car parking spaces and planters. At ground floor level, the Pear Tree Street frontage is characterised by servicing areas and undercroft car parking. The building along Pear Tree Street is two-storeys in height with a setback third storey.

- 5.2 The site is not in a conservation area but surrounding buildings (to the north and on the opposite side of Goswell Road) are located within the Hat and Feathers Conservation Area, which is characterised predominantly by 19th and 20th century commercial buildings with a varied mix of design, materials and architectural features. The site is bounded by a number of recent developments to the north and east along Pear Tree Street, as well as the recent student accommodation development to the south along Goswell Road.
- 5.3 The site has a high PTAL rating of 6a with a number of bus stops located within walking distance. The building is currently used as business floorspace (Use Class B1) and has an existing servicing yard/car parking provision off Pear Tree Street.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the partial demolition of rooftop structures and retention of the existing building along with the construction of a three-storey extension (including plant areas) to the existing building and new three-storey infill building to the corner of Goswell Rd and Pear Tree Street resulting in a part 3, part 4, part 5, part 6-storey building including internal reconfiguration and refurbishment of the existing facades, along with associated access arrangements, cycle parking, refuse storage and ancillary works.
- 6.2 The above works will provide for 8,146 square metres (GIA) of office floorspace (Use Class B1(a)) including 481 square metres (GIA) of floorspace for small and micro enterprises (SME), and 671 square metres (GIA) of flexible retail/office floorspace (Use Class A1/B1(a)).
- 6.3 In built form terms, the proposal seeks a three-storey extension to the existing building (including roof plant level extension). The existing Goswell Road frontage consists of a three-storey building along the frontage with a fourth storey setback. The proposals as they front Goswell Road included a fifth storey extension on top of the existing fourth storey so that the resultant building would be a part 4, part 5-storey building, with a six storey roof plant extension set further back from the part 5-storey extension.
- 6.4 The existing Pear Tree Street frontage consists of a two-storey building along the frontage with a third storey setback and some small roof extension above. The proposals as they front Pear Tree Street included a front extension to the second floor along Pear Tree Street so that it doesn't project beyond the second floor elevation wall of the neighbouring property to the east along Pear Tree Street. This is setback 1.5 metres from the frontage to align with the neighbouring property at third storey level. Further, the proposals seek a third and fourth storey extension along this elevation stepping back from the main frontage, and a sixth level roof plant extension set even further back. The resultant building along Pear Tree Street would be a Part 3, part 4, part 5, part 6-storey building. Additionally, the proposals include a new-build infill extension to the corner of Pear Tree Street and Goswell Road, where

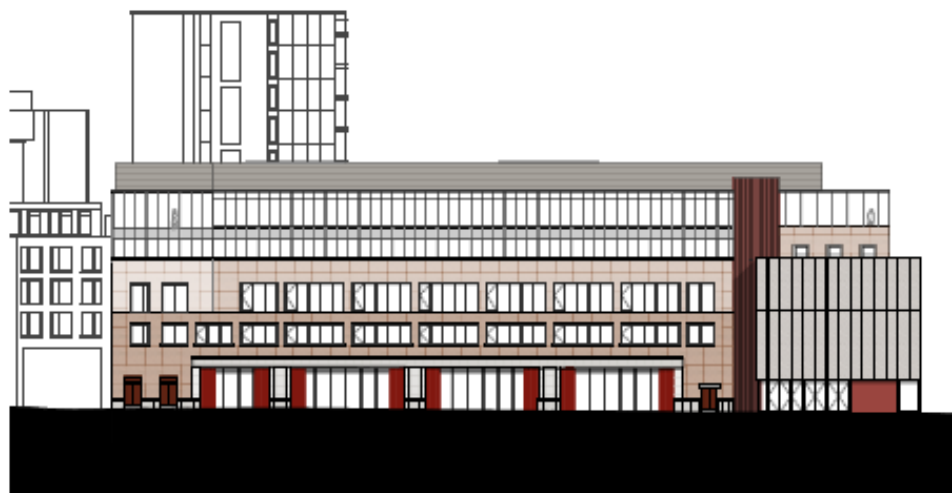
currently no building currently exists. This new build extension is proposed at three storeys in height. The new build infill extension at the corner of Pear Tree Street and Goswell Road would form the entrance and foyer for the office accommodation.

- 6.5 The submitted proposal is a revision of a previously refused scheme (Ref: P2017/1103/FUL), which was refused because of the impact on the amenity of properties fronting Pear Tree Street with regard to sunlight and daylight.
- 6.6 The most notable amendments to the proposed scheme when compared to the refused proposal are as follows:
- Massing changes – removal of one storey along Pear Tree Street and pushing back the massing at upper level on Pear Tree Street and pushing forward at upper level on Goswell Road, lowering roof plant, removal of extruded lift core (moved into the middle of the plan);
 - Use – making ground floor active and lively, entrance to office space, new sunken courtyard to the rear. On Goswell Road, lowering the glazing to ensure ground and lower ground floor work together and there is activity on this frontage. Corner block is now a clear entrance into the building – office entrance, no Use Class D1 contained within the infill building as previously proposed;
 - Architectural expression – on Pear Tree Street two lower floors retained, on Goswell Road the frontage is retained. The corner block is now brick (not polished concrete anymore).



West (Gorwell Road) Elevation. 2017 Refused Scheme





North (Pear Tree Street) Elevation. 2017 Refused Scheme



6.7 All terrace areas along the Pear Tree Street and Goswell Road extensions on all floors including the terrace on the top of the new build element have been removed.

6.8 Finally, the proposed sixth-storey roof plant extension was also reduced in scale and size.

7. RELEVANT HISTORY

7.1 The following previous planning applications relating to the application site are considered particularly relevant to the current proposal:

Planning Applications:

- 7.2 P2017/1103/FUL: Partial demolition of rooftop structures and retention of the existing building along with the construction of a three-storey extension to the existing building and new three-storey infill building to the corner of Goswell Rd and Pear Tree Street resulting in a part 3, part 4, part 5, part 6-storey building including internal reconfiguration and refurbishment of the existing facades to provide for 8,465 square metres (GIA) of office floorspace (Use Class B1(a)), 84 square metres (GIA) of flexible gallery/exhibition/office floorspace (Use Class B1/D1) on the first floor of the new three-storey infill building, and 677 square metres (GIA) of flexible retail/office floorspace (Use Class A1/B1(a)) along with associated access arrangements, cycle parking, refuse storage and ancillary works.
- 7.3 This application was refused on 16 November 2017 for the following reason:
- "The proposed development, by reason of its inappropriate layout, height, massing and proximity to facing residential properties would result in an unacceptable harm to the amenity of nearby residential buildings through loss of daylight and sunlight receipt experienced by those properties, loss of outlook and sense of enclosure. This harm makes the proposal contrary to Policy 7.6 of the London Plan (2016), Policy DM 2.1 of Islington's Local Plan: Development Management Policies (2013), as well as BRE 'Site layout planning for daylight and sunlight: a guide to good practice' (Second Edition 2011)" and the benefits of the scheme are not considered to outweigh this harm."*
- 7.4 P2016/2485/FUL: Demolition of the existing building and construction of a part six, seven and eight storey building (plus lower ground and basement), comprising 13,100 square metres office (B1(a)) floorspace, 90 square metres ground floor cafe (A1/A3), ancillary works and landscaping to the corner of Goswell Road and Pear Tree Street. This application was withdrawn on 13 March 2017.
- 7.5 P031840: Attaching of telecoms dishes and antennae to walls of plant roof/lift motor room on roof of four storey section fronting onto Goswell Road and installation of equipment cabin by south side of skylight on roof of three storey rear wing. This application was granted consent on 17 December 2003.
- 7.6 A number of other planning applications have been submitted for telecommunications equipment at roof level, but these were all withdrawn.

Enforcement:

- 7.7 There are no current live enforcement cases that are relevant to the application site.
- 7.8 Earlier in 2018, the basement and ground floors of the application site were occupied by a temporary theatre (Use Class D2) without the benefit of planning consent. An enforcement case was commenced by the Council's Enforcement department against the theatre operators. This enforcement case has since been closed with the departure of the theatre operator after intervention from the owners.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to the occupants of 1111 adjoining and nearby properties including Fore Street, Bastwick Street, Gee Street, Pear Tree Street, Goswell Road, Seward Street, Northburgh Street, Darlington Street, Dance Square and Compton Street. Site notices and a press advert were displayed on 25/May/2018 and the period of public consultation closed on 15 June 2018. It is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 In response to the consultation period, a total of thirty-eight (38) objections were submitted against the proposal. Seven (7) letters of support were also submitted.
- 8.3 The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- Proposal will have an impact on the daylight and sunlight surrounding properties receive despite changes to the scheme that was previously refused;

[The modelling for sunlight/daylight assessment provided by the submitted study considers all residential properties around the site. It concludes that the properties opposite the site at Nos. 142-148 Goswell Road and No. 1 Pear Tree Street would have some transgressions greater than 20% of the existing levels, however it is considered that the transgressions with regard to all of the BRE tests would be relatively minor. It is considered that all three tests should be considered when assessing the impact of the development on these properties. The application site is located in a dense inner urban context and the existing built form along Pear Tree Street and the junction with Goswell Road is atypical of the patterns of development in this wider location. Any development at the application site would affect daylight levels to these properties. Although there would be a preference for all new developments to meet the BRE recommended levels with no transgressions, in this instance the proposed design has minimised the levels of daylight and sunlight transgressions. Any redesign of the application proposals would potentially have a detrimental impact in townscape terms, as well as not optimising best use of this urban site. In recognition of the atypical design of the existing building, the densely developed urban context and the attempts to minimise transgressions from the BRE guidance as much as possible, the development would not result in a degree of harm that would warrant refusing planning permission and in view of the planning policy presumption that sites should be developed in such a way as to maximise their potential is considered to be acceptable in this regard].

- The proposal would overlook neighbouring properties;

[In terms of Pear Tree Street it is not considered that there would be an unacceptable impact on the amenity of these properties, as the Planning Authority does not operate a separation distance requirement across public highways. This is because urban design requirements will generally ensure that a similar amount of overlooking would occur (as currently occurs) further up or down a street between facing properties. It should also be noted that overlooking from office use to residential use is not similar to a habitable room overlooking a habitable room.

Furthermore, no open terrace areas/balconies are proposed and a condition would be imposed to prevent open roof areas for being used as terraces.]

- Noise and disturbance from the increased use of the site as a result of the additional floorspace;

[The site is located within a Priority Employment Area (general), which seeks to maximise office use and some retail uses at ground level to provide for active frontages. Additionally, this is reinforced by the site's allocation within the Finsbury Local Plan. These retail use has also been condition in terms of their hours of operations to ensure they do not have a detrimental impact on neighbouring residential properties].

- Light pollution will come from the development, particularly the glazed extensions.

[Concern has been expressed that light emanating from the proposed development would adversely affect neighbour amenity. Normal office hours are unlikely to require internal lighting of the proposed development late into the evenings, however – to enable flexible use of the proposed office floorspace – it is not recommended that the hours of occupation of the office floorspace be restricted. This raises the possibility of late night light pollution occurring, should office staff need to work outside normal office hours. The applicant has submitted a Lighting Management Plan to minimise the amount of light emanating from the site after normal working hours and it is considered that a condition be imposed securing these details as part of the proposal so as to reduce the extent of light being used within the building in order to minimise any impact on neighbouring properties.]

- The height, scale and bulk of the proposal is inappropriate and would result in a canyon effect. The building will be taller than all surrounding Clerkenwell properties;

[The proposal would result in a part 3, part 4, part 5, part 6-storey building. This is not out of place with the prevailing scale of development within the locality, where to the north of the site sit buildings generally of a part 4, part 5-storey nature, with higher buildings to the south in excess of 6-storeys. It is not considered that the scale and massing of the proposal is inappropriate. The proposed extensions have been designed in a manner to complement the existing building and setback from the street

frontage so as to minimise the impact on neighbouring properties. Further, the extensions and new build three-storey corner element would assist in providing a coherent continuous street frontage and some breathing space to the properties on the north side of Pear Tree Street. Additionally, the proposed new build three-storey extension on the corner would reinforce the building form and bring about a continuous street frontage to Goswell Street and its junction with Pear Tree Street. It is not considered that the proposal would create a canyon effect as it has been designed in a manner to respect the existing established building frontage along Goswell Road and Pear Tree Street.]

- Design of the proposals are inappropriate to the local character of the area;

[The proposed extension along Pear Tree Street would be in brick to match the existing building and the additional floor of office accommodation setback from the frontage would consist of lightweight glazing to blend in with the existing building. The proposed new three-storey corner element would be in high quality materials and designed in a contemporary form. Council's Design and Conservation officers have reviewed the proposals and advised that the new element would respect the existing significant characteristics of the site in terms of plot widths and the treatment of the elevations. They have advised that it would not detract from or compete with the significance of the streetscene character of adjoining or nearby buildings].

- The level of plant on the roof could be reduced or accommodated within the development;

[The proposed plant to the proposal has been located at roof level to allow the use of the basement to be used for the proposed uses, which includes units for small and medium enterprises and additional floorspace for the Goswell Road flexible units. Nonetheless, any enclosures at roof level should be minimised so as not to lead to unnecessary bulk and massing that is publicly visible. In this instance, the extent of roof enclosure to accommodate this has been reduced under the current application from that previously refused. Notwithstanding the reduction, a condition has been imposed seeking justification for the extent roof plant level based on the plant required and should the proposed plant be able to be accommodated in a smaller enclosure, then further reductions will be made via the condition.]

- Density of the office accommodation;

As previously stated, the site is located within a Priority Employment Area (general), which seeks to maximise office use and some retail uses at ground level to provide for active frontages. Additionally, this is reinforced by the site's allocation within the Finsbury Local Plan

- Proposals would lead to traffic congestion, pollution and dangerous site and servicing;

[The application has been referred to the Council's Highways Department, who have not raised objections with regard to whether the site can accommodate the proposed uses, and have recommended conditions in order to ensure that there is no impact on the highways].

- Disruption during the course of construction;

[Conditions have been recommended by the Council's Noise Pollution team in order to minimise disruption during the construction phase]

8.4 **External Consultees**

8.5 **Lead Local Flood Authority** raised no objection subject to the proposed recycling system to be secured by condition. It was recommended that a further condition be imposed to secure a maintenance plan for the management of the sustainable drainage system for the lifetime of the development in accordance with the new national requirements.

8.6 **Thames Water** stated that the developer is responsible for making proper provision for drainage. No objection in relation to sewerage and water infrastructure capacity. They have recommended a condition requiring details of impact piling method statement, as impact studies of the existing water supply infrastructure to determine the magnitude of any new additional capacity required in the system and a suitable connection point. They have also recommended informatives relating to minimum pressure in the design of the development and a Groundwater Risk Management Permit from Thames Water will also be required for discharging groundwater into a public sewer.

8.7 **Transport for London (TfL)** have stated that the proposal do not include an adequate number of cycle spaces to be London Plan compliant. It has recommended a condition seeking compliant provision of cycle parking spaces. Further, they have stated that the bus stop, opposite the site, must not be disrupted by any means during the development. Additionally, all cycle parking spaces should follow the standards in the London Cycling Design Standards, and be located in suitable accessible areas within the development. TfL welcomes the provided Travel Plan (TP), and encourages occupiers of the office spaces to make use of the Cycling for Workplaces TfL tool.

8.8 **London Fire and Emergency Planning Authority (LFEPA)** have stated that they would be satisfied subject to the application meeting the requirements of Approved Document BS of the Building Regulations.

8.9 **Internal Consultees**

8.10 **Policy Officer** advised that the proposal would comply with land use policies subject to appropriate provision of floorspace for micro and small enterprises by virtue of their size and design or affordable workspace.

8.11 **Design and Conservation Officer** stated that the proposals have been extensively discussed and amended at pre-application stage to respond to officer

advice, as well addressing concerns relating to amenity. The specific comments from Design and Conservation officers have been incorporated into the assessment section of the report. In summary, they state:

“Overall, we welcome the proposed design strategy, elevation composition and palette of materials. We raise no objections to the proposed bulk, height and massing. In our opinion, the design provides an acceptable and interesting response to its context and to the constraints of the site.

We have seen the majority of the materials proposed and find them to be of exceptional quality. Therefore, a materials condition in relation to these submitted details/materials would only be required in the event that they might vary in any way. The only exception is the plant enclosure, which we are not currently supportive of and should be the subject of a condition.

One single concern remains which is that there hasn't been any area allocated for signage and we would want to avoid any subsequent signage which would add visual clutter and disrupt the aesthetic aspirations of the scheme. Therefore, we would suggest that a condition for a signage strategy should perhaps be imposed.”

- 8.12 **Access Officer** requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Whilst further information was provided that clarifies these matters, a condition is recommended requesting details to be provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 8.13 **Energy Conservation Officer** has recommended a condition to state they will target at least 19.46% reduction in total CO2 but investigate further options to improve on this given it falls short of the Council's target of 27% and provide evidence that they have maximised all opportunities. Have also recommended appropriate S106 clauses for a Shared Heat Network (if viable). The proposed energy strategy is generally acceptable and the site should be futureproofed for connection to an energy network should it become viable in the future.
- 8.14 **Environmental Public Protection Team** have recommended conditions with regard to mechanical plant to mitigate the impact of noise and a Construction Environmental Management Plan given the considerable works and construction proposed in order for the methods and mitigation to be carefully considered. Conditions are recommended to limit the hours of use and maximum number of persons on the Goswell Road terrace at any given time to mitigate against the impact of noise that may arise from the use of this area. Finally, a land contamination condition is recommended given the submitted Site Investigation Desktop Study has recommended the possibility of contaminated land.
- 8.15 **Spatial Planning and Transport (Transport Officer)** support the fact that the development is car free, however have requested further details with regard to cycle parking numbers that can be provided on site to meet policy

standards along with servicing and delivery plan in accordance with the requirements of local policies. Have stated that given proposal seeks on-street loading along Goswell Street, this would require changes to on-street parking and loading restrictions on Goswell Road and neighbouring streets. This would require traffic orders and these changes are to be secured via the S106 Agreement and a S278 Agreement with Highways.

- 8.16 **Street Environment Division** have requested further details with regard to refuse and recycling.
- 8.17 Local Highways Officer has requested a Construction Logistics Plan. Have advised that the Plan should be delivered by the main Contractor appointed to carry out the works, however the responsibility for ensuring that measures set out in this Plan delivered remains with the Applicant; with LBI as the enforcing agency. The Plan is to include traffic routes to be agreed with Islington Council Streetworks prior to commencement. The plan is intended to be a live document to be reviewed and updated as appropriate by the Applicant and Islington Council Streetworks during the construction programme. Advised that routes are to be co-ordinated between neighbouring builds and must show liaison with the adjacent developments.
- 8.18 **Crime Prevention Officer** has reviewed the 'Design Access Statement' which has been submitted and has no objections to the project. Consultation with the crime prevention officer regarding the physical security of the building resulted in recommendations which have been implemented within the design.
- 8.19 **Sustainability Officer** has stated that further details are required with regard to sustainable urban drainage systems, green/brown roofs, rainwater harvesting, materials and bird and bat boxes. They state that proposals should meet 'Excellent' BREEAM rating and recommend a condition for this to be secured. A Site Waste Management Plan to be conditioned.

Other Consultees

Design Review Panel

- 8.20 Islington's Design Review Panel (Chair's Review Session) considered the proposed development at pre-application stage on 15 March 2017. The panel's written comments (issued on 4 April 2018) are summarised below and their response in full is attached under Appendix 3:

Panel members were updated about the recent planning history and appreciated the need for the amendments to the scheme. They were happy to see that the development team had taken this opportunity not only to address the reasons for refusal by the Planning Committee but also some of the comments previously made by the Panel. Namely:

a) Massing changes - lowering floor, lower roof plant, removed one storey along Pear Tree Street and pushed back the massing at upper levels on Pear

Tree Street and pushed forward at upper level on Goswell Road, removal of extruded lift core (moved into the middle of the plan).

b) Use – make ground floor active and lively, entrance to office space, new sunken courtyard to the rear. Goswell Road, lower the glazing to ensure ground and lower ground floor work together and there is activity on this frontage. Corner block is now a clear entrance into the building – office entrance, not D1 anymore as previously proposed.

c) Architectural expression – on Pear Tree Street two lower floors retained, on Goswell Road the frontage is retained. The corner block is now brick (not polished concrete anymore).

Pear Tree Street elevation

Panel members raised no objections to the moves in relation to the massing changes and stated that they could see the improvements to amenity impact.

They felt that the overall piece, knitting together, is successful and in particular considered it to be a considerable improvement on the Pear Tree Street elevation. Simplifying the design was a welcome move. The datum lines on Pear Tree Street were considered to work well and now that materiality has changed, they thought the fenestration of the corner block works well on the Pear Tree Street facade.

Goswell Road

The Panel welcomed the corner block becoming more vertical, slimmer and were of the opinion that the proportions of the entrance sit comfortably alongside the existing building. They felt there is now a more comfortable relationship between these two elements. They felt the massing was acceptable but there was a further stage of sophistication of the elevation that needs to be developed.

However, they stated that a more detailed study is required in relation to the integration of the proposed upper storey/plane with the existing façade to create a cohesive elevation. The Chair was not convinced that a brick wall with punched windows is necessarily the right solution. He emphasised that what is added to the top needs to respond to the existing façade rhythm including the vertical emphasis of the fenestration. It was suggested one possible resolution to be explored might be to set back the spandrel between the top two levels of windows.

Officer's Comments: The Design Review Panel had seen a pre-application version/study of the proposed elevation fronting Goswell Road. Although the Panel did not raise objections to the principle of the extension they stated that a more detailed study was required in relation to the integration of the proposed upper brick upper storey with the existing façade to create a cohesive elevation. During the discussions, the Panel offered some suggestions in terms of possible approaches which could be explored, such as a set back to the spandrel between the top two levels of windows, for example. This was merely a suggestion to try and address the concern raised

that there was a lack of coherence/integration between the two levels of windows in particular.

Following the session with the DRP, the applicants continued their discussions with Planning and Design & Conservation officers. A series of options were explored as part of the design development of the elevation which were contained within pre-application documents. The suggestion above was looked at but was proven to sit uncomfortably with the rest of the elevation and appeared dominant/incoherent putting too much emphasis on the addition.

The current proposal has adopted a simple, yet, effective approach whereby the top brick section responds to the established elevational composition, with matching brickwork and adopting the proportions and positioning of the existing windows albeit with a less decorative character. Planning and Design officers welcome this approach and feel it has achieved the aims highlighted by the DRP of providing a coherent elevation whereby the extension is well integrated with the existing building.

Summary

Panel members were generally welcoming of the changes. They felt that the massing was acceptable and were very positive about the Pear Tree Street elevation. They also supported the moves in relation to the corner block. However, although they accepted the principles applied to the Goswell Road elevation, they felt that with the new proposed massing changes the proportions of that elevation and, therefore, its detailing needs to be further developed to make it a coherent composition.

Officer's Comments: As detailed above, the Goswell Road elevation was developed further in consultation with Council's Design and Conservation Team, resulting in a coherent composition to the Goswell Road façade.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & 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 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 National Planning Policy Framework (NPPF) (2018): Paragraph 11 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...’
- 9.3 At paragraph 8 the NPPF (2018) states: ‘that sustainable development has an economic, social and environmental role’.
- 9.4 The NPPF (2018) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF (2018) is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.5 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.6 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.
- 9.7 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.
- 9.8 Members of the 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.
- 9.9 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

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

Designations

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

- Bunhill and Clerkenwell Core Strategy Key Area
- Finsbury Local Plan (FLP) Area
- Great Sutton Street Employment Priority Area (General)
- Central Activities Zone
- Adjoins Hat and Feathers Conservation Area
- Within vicinity of Heritage Sites in Historic Clerkenwell at Nos. 73-77, 83 and 89 Goswell Road.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.12 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:

- Principle (Land Use)
- Design, Conservation and Heritage Considerations
- Accessibility
- Neighbouring Amenity
- Sustainability
- Energy Efficiency and Renewable Energy
- Highways and Transportation
- Planning Obligations, Community Infrastructure Levy and local finance considerations

Land-use

- 10.2 The existing building on the site provides for 6,363 square metres (GIA) of Use Class B1 business floorspace, which consists of a combination of Light Industrial (Use Class B1(c)) at the lower and ground levels and Office (Use Class B1(a)) at the upper three levels of the existing building.
- 10.3 The current application seeks permission for the redevelopment of the site to provide for 8,146 square metres (GIA) of office floorspace (Use Class B1(a)) including 481 square metres (GIA) of floorspace for small and micro enterprises (SME), and 671 square metres (GIA) of flexible retail/office floorspace (Use Class A1/B1(a)) on a site located within the London Central Activities Zone (CAZ).
- 10.4 No planning permission would be required for a change of use from Use Class B1(c) to Use Class B1(a). Therefore, the planning application seeks to increase the provision of B1 business floorspace on the site from 6,363 square metres (GIA) to 8,146 square metres (GIA), whilst the flexible ground floor units fronting Goswell Road could result in a further provision of 671 square metres (GIA).
- 10.5 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 including: ensuring that development of office provision is made for a range of occupiers, and; supporting and improving the retail offer of the CAZ to meet the needs of its residents, workers and visitors.
- 10.6 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 of the London Plan. This is reiterated in LP Policy 4.3.
- 10.7 Islington Core Strategy Policy CS13 encourages new employment floorspace, in particular business floorspace, to locate in the CAZ and town centres where access to public transport is greatest. Furthermore, it seeks to safeguard existing business spaces throughout the borough by protecting the change of

use to non-business uses, particularly in the CAZ. Additionally, development which improves the quality and quantity of existing provision will be encouraged.

- 10.8 The site is located in the Bunhill and Clerkenwell Core Strategy Key area and the provisions of the Finsbury Local Plan are applicable. Policy BC8 of the Finsbury Local Plan supports the provision of a mix of employment uses, (the definition includes offices, industry, warehousing, studios, workshops, showrooms, retail, entertainment and private educational, health and leisure uses). In general terms it encourages office development (i.e. B1 (a) uses) throughout the designated area and the provision of a range of smaller floorplate, flexible and adaptable workspaces, alongside complementary uses. In addition, as the site also lies within the Employment Priority Area General (as designated in the Finsbury Local Plan) the policy aims to sustain the existing level of business floorspace to support existing clusters of economic activity.
- 10.9 The proposal represents an uplift in business floorspace in accordance with the above development plan policies, which is welcomed. Therefore, the proposed development complies with the above policies in so far as providing office floorspace on all floor levels above the ground level within the massing of the building that is appropriate in design terms, while retail areas would be located at ground floor level to provide for active frontages along Goswell Street.
- 10.10 Policy BC8 also stipulates that within the Employment Priority Area (General), the employment floorspace component of a development or change of use proposal should not be *“unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:*
- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or*
 - ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or*
 - iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.”*
- 10.11 The incorporation of 671 square metres (GIA) of flexible retail/office floorspace (Use Class A1/B1(a)) would be consistent with policies 4.7 and 4.8 of the London Plan which seek to support a vibrant, diverse retail sector. The site is designated as a Priority Employment Area in the Finsbury Local Plan and the proposals would be consistent with Policy BC8 which seeks to provide a range of employment uses, particularly office uses with retail and leisure uses at street level to create vibrancy and interest on Goswell Road. The proposed ground floor flexible retail/office has been designed as one unit separate to the other parts of the building and subject to a condition prohibiting obscuring the shopfront glass would provide natural surveillance and an active frontage to this elevation of the building. Additionally, the proposal seeks to remove the existing loading bays and car parking to the building along Pear Tree Street and replace with new office accommodation,

which would improve the ground floor frontage along this elevation. The proposal includes a new three-storey infill building at the junction of Goswell Road and Pear Tree Street. This ground floor area of the infill extension building provides the entrance and foyer area of the redeveloped office accommodation.

- 10.12 Part (ii) of Policy BC8 states that the employment floorspace component of a development should not be unfettered commercial office (B1a) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside office (B1a) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management.
- 10.13 The proposal includes the provision of 481 square metres (GIA) of office floorspace at basement level that would be suitable for occupation by micro and small enterprises by virtue of its size and design. This specific floorspace allocated for micro and small enterprises would be entered from the shared office foyer within the new infill building. This accommodation equates to 5.45% of the total floorspace and a condition is recommended requiring that the units at this level cannot be amalgamated so that the units remain no larger than 90 square metres (GIA) in size.
- 10.14 London Plan Policy 4.3 B (b) states that local planning authorities should “develop local approaches to mixed use development and offices provision taking into account the contribution that ‘land use swaps’, ‘housing credits’ and off-site contributions can make, especially to sustain strategically important clusters of commercial activities such as those in the City of London....”
- 10.15 Finsbury Local Plan Policy BC8 Part D states that “throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.”
- 10.16 The site is located in the Central Activities Zone with no housing provided as part of the proposal. Therefore, the proposal would be subject to a financial contribution towards offsite housing provision than would otherwise be required on the site itself. This contribution of £392,640 is to be secured via an obligation in the section 106 Agreement.
- 10.17 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 Action Area and accompanying site allocation, and as such would make an efficient use of this brownfield site. Its delivery would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.

Design, Conservation and Heritage Considerations

- 10.18 The existing building, known as Laser House, is a part 2, part 3, part 4-storey brick-built building from the 1960s with its main frontage onto Goswell Road. The building's 3-storey frontage onto Goswell Road has a set back fourth floor, a strong horizontal emphasis and well-proportioned fenestration and modest window reveals, cornicing and detailing. While the original main entrance is on Goswell Road, the building has a further main entrance set back from the Goswell Road frontage, leaving a space in front, which is occupied by a number of car parking spaces and planters. At ground floor level, the Pear Tree Street frontage is characterised by servicing areas and undercroft car parking.
- 10.19 The site itself is not located within any heritage designations, but it does adjoin the Hat and Feathers Conservation Areas and within the vicinity of properties noted as 'Heritage Sites in Historic Clerkenwell' at Nos. 73-77, 83 and 89 Goswell Road, located on the opposite side of Goswell Road.
- 10.20 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in orientation, scale, proportion and mass and be human in scale with street level activity.
- 10.21 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 10.22 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 10.23 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.

- 10.24 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 10.25 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).
- 10.26 The proposed scheme seeks planning permission for the partial demolition of rooftop structures and retention of the existing building along with the construction of a three-storey extension (including plant areas) to the existing building and new three-storey infill building to the corner of Goswell Rd and Pear Tree Street resulting in a part 3, part 4, part 5, part 6-storey building including internal reconfiguration and refurbishment of the existing facades.
- 10.27 The current proposal follows on from a series of pre-applications, a withdrawn application (P2016/2485/FUL) and a refused application (P2017/1103/FUL) on this site. The previous application on this site was refused on the grounds of harm to amenity of nearby residential property which was a result of the proposed layout, height and massing. Several pre-applications discussions took place in order to address the reason for refusal and the proposals resulted in the current application – part of the pre-application discussions involved discussions with Design & Conservation officers and the scheme was also submitted for comments from the Design Review Panel.
- 10.28 The most notable amendments to the proposed scheme when compared to the refused proposal are as follows:
- Massing changes – removal of one storey along Pear Tree Street and pushing back the massing at upper level on Pear Tree Street and pushing forward at upper level on Goswell Road, lowering roof plant, removal of extruded lift core (moved into the middle of the plan);
 - Use – making ground floor active and lively, entrance to office space, new sunken courtyard to the rear. On Goswell Road, lowering the glazing to ensure ground and lower ground floor work together and there is activity on this frontage. Corner block is now a clear entrance into the building – office entrance, no Use Class D1 contained within the infill building as previously proposed;

- Architectural expression – on Pear Tree Street two lower floors retained, on Goswell Road the frontage is retained. The corner block is now brick (not polished concrete anymore).

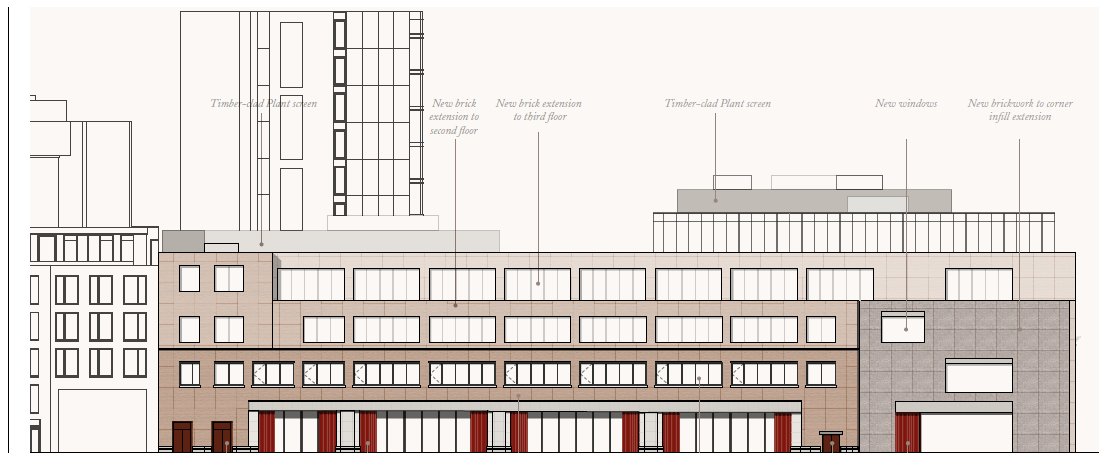
- 10.29 The site is located on the eastern side of Goswell Road at the junction with Pear Tree Street and its relationship with the existing townscape is articulated by its two street frontages. Opposite the site to the north is a part 4, part 5-storey building at Nos. 142-148 Goswell Road. Further to the northeast along Pear Tree Street is another part 4, part 5-storey building at No. 1 Pear Tree Street known as the Comice Apartments. To the east adjoining the application site on Pear Tree Street is a part 5, part 6, part 7-storey building. To the south of the site along Goswell Street the application site adjoins a part 4, part 5, part 6-storey building, which forms part of the wider City University development. Therefore, the site is located along Goswell Road where it represents a transition between the higher density developments to the south and the part 4, part 5-storey buildings to the north. On the opposite side of Goswell Road, the built form is characterised by buildings ranging between 4 and 6 storeys.
- 10.30 The site is not located within a conservation area nor is it grade or locally listed, but it does adjoin the Hat and Feathers Conservation Area and is within the vicinity of a series of historic properties, of particular note Nos. 73-77, 83 and 89 Goswell Road, located on the opposite side of Goswell Road. Therefore, the impact of the proposed development on its context and in particular the historic environment (including setting of heritage assets) is an important consideration on this application.
- 10.31 In light of the townscape surrounding the site as set out above, the proposed scheme has adopted a design approach to respond to the two different frontages and proposes a new build 3-storey extension at the junction of Pear Tree Street and Goswell Road.
- 10.32 From a townscape impact, the proposal involves 6 main additions/changes:
- 1) A new infill on the corner of Goswell Road and Pear Tree Street which although would amount to the equivalent of three storeys, would have a generous ground floor and another floor above;
 - 2) A two storey extension to the Goswell Road building, comprising a brick extension at third floor and a setback fourth floor in glass;
 - 3) Extending the Pear Tree Street frontage at third floor level plus an additional set back fourth floor, with a continuation of the glass extension mentioned above;
 - 4) Plant enclosures at roof level;
 - 5) Lowering window cills at ground floor level to the existing building fronting Goswell Road.
- 10.33 From a townscape point of view, planning and design officers did not have concerns about the previously refused proposal in terms of the proposed massing. However, in order to address concerns in relation to the impact on neighbouring amenity there was a need to reduce the overall massing, height and bulk. The building as proposed will be part three, part four and part five

storeys in height (with a reduced plant area at six storey level) and is considered to sit comfortably in its context. There would be no adverse impact to the setting of the nearby conservation area or any other heritage assets in the vicinity. As such, no objections are raised to the proposed bulk, height and massing of the proposal.

- 10.34 The proposed infill three-storey corner extension would reinforce the building form and the continuous street frontage to Goswell Road providing a better defined junction with Pear Tree Street. It is considered that the proportions of the proposed extension work very well with both frontages and in particular the alignment of the parapet of the proposed extension with the frontage on Pear Tree Street helps knit the scheme together. Equally, the brick parapet height of the Goswell Road building relates positively to the adjoining building to the South.
- 10.35 The proposal with regard to both the Goswell Road and Pear Tree Street elevations have been designed to respond to each of the frontages of the site in terms of their materiality and proportions. But all are knitted together particularly via the introduction of the corner extension but also by reconciling parapet heights.



- 10.36 On Goswell Road, the ground floor openings have been extended to the ground which assists with providing more activity to the frontage but also provides daylight into the basement plan. The proposed detailing is an elegant solution and provides a welcoming frontage to the building along the busy Goswell Road frontage. At upper levels the existing cornice above the first floor is retained to mark the separation between the older part of the building and the new. This also helps provide a better sense of proportion to the elevation. Above the cornice line, the brick is proposed to match, but the windows become simpler although adopting the same strategy as with the original windows to the building with concrete surrounds. The omission of a decorative window head provides the elevation with a sense of hierarchy and honesty where the new windows take a simpler approach. The top floor is lightweight and recessive in the form of a minimalistic glass box.



- 10.37 On Pear Tree Street, a similar approach is taken to the Goswell Road frontage, whereby the extension at second floor (bringing forward the building line) and the third floor are proposed in brickwork to match the base of the building, with windows which respond to the proportions of the existing ones but in a simpler manner. The top extension only takes a small part of this elevation and is a continuation of the minimal glass box from the Goswell Road frontage.
- 10.38 The simplicity of the design of the corner extension in a light brick and a single large opening with a concrete surround on the Goswell Road frontage signals the entrance and provides legibility. The Pear Tree Street elevation has taken on a more playful composition with a more horizontal emphasis to the openings which responds well to the proportions of this elevation and existing window openings of the Pear Tree Street building.
- 10.39 The proposals would be in the form of a contemporary design with regard to the new build elements and it is considered that the proposal has been designed in a manner to ensure that it would sit comfortably and harmoniously with the existing buildings and within the streetscene and not detract from the streetscene character of adjoining or nearby buildings. The proposed design would respect the existing significant characteristics of the site in terms of its plot widths and the treatment of the elevations has been developed to assist in breaking the mass with the use of different materials.
- 10.40 The proposed massing and bulk has been articulated to respond to the grain of the area and it is considered that this design approach using contemporary architecture and innovative design is an important part of the new built form because it adds to the existing diversity and layering of styles through time. It is considered that the design approach employed would not have a detrimental impact on the character and appearance of the neighbouring Conservation Areas.
- 10.41 The proposed palette of materials would reflect the existing buildings on the site and have been chosen accordingly. The Pear Tree Street elevation would maintain the use of the existing brick at first floor level, which is to be made good and cleaned, while the second and third floor levels would use matching

brickwork of the above with a granite base. The existing metal concertina doors at ground floor level are to be made good and painted red, whilst new aluminium bi-fold doors are to be inserted. Along Goswell Road, the existing red brick at ground and first floor levels are to be made good and cleaned, whilst the new second and third floor frontage would make use of a handmade red brick to match that below with matching brick bonding and contrast pointing. The granite at ground floor level is to be maintained and the existing cornice that separates the first and second floors in the middle of the frontage is to be made good and cleaned. The fourth floor extension that is set back from both Goswell Road and Pear Tree Street is to consist of a frameless glazing curtain wall system. The new infill three-storey extension at the junction of both streets would consist of a handmade grey brick with concrete lintels.

- 10.42 The materials have been viewed by the Design and Conservation officers, who are of the view that they are of a high quality and recommend conditions in order to ensure the delivery of these materials, along with details of reveals, window panels and frames to be secured.
- 10.43 A part of the proposal which requires further details is the resolution of the roof extension at sixth floor level. In relation to the roof plant level, this has been a matter that has been raised throughout the design development. Planning and design officers generally do not support external plant at roof level as an add on to the roof form, as it would always be desirable to have plant incorporated into the form of the host building. However, in this instance, it is worth noting that the inclusion of plant at basement level would compromise the delivery of office floorspace given the changing site levels and the inclusion of a courtyard to the rear that is accessed by the basement level. Further, the size and extent of plant areas at roof level have been substantially reduced and visibility has been minimised and would be limited (the plant area has been lowered and further set back). Whilst there would be very limited views from the public realm, there would still be views from various surrounding buildings and this accounts to a degree of public visibility.
- 10.44 Therefore, the location of any plant on the roof needs to be properly justified and it should be reduced to a minimum size to accommodate the proposed plant. Further details will be requested via condition to ensure an appropriate enclosure. Therefore, on balance and subject to the above condition, no objection is raised to the proposed scheme solely on the grounds of the plant roof level. Further, the proposed plant enclosure is indicated as timber, and this is the only aspect of the proposed palette of materials that officers have reservations about. It is accepted that visibility will be minimal from the public realm, but there will still be a series of private views, and as such, given the exposure to the elements, a more robust material and architectural response to the enclosure should be explored, which is to be secured via the imposition of a condition.
- 10.45 Subject to the above conditions, it is considered that the proposal would be in the form of a contemporary design and would sit comfortably and harmoniously integrate with the site and streetscene and not detract from or compete with the character of the streetscene or adjoining or nearby buildings.

Accessibility

- 10.46 London Plan Policy 7.2 states development should achieve the highest standards of accessible and inclusive design, ensuring that developments can be used safely, easily and with dignity by all regardless of disability, age gender ethnicity or economic circumstances. Such requirements are also required by Islington Core Strategy CS12. Further, Development Management Policy DM 2.2 seeks all new developments to demonstrate inclusive design. The principles of inclusive and accessible design have been adopted in the design of this development in accordance with the above policies.
- 10.47 The provision of level access throughout the building is considered to be fundamental to the fulfilment of this policy. The provision of wheelchair accessible lifts and accessible toilets on all floors would ensure the building offers highly accessible accommodation. Council's Access officers requested clarification on a number of matters relating to inclusive design and whether the proposal would meet the requirements set out in the Council's Inclusive Design SPD. Therefore, a condition is recommended requesting details being provided to demonstrate how the requirements of the Council's Inclusive Design SPD are met.
- 10.48 As it is not possible to provide all the required disabled parking spaces on site as required by policy, a financial contribution towards the provision of a number of a disabled drop-off bays and on-street accessible parking bays (proportionate to the scale and nature of the use) in the vicinity of the site is considered to be acceptable. Where it might not be possible to implement the accessible parking bays on the street (e.g. as a result of opposition to amending the traffic management order), the contribution would be used towards accessible transport initiatives to increase the accessibility of the area for people with mobility and sensory impairments.

Neighbouring Amenity

- 10.49 The proposal site is in relatively close proximity to a number of adjoining properties. Residential amenity comprises a range of issues which include daylight, sunlight, overlooking and overshadowing impacts. These issues are addressed in detail below. The Development Plan contains adopted policies that seek to safeguard the amenity of adjoining residential occupiers including Development Management Policy DM 2.1.
- 10.50 DM Policy 2.1 requires new developments 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. Further, London Plan Policy 7.6 requires large scale buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

Daylight and Sunlight

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

Daylight:

- 10.53 the BRE Guidelines stipulate that... "the diffuse daylighting of the existing building may be adversely affected if either:
- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value*
 - *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).
- 10.54 At paragraph 2.2.7 of the BRE Guidelines it states: *"If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time."*
- 10.55 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.56 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"*.

- 10.57 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.
- 10.58 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”*

- 10.59 Paragraph 1.3.45-46 of the Mayor of London's Housing SPD states 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.’

Sunlight:

- 10.60 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.”*

10.61 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.”

10.62 They go on to state (paragraph 3.2.3): “... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun.

10.63 The following properties have been considered for the purposes of sunlight and daylight impacts as a result of the proposed development.

- a. Nos. 67-71 Goswell Road, Nos. 73-81 Goswell Road, No. 83 Goswell Road, No. 89 Goswell Road, No. 99 Goswell Road.
- b. Silverdale Court, Nos. 142-148 Goswell Road
- c. Comice Apartments, No. 1 Pear Tree Street
- d. Orchard Building, No. 25 Pear Tree Street
- e. Pear Tree Court (Student Accommodation)
- f. Other Properties

Nos. 67-71 Goswell Road, Nos. 73-81 Goswell Road, No. 83 Goswell Road, No. 89 Goswell Road, No. 99 Goswell Road.

10.64 The above properties are all located on the west side of Goswell Road opposite the application site. The submitted and daylight report concludes that none of the windows to these properties as a result of the development would have reductions further than 20% of their former value with regard to the Vertical Sky Component (VSC) test as set out in the BRE guidance.

10.65 Further, the No Sky Line (NSL) test demonstrates that all of the above affected windows (serving habitable rooms) would retain a good level of daylight distribution with no reductions further than 20% of their former value.

- 10.66 Additionally, all windows on this floor would meet the recommended BRE thresholds for annual and winter probable sunlight hours.

Silverdale Court, Nos. 142-148 Goswell Road

- 10.67 The submitted and daylight report assessed 36 windows at Nos. 142-148 Goswell Road. Given the corner location of the site, many of the windows are located on the south side of Pear Tree Street opposite the site.
- 10.68 The results with regard to VSC and Daylight Distribution are presented in the following table:

Floor – window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)		
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Existing (%)	Proposed (%)	Factor of former value (target: 0.8)
Ground – W10	Bedroom	10.62	8.96	0.84	36.74	31.91	0.87
Ground – W11		8.61	7.04	0.81			
First – W1	Living Room	18.12	17.68	0.97	90.36	89.10	0.98
First – W2		18.57	17.32	0.93			
First – W3		18.26	16.30	0.89			
First – W4		17.65	14.92	0.85			
First – W5	Bedroom	21.31	18.39	0.82	70.98	43.46	0.61
First – W6	Living Room	16.15	13.23	0.82	66.69	42.71	0.64
First – W9	Living Room	14.77	12.05	0.82	53.72	48.50	0.91
First – W12	Bedroom	22.04	19.43	0.89	60.55	50.63	0.83
First – W10	Bedroom	22.08	19.26	0.87	67.89	53.57	0.79
First – W13	Living Room	12.77	10.83	0.85	49.89	38.73	0.78
Second – W1	Living Room	21.46	21.20	0.99	100	99.99	0.99
Second – W2		21.60	20.95	0.97			
Second – W3		21.97	20.50	0.93			
Second – W4		21.51	19.20	0.90			
Second – W5		21.13	18.21	0.86			
Second – W6		21.90	18.61	0.85			
Second – W7	Bedroom	25.62	22.46	0.83	85.18	59.41	0.70
Second – W8	Living Room	20.16	16.79	0.83	87.55	53.96	0.62
Second – W9	Living Room	26.33	22.41	0.85	91.88	84.07	0.92
Second – W10	Bedroom	26.89	22.65	0.85	97.68	69.89	0.71
Second – W12	Bedroom	26.88	22.72	0.85	96.35	67.68	0.70
Second – W15	Living Room	17.69	14.51	0.82	92.96	64.95	0.65
Third – W1	Living Room	29.49	29.25	0.99	100	100	1.00
Third – W2		30.35	29.66	0.98			
Third – W3		30.94	29.51	0.95			
Third – W4		30.89	28.74	0.93			
Third – W5		30.46	27.77	0.92			

Third – W6		30.06	27.05	0.90			
Third – W7	Bedroom	30.32	27.30	0.90	94.34	88.97	0.94
Third – W8	Living Room	30.70	27.08	0.89	96.54	75.39	0.80
Third – W11	Living Room	29.34	25.07	0.85	98.62	94.7	0.96
Third – W12	Bedroom	29.35	24.47	0.83	100.0	98.94	0.99
Third – W14	Bedroom	29.27	24.52	0.83	100.0	99.24	0.99
Third – W10	Bedroom	26.31	22.13	0.84	99.59	96.49	0.97

- 10.69 It concludes that none of the 36 windows assessed at Nos. 142-148 Goswell Road would have losses over 20% of their former values.
- 10.70 Whilst the current application under consideration is required to be assessed on its own merits, it is also worth noting the differences to the daylight and sunlight figures as a result of the design changes to the massing and scale when compared to the refused scheme (Planning Ref: P2017/1103/FUL). Previously 19 of the 36 windows assessed had losses over 20% of their former values ranging between 21 and 31 per cent, which have now been reduced to no windows.
- 10.71 With respect to the No Sky Line (NSL) test, the study demonstrates that 9 of the 22 rooms assessed would have reductions of greater than 20% of their former value. These transgressions range between 21 ~ 39 %. The remaining 13 rooms would not have transgressions greater than 20% of their former value.
- 10.72 In the previously refused scheme, the study demonstrated that 13 of the 22 rooms assessed would have had reductions of greater than 20% of their former value. These transgressions ranged between 30 ~ 52 %. The remaining 9 rooms would not have had transgressions greater than 20% of their former value.
- 10.73 The number of affected rooms has been reduced from 13 to 9 rooms, and of these 9 rooms, two of them would have marginal transgressions at 21 and 22 % respectively, whilst the other six rooms would have reduced transgressions from that previously proposed.
- 10.74 With regard to annual and winter probable sunlight hours, the following results are presented in the table below.

	Annual Probable Sunlight Hours (APSH)	Winter Sunlight (WPSH)	Probable Hours
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Floor – window	Room use	Existing (%)	Proposed (%) 25% threshold	Factor of former value (target: 0.8)	Existing (%)	Proposed (%) 5% threshold	Factor of former value (target: 0.8)
Ground – W10	Bedroom	42	38	n/a	2	1	0.50
Ground – W11		26	23	0.88	1	1	n/a
First – W1	Living Room	36	35	n/a	11	11	n/a
First – W2		39	37	n/a	10	9	n/a
First – W3		45	41	n/a	10	8	n/a
First – W4		54	48	n/a	11	8	n/a
First – W5	Bedroom	47	42	n/a	8	5	n/a
First – W6	Living Room	49	41	n/a	9	4	0.83
First – W9	Living Room	48	43	n/a	7	5	n/a
First – W12	Bedroom	60	53	n/a	8	5	n/a
First – W10	Bedroom	59	40	n/a	9	5	n/a
First – W13	Living Room	43	40	n/a	6	3	0.50
Second – W1	Living Room	36	34	n/a	15	13	n/a
Second – W2		45	42	n/a	15	12	n/a
Second – W3		50	47	n/a	14	12	n/a
Second – W4		60	55	n/a	14	11	n/a
Second – W5		61	56	n/a	13	10	n/a
Second – W6		55	48	n/a	14	9	n/a
Second – W7	Bedroom	53	47	n/a	14	8	n/a
Second – W8	Living Room	56	52	n/a	15	11	n/a
Second – W9	Living Room	69	62	n/a	14	7	n/a
Second – W10	Bedroom	70	65	n/a	15	10	n/a
Second – W12	Bedroom	67	61	n/a	15	9	n/a
Second – W15	Living Room	50	45	n/a	13	8	n/a
Third – W1	Living Room	55	54	n/a	18	17	n/a
Third – W2		62	61	n/a	19	18	n/a
Third – W3		70	67	n/a	20	17	n/a
Third – W4		75	72	n/a	20	17	n/a
Third – W5		75	71	n/a	20	16	n/a
Third – W6		71	68	n/a	19	16	n/a
Third – W7	Bedroom	66	62	n/a	18	14	n/a
Third – W8	Living Room	72	67	n/a	20	15	n/a
Third – W11	Living Room	70	63	n/a	21	14	n/a
Third – W12	Bedroom	76	68	n/a	22	14	n/a
Third – W14	Bedroom	71	62	n/a	24	15	n/a
Third – W10	Bedroom	64	57	n/a	22	15	n/a

10.75 With regard to annual probable sunlight hours, all the 22 rooms to Nos. 142-148 Goswell Road would have at least one window to receive at least 25% of annual probable sunlight hours. In the previously refused scheme, all 22 rooms met the above BRE recommended guidelines, however it should be

noted that the amount of annual probable sunlight hours received by these rooms would be more than those figures under the refused scheme.

- 10.76 With regard to winter probable sunlight hours, of the 22 rooms to Nos. 142-148 Goswell Road, 20 would have at least one window to receive at least 5% of winter probable sunlight hours. Two rooms at ground floor level that receive very limited winter probable sunlight hours would be affected with one of the two windows serving this room affected by 50%
- 10.77 In the previously refused scheme 18 would have had at least one window to receive at least 5% of winter probable sunlight hours, whilst three (3) of these rooms would have had figures below the recommended 5% and in excess of the 20% threshold in the BRE guidelines of its former value (21%, 22% and 22% respectively). The one room at ground floor level that receives very limited winter probable sunlight hours would have been affected with one of the two windows serving this room by 50%.
- 10.78 The design changes the proposed massing and bulk and reduces the number of affected windows to one, which serves a room that has another window that meets the above test.

Comice Apartments, No. 1 Pear Tree Street

- 10.79 The submitted and daylight report assessed 62 windows at No. 1 Pear Tree Street. The site is located on the south side of Pear Tree Street opposite the application proposal.
- 10.80 The results with regard to VSC and Daylight Distribution are presented in the following table:

Floor – window	Room use	Vertical Sky Component			No Sky Line (Daylight Distribution)		
		Existing (%)	Proposed (%)	Factor of former value (target: 0.8)	Existing (%)	Proposed (%)	Factor of former value (target: 0.8)
Second – W1	Living Room/Kitchen Dining	5.26	3.15	0.60	54.50	28.53	0.52
Second – W24		1.42	1.42	1.00			
Second – W2	Bedroom	6.35	4.91	0.77	97.61	83.70	0.84
Second – W3		24.73	22.36	0.90			
Second – W4		24.61	22.25	0.90			
Second – W5		24.48	22.13	0.90			
Second – W6	Bedroom	24.33	21.93	0.90	98.44	77.08	0.78
Second – W7		23.57	21.07	0.88			
Second – W8	Living Room/Kitchen Dining	1.98	0.99	0.50	77.03	45.88	0.60
Second – W9		4.18	3.11	0.74			
Second – W10		23.14	20.75	0.90			

Second – W11	Bedroom	22.32	20.40	0.91	100.0	84.74	0.84
Second – W12		21.93	20.30	0.93			
Second – W13	Bedroom	21.36	19.95	0.93	76.43	63.09	0.82
Second – W14		20.38	19.08	0.93			
Second – W15	Bedroom	20.04	18.85	0.94	91.20	80.74	0.89
Second – W16		20.02	18.86	0.94			
Second – W17	Bedroom	19.35	18.26	0.94	73.04	59.70	0.82
Second – W18		18.96	18.03	0.95			
Second – W19		18.26	17.55	0.96			
Second – W20		2.53	2.53	1.00			
Second – W21	Living/Kitchen/Dining	0.39	0.12	0.30	28.16	24.35	0.86
Second – W22		3.94	3.94	1.00			
Second – W23		2.47	2.47	1.00			
Second – W25		4.27	4.27	1.00			
Third – W1	Living/Kitchen/Dining	8.55	6.01	0.70	100.0	64.09	0.64
Third – W25		2.79	2.79	1.00			
Third – W2	Bedroom	7.98	6.31	0.79	99.15	99.15	1.00
Third – W3		29.62	26.46	0.89			
Third – W4		29.43	26.40	0.89			
Third – W5		29.21	26.28	0.90			
Third – W6	Bedroom	28.96	26.14	0.90	99.29	99.29	1.00
Third – W7		28.13	25.27	0.89			
Third – W8	Living/Kitchen/Dining	3.48	2.29	0.65	99.00	83.48	0.84
Third – W9		5.46	4.23	0.77			
Third – W10		27.76	25.03	0.90			
Third – W11	Bedroom	26.79	24.66	0.92	100.0	100.0	1.00
Third – W12		26.40	24.56	0.93			
Third – W13	Bedroom	25.87	24.24	0.93	97.58	92.60	0.95
Third – W14		24.86	23.37	0.94			
Third – W15	Bedroom	24.49	23.12	0.94	100.0	99.71	0.99
Third – W16		24.35	23.12	0.95			
Third – W17	Bedroom	23.55	22.48	0.95	92.24	91.25	0.99
Third – W18		23.14	22.21	0.96			
Third – W19		22.41	21.66	0.96			
Third – W20		3.98	3.98	1.00			
Third – W21	Living/Kitchen/Dining	1.77	1.52	0.83	81.25	81.00	0.99
Third – W22		10.29	10.29	1.00			
Third – W23		8.14	8.14	1.00			
Third – W24		10.38	10.38	1.00			
Fourth – W1	Living/Kitchen/Dining	32.63	30.94	0.94	99.82	99.82	1.0
Fourth – W14		5.38	5.38	1.00			
Fourth – W2	Bedroom	32.54	31.34	0.94	98.87	98.87	1.0
Fourth – W3		32.01	30.55	0.95			
Fourth – W5	Bedroom	31.30	30.00	0.96	91.06	91.06	1.0
Fourth – W7	Bedroom	30.04	29.06	0.96	99.70	99.70	1.0
Fourth – W8	Bedroom	29.43	28.66	0.97	99.66	99.66	1.0
Fourth – W9	Bedroom	29.01	28.35	0.97	97.08	97.08	1.0
Fourth – W10	Living/Kitchen/Di	27.89	27.51	0.98	100.0	100.0	1.0

Fourth – W11	ning	26.34	26.34	1.00			
Fourth – W12		25.91	25.91	1.00			
Fourth – W13		19.18	19.18	1.00			

- 10.81 It concludes that 9 of the 62 windows assessed at No. 1 Pear Tree Street would have losses over 20% of their former values. Four (4) of these windows would have transgressions between 21% ~ 25%. Four (4) of these windows would have transgressions between 35%~50%, while one (1) of them would have higher transgression at 70%. It should be noted that all these nine (9) windows with transgressions above 20% are windows that serve as supplementary windows to rooms with other windows not equally affected. The limited existing daylight to these windows are results are already in very low figures and any alterations shows a marked percentage increase in its impact. Given each of these rooms contain supplementary windows that would allow for adequate daylight, it is not considered that the limited number of windows affected would result in an unacceptable impact on the amenity of these properties.
- 10.82 Under the previously refused scheme, 17 of the 62 windows assessed would have had losses over 20% of their former values. Eight (8) of these windows would have had transgressions between 21% ~ 22%. Five (5) of these windows would have had transgressions between 35%~55%, while four (4) of them would have had higher transgressions. The effect of the design changes to massing and scale have reduced the number of affected windows from 17 to 9, and of the 9 remaining affected windows, the level of transgression has been reduced, whilst bearing in mind that these windows serve as supplementary windows to rooms that already receive daylight from other windows that meet the above BRE test.
- 10.83 With respect to the No Sky Line (NSL) test, the study demonstrates that 4 of the 25 rooms assessed would have reductions of 20% of their former value. The four rooms would have transgressions of 22, 36, 40 and 48 per cent respectively. The remaining 21 affected rooms would not have transgressions greater than 20% of their former value.
- 10.84 Under the previously refused scheme, the No Sky Line (NSL) test study demonstrated that 13 of the 25 rooms assessed would have had reductions of 20% of their former value and these transgressions ranged between 22 ~ 59 %. Therefore, as a result of the design changes to massing and scale, the number of affected rooms has been reduced from 13 to 4 rooms, with the level of transgression to the remaining 4 affected rooms also having been reduced from the previous scheme.
- 10.85 With regard to annual and winter probable sunlight hours, the following results are presented in the table below.

	Annual Probable Sunlight Hours (APSH)	Winter Probable Sunlight Hours (APSH)
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Floor – window	Room use	Existing (%)	Proposed (%) 25% threshold	Factor of former value (target: 0.8)	Existing (%)	Proposed (%) 5% threshold	Factor of former value (target: 0.8)
Second – W1	Bedroom	9	5	0.56	8	4	0.50
Second – W24		0	0	-	0	0	-
Second – W2	Bedroom	19	16	n/a	12	9	n/a
Second – W3		65	61	n/a	12	8	n/a
Second – W4		64	60	n/a	12	8	n/a
Second – W5		64	60	n/a	12	8	n/a
Second – W6	Bedroom	64	59	n/a	12	8	n/a
Second – W7		59	55	n/a	11	8	n/a
Second – W8	Living Room/Kitchen Dining	4	2	n/a	4	2	n/a
Second – W9		11	8	n/a	8	5	n/a
Second – W10		61	56	n/a	10	6	n/a
Second – W11	Bedroom	59	54	n/a	10	6	n/a
Second – W12		59	54	n/a	10	6	n/a
Second – W13	Bedroom	58	54	n/a	9	6	n/a
Second – W14		53	50	n/a	9	6	n/a
Second – W15	Bedroom	49	46	n/a	9	6	n/a
Second – W16		53	50	n/a	7	4	n/a
Second – W17	Bedroom	53	51	n/a	7	5	n/a
Second – W18		51	50	n/a	6	5	n/a
Second – W19		51	50	n/a	6	5	n/a
Second – W20		12	12	n/a	0	0	n/a
Second – W21	Living/Kitchen/Di ning	1	0	0.00	1	0	0.00
Second – W22		0	0	-	0	0	-
Second – W23		0	0	-	0	0	-
Second – W25		1	1	1.00	0	0	1.0
Third – W1	Living/Kitchen/Di ning	13	9	0.70	12	8	n/a
Third – W25		0	0	-	0	0	n/a
Third – W2	Bedroom	25	19	n/a	18	12	n/a
Third – W3		74	68	n/a	20	14	n/a
Third – W4		73	68	n/a	19	14	n/a
Third – W5		73	68	n/a	19	14	n/a
Third – W6	Bedroom	75	70	n/a	21	16	n/a
Third – W7		69	65	n/a	19	15	n/a
Third – W8	Living/Kitchen/Di ning	6	5	n/a	6	5	n/a
Third – W9		15	12	n/a	12	9	n/a
Third – W10		71	66	n/a	17	12	n/a
Third – W11	Bedroom	69	64	n/a	17	12	n/a
Third – W12		66	63	n/a	14	11	n/a
Third – W13	Bedroom	67	64	n/a	15	12	n/a
Third – W14		63	60	n/a	15	12	n/a
Third – W15	Bedroom	59	57	n/a	13	11	n/a
Third – W16		64	62	n/a	12	10	n/a

Third – W17	Bedroom	63	61	n/a	11	9	n/a
Third – W18		62	61	n/a	10	9	n/a
Third – W19		61	59	n/a	10	8	n/a
Third – W20		18	18	n/a	1	1	n/a
Third – W21	Living/Kitchen/Dining	3	3	1.00	3	3	1.00
Third – W22		0	0	-	0	0	-
Third – W23		0	0	-	0	0	-
Third – W24		2	2	1.00	0	0	-
Fourth – W1	Living/Kitchen/Dining	77	76	n/a	22	16	n/a
Fourth – W14		0	0	n/a	0	0	n/a
Fourth – W2	Bedroom	77	77	n/a	22	18	n/a
Fourth – W3		78	77	n/a	23	17	n/a
Fourth – W5	Bedroom	76	70	n/a	21	15	n/a
Fourth – W7	Bedroom	76	70	n/a	21	15	n/a
Fourth – W8	Bedroom	73	68	n/a	18	13	n/a
Fourth – W9	Bedroom	73	69	n/a	18	14	n/a
Fourth – W10	Living/Kitchen/Dining	72	70	n/a	16	14	n/a
Fourth – W11		0	0	n/a	0	0	n/a
Fourth – W12		6	6	n/a	0	0	n/a
Fourth – W13		5	5	n/a	0	0	n/a

- 10.86 With regard to annual probable sunlight hours, three (3) of the 25 rooms to No. 1 Pear Tree Street would not have at least one window to receive at least 25% of annual probable sunlight hours and the reductions are in excess of the 20% threshold in the BRE guidelines of its former value. However, these three rooms (living/kitchen/dining) do not have windows on the frontage of the building and are recessed considerably within the building and have very low existing values due to their location within the building given they sit behind an existing internal terrace area.
- 10.87 Under the previously refused scheme, four (4) of the 25 rooms would not have had at least one window to receive at least 25% of annual probable sunlight hours and the reductions are in excess of the 20% threshold in the BRE guidelines of its former value. The current application has reduced this to 3 rooms and the level of reduction has also been improved under the current scheme. It should also be noted that these rooms contain other windows that already receive sunlight that meet the above BRE test.
- 10.88 With regard to winter probable sunlight hours, of the 25 rooms to No. 1 Pear Tree Street, 23 would have at least one window to receive at least 5% of winter probable sunlight hours. Two (2) of these rooms would have figures below the recommended 5% and in excess of the 20% threshold in the BRE guidelines of its former value for the reasons outlined in the above paragraph relating to annual probable sunlight hours.
- 10.89 Under the previously refused scheme there were six (6) rooms which would have had figures below the recommended 5% and in excess of the 20% threshold in the BRE guidelines of its former value. This has been reduced to

3 rooms out of 25 and the three rooms affected would have other windows serving these rooms that meet the BRE guidelines.

Overall Summary for Silverdale Court, Nos. 142-148 Goswell Road, and Comice Apartments, No. 1 Pear Tree Street

- 10.90 When looking at all of the above sunlight/daylight assessments with regard to Nos. 142-148 Goswell Road and No. 1 Pear Tree Street, the most affected windows are at the lower levels of the building and the impact lessens further up the building. Whilst some of the losses to these properties are greater than 20% of the existing levels, the BRE guidance does state that in central locations the guidance should be applied flexibly to secure appropriate townscape design. The proposed development is not significantly taller or out of character along Pear Tree Street and at the corner of the site with Goswell Road compared to the immediate surroundings. The proposal would repair the urban grain by restoring appropriate building lines, making better use of this central site through efficiently developing this brownfield site.
- 10.91 Further, the proposed extensions at higher levels than existing along Pear Tree Street and the new build three-storey element to the corner of the site have been set back from the adjacent properties. Further, the existing built form conditions of both the application site and Nos. 142-148 Goswell Road result in a situation whereby the neighbouring occupiers currently enjoy a largely uninterrupted amount of sky above the application site, due to the application site not making best use of its central location. The existing daylight and sunlight levels experienced at present are therefore particularly high for a location such as this.
- 10.92 With regard to the above sunlight/daylight assessments to Nos. 142-148 Goswell Road, it is considered that the transgressions with regard to all of the above BRE tests would be relatively minor. It is considered that all three tests should be considered when assessing the impact of the development on these properties. The application site is located in a dense inner urban context and the existing built form along Pear Tree Street and the junction with Goswell Road is atypical of the patterns of development in this wider location.
- 10.93 Furthermore, design and planning officers have considered the extent of built form proposed and ensured that this has been reduced as much as reasonably possible. This is reflected in the significantly reduced volumes of the proposal to address the refusal reason with regard to the impact on the amenity of neighbouring properties.
- 10.94 However, given the reduction in the number of transgressions from the previously refused scheme, and in the context of surrounding neighbours, it is considered that a balance has to be struck between making more efficient use of this central and highly accessible site, securing townscape improvements through the high quality design of these buildings and the provision of new office floorspace including the provision for small and medium enterprises, it is considered that these wider benefits outweigh the degree of daylight loss and resulting harm to the amenity of these properties.

Orchard Building, No. 25 Pear Tree Street

- 10.95 The submitted sunlight and daylight report assessed 61 windows and 36 rooms with regard to the above daylight/sunlight tests in accordance with the BRE guidelines at No. 25 Pear Tree Street. This building is located on the south side of Pear Tree Street but to the east of the application site and not directly opposite the proposal. Only 2 windows and 1 room (previous refused scheme was 4 windows and 4 rooms) of the total assessed had transgressions in excess of the 20% threshold in the BRE guidelines of its former value with regard to VSC and daylight distribution.
- 10.96 It should be noted that these windows and rooms serve living/kitchen/dining areas and do not have windows on the frontage of the building. The windows are recessed considerably within the building and have very low existing values due to their location within the building given they sit behind an existing internal terrace area. It is considered that these deep recesses differ from overhead balconies and therefore should be taken into consideration. The limited existing daylight to these windows and rooms are the result of very low existing figures and any alterations show a marked percentage increase in its impact.
- 10.97 Additionally, it should be noted, that the properties on the south side of Pear Tree Street have a four-storey frontage with a fifth storey setback. The application proposal along Pear Tree Street would have a two-storey frontage with additional floors set back. As previously noted, in the context of surrounding neighbours, it is considered that a balance has to be struck between making more efficient use of this central and highly accessible site, with an appropriately designed building against the degree of daylight loss and resulting harm to the amenity of these properties.

Pear Tree Court (Student Accommodation)

- 10.98 This site contains a student accommodation building that stands between 4 and 10-storeys tall. It is located to the south of the site. In terms of assessment of impacts to the amenity of student accommodation, it is generally accepted that given the non-permanent/shorter period of occupation of these buildings, a less restrictive application of the BRE guidelines is appropriate.
- 10.99 The submitted daylight and sunlight report assessed 132 student rooms. Eighteen (18) of these windows would have transgressions above 20% of their former value with regard to VSC, and 11 would have transgressions above 20% of their former value with regard to daylight distribution. Given this is student accommodation which would have a transient population and is not family accommodation, it is considered that the effect on Pear Tree Court would not be unacceptable.

Other Properties

- 10.100 The submitted daylight and sunlight report also assessed other properties that are not directly opposite the application site. These include Nos. 25-27

Bastwick Street, Nos. 45-55 Gee Street and Dance Square. None of the windows to these properties as a result of the development would have reductions further than 20% of their former value with regard to the Vertical Sky Component (VSC) test as set out in the BRE guidance. Further, the No Sky Line (NSL) test demonstrates that all of the above rooms would retain a good level of daylight distribution. Finally, all windows on this floor would meet the recommended BRE thresholds for annual and winter probable sunlight hours.

Overlooking

- 10.101 Objections have been received mainly from the surrounding occupiers stating that these proposals generate an unacceptable level of overlooking due to the proximity, height, and number of windows.
- 10.102 Development Management Policy DM 2.1 states that there should be a minimum distance of 18 metres between windows of habitable rooms. However, this does not apply across the public highway, as overlooking across a public highway does not constitute an unacceptable loss of privacy. Therefore, with regard to the properties along Pear Tree Street and Goswell Road, it is not considered that there would be an unacceptable impact on the amenity of these properties. The Planning Authority does not operate a separation distance requirement across public highways. This is because urban design requirements will generally ensure that a similar amount of overlooking would occur (as currently occurs) further up or down a street between facing properties. This is a usual occurrence that is seen throughout London. It should also be noted that overlooking from office use to residential use is not similar to a habitable room overlooking a habitable room.
- 10.103 Furthermore, no open terrace areas/balconies along Pear Tree Street have been proposed, and a condition would be imposed to prevent these open areas for being used as terraces.
- 10.104 With regard to the rear of the site, at the student accommodation development, it is not considered that unreasonable overlooking to these properties would occur given the limited extent of windows and glazing to the rear of the site. Further, given the transient nature of student accommodation, it is not considered that any limited overlooking to student rooms would warrant refusal.
- 10.105 Noise Mitigation
- 10.106 Conditions are recommended to ensure that plant equipment operates below background noise levels to protect nearby residential amenity. The development will involve substantial structural alterations and then a considerable construction period with the inevitable impact upon the nearby residential and commercial occupants. To mitigate these impacts, it is recommended that a Construction and Environmental Plan is conditioned. A code of construction response document is to be secured by legal agreement.

10.107 Finally, Council's Noise Pollution team have advised that the proposed Use Class A1 space have its hours of operation conditioned. This should be limited to 11pm - Sunday to Thursday & Midnight - Friday and Saturday and Off Licences 11pm – Monday to Sundays.

10.108 Light Pollution

10.109 Residents have expressed concern that, given the proposed number and proximity of windows, light emanating from the proposed development will lead to disturbance. Normal office hours are unlikely to require internal lighting of the proposed development late into the evenings, however – to enable flexible use of the proposed office floorspace – it is not recommended that the hours of occupation of the development be restricted. This raises the possibility of late night light pollution occurring, should office staff need to work outside normal office hours. To address this, the applicant proposes the use of daylight and occupancy sensors for the development's internal lighting, and blinds can additionally be used. Part of the strategy is for lights close to windows not to operate between 8pm and 7am even if people are working late or cleaners are in the building. The other lights in the middle of the office floorplate would be wired on sensor circuits to minimise the amount of lights required at these late times if needed for cleaning or working late employees.

10.110 It is considered that a condition be imposed securing the details of the submitted lighting management plan in order to reduce the extent of light being used within the building and minimise any impact on neighbouring properties, so as to address light pollution concerns.

Sustainability

10.111 London Plan Chapter 5 policies are the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to climate change mitigation. This includes a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. Sustainable design is also a requirement of Islington Core Strategy Policy CS10. Details and specific requirements are also provided within the Development Management Policies and Islington's Environmental Design SPD, which is supported by the Mayor's Sustainable Design and Construction Statement SPG.

10.112 The development is located in an urban area where people can access services on foot, bicycle or public transport. It is a mixed use development satisfying key sustainability objectives in promoting the more efficient use of land, and reducing the need to travel.

10.113 The BREEAM pre-assessments submitted demonstrate that the office and retail parts of the development are likely of achieving a BREEAM 'Very Good' rating against the BREEAM New Construction and BREEAM Non-Domestic Refurbishment and Fit-Out 2014. Development Management Policy DM7.4 requires all major non-residential developments to achieve an "Excellent" rating and make reasonable endeavours to achieve "Outstanding". Constraints imposed by the existing site and building have been cited by the applicant, however it is not considered that the justification put forward to

achieve a “Very Good” rating is adequate and acceptable in this instance. Therefore, conditions are recommended to be imposed requiring the business and retail floorspace to achieve an “Excellent” rating.

- 10.114 The proposal includes rainwater attenuation in order to reduce water use and more efficient use of water re-use. These aspects of the proposal are supported and these details are to be sought and secured via the imposition of a condition.
- 10.115 London Plan policy 5.3 and Core Strategy Policy CS10 require developments to embody the principles of sustainable design and construction. As part of this proposal consideration has been given to the use of sustainably sourced, low impact and recycled materials. The commitment to target a high number of materials BREEAM credits is supported and policy compliant. However, a target level of non-hazardous waste to be diverted to landfill and a target level of materials to be derived from recycled and reused content should be provided. These details are to be sought via condition seeking a Site Waste Management Plan (SWMP) setting out how these targets will be achieved. The above SWMP should include a brief assessment of the feasibility of reusing or recycling demolition waste on and/or off site.
- 10.116 London Plan policies 5.10 and 5.11 seek to promote green infrastructure in major developments and policy CS10D of the Core Strategy requires existing site ecology to be protected and for opportunities to improve upon biodiversity to be maximised. The existing site is of no biodiversity or ecology value and although the proposed buildings would occupy 100% of the site, thereby precluding any potential for mature tree planting, proposals to incorporate ecology and green infrastructure would represent an improvement over the existing situation. Part of the fifth and sixth floor levels containing plant would also incorporate a sedum roofs, while the open area at fourth floor level fronting Pear Tree Street would also contain a green roof. In summary, the scheme maximises the areas for green/brown roofs. Furthermore, the roof should also be biodiversity based green roof with a varied substrate depth of 80-150mm and no justification has been submitted why green roofs have not been incorporated. A condition shall be imposed for details of the proposed green/brown roofs along with the provision of bird and bat boxes across the site will be sought via condition.
- 10.117 Planning proposals are required to prioritise sustainable drainage solutions before relying on hard engineered solutions such as that which is proposed. Green/brown roofs are one SUDS option amongst others that should be fully explored as part of any justification for not being able to meet DM Policy 6.6 or London Plan Policy 5.13. It is acknowledged that the site has constraints given its 100% site coverage, however as noted above, there are ample further opportunities at the various roof levels for potential green/brown roofs to accommodate additional attenuation. It is recommended that green roofs with additional drainage volume (drainage layers) are integrated into the scheme in order to comply with DM Policies 6.5 and 6.6. Given the extent of roof areas proposed, there are areas to provide further opportunity for an appropriate SUDS strategy to be incorporated into the scheme. A revised

drainage strategy will be sought via condition in order for the quantity and quality standards of DM Policy 6.6 to be met.

- 10.118 Finally, a Green Performance Plan has been submitted in draft, however full details will be secured through a section 106 obligation. The submitted draft does not include clear indicators to be monitored and provisions to monitor that monitoring.

Energy Efficiency and Renewable Energy

- 10.119 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 10.120 Policy CS10A of Islington's Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 30% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. 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.
- 10.121 The application submission material present the base line (2013 Regs.) regulated carbon emissions and the reduction equates to a 34.9% reduction in relation to London Plan policy, which falls minimally short of the target of 35%. With regard to Islington Core Strategy Policy, the reduction in total carbon emissions (regulated and unregulated) equates to a 19.4% reduction, which is short of the council's target for 27%. Therefore, a condition is to be included to state that a target of at least 19.4% reduction in total CO2 will be achieved but further investigation into options to improve on this to be exhausted with evidence and justification that all opportunities have been maximised.
- 10.122 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". "All" in this regards means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement."
- 10.123 In this instance, a contribution of £283,962 is secured 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).

- 10.124 The proposals address the energy hierarchy of 'be lean, be clean, be green' in the following way:

BE LEAN

Energy efficiency standards

- 10.125 Council policy DM 7.1 (A) states "Development proposals are required to integrate best practice sustainable design standards (as set out in the *Environmental Design SPD*), during design, construction and operation of the development." The energy strategy proposes a number of energy efficiency measures for the new build which would result in an overall reduction in total carbon emissions from energy efficiency measures equating to 19.4%. The energy reduction measures consist of low energy and LED luminaires with occupancy, daylight dimming and timer control systems are proposed, which are supported. Additionally, the proposed U-values for the new build element and refurbishment element are generally good and consistent with the Council's guidance.

BE CLEAN

Energy (Heating and Cooling) Supply Strategy

- 10.126 It is proposed that heating and cooling to the development will be provided via air source heat pumps, and distributed via the mechanical ventilation system. Based on further investigations by the applicant, it is not technically feasible to install a hybrid wet/VRF system for heating and cooling to the development. Therefore, Council's Energy officer has accepted that a VRF system can be installed. Further, the hot water system design has now been amended and the areas previously served by point of use electric heaters will now be served by the main/centralised hot water system.

District Heating Connection

- 10.127 The applicant has considered connection to the Bunhill heat network, which is around 100m from the development. However, connection has been ruled out. The reason given for not connecting is that an on-site heat-pump solution would provide a greater carbon benefit compared to a DEN connection, and so this has been preferred.
- 10.128 The initial feasibility assessment regarding connection to the Bunhill network, was followed up by further investigations as well as follow-up discussions with the Council. One element of the applicant's investigation focused on potential use of a hybrid water/refrigerant VRF cooling system. The investigation raised a possible issue here, in that the proposed system is not currently compatible with the hybrid systems available.
- 10.129 The applicant has also amended their original proposals, to increase the proportion of domestic hot water served by the gas-fired boiler system – which is more immediately suitable for a network connection. Overall, several technical issues have been raised. These stem from the applicant's

investigations - but also from the Council's perspective, some challenges relating to bringing a Bunhill connection of appropriate capacity for the Laser House heat load to the site via Pear Tree Street.

- 10.130 Based on the above, the Council's Energy officer accepts that the most pragmatic approach is likely to involve ensuring the development is future-proofed for connection as far as possible, but that it is not technically feasible to connect at this stage.

Combined Heat and Power

- 10.131 An on-site gas-fired CHP system has been ruled out due to insufficient heat loads (in particular hot water / baseload) at the development.

Shared Energy Network

- 10.132 The Energy Report does not consider any opportunities for shared heating with other local sites. The site is located in close proximity to recently approved development and it is recommended that the applicant review opportunities for supplying or importing low carbon heat to neighbouring sites, such as the approved development at No. 44 Pear Tree Street (Ref: P2017/0865/FUL). This shall include investigating the viability of being supplied with heat from another CHP energy centre rather than creating a new energy centre, in accordance with council policy DM Policy 7.3. This is to be secured via the section 106 agreement.

Shared Futureproof District Heating Connection

- 10.133 The suggested amendments to the domestic hot water system will allow more of the development's heat load to be future-proofed for connection to the Bunhill network. The hot water system accounts for the greater part of the development's heat load and, being a wet system, is relatively straightforward to future-proof.
- 10.134 The legal agreement shall include an obligation to require a commitment to ensuring that the development is designed to allow future connection to a district heating network should it become feasible at a later date, in accordance with the Development Plan.

BE GREEN

Renewable energy technologies

- 10.135 Air source heat pumps are proposed as a renewable technology for the development. Solar PV was also considered for the development. However, this has been ruled out due to a lack of suitable roof area, as the roof area is already reserved for plant, and there is a likelihood that this would overshadow any panels installed on the remaining roof area.
- 10.136 In addition to the above energy hierarchy, London Plan Policy 5.9 and Islington Core Strategy Policy 10 require proposals to reduce potential for

overheating to occur and reduce reliance on air conditioning. Local planning policy and guidance states:

“The need for cooling should be designed out as far as possible through use of passive design and passive ventilation”. “Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control.”

- 10.137 Results from thermal modelling of the building have been provided by the applicant. Council's Energy officers have recommended that the applicant also provide similar results for the building as modelled without artificial cooling, in order to demonstrate a requirement for cooling. Therefore, a condition shall be imposed for the non-installation of artificial cooling until the need has been demonstrated with further information on thermal modelling as outlined above.
- 10.138 In summary it is considered that the preferred option of connecting to a shared network is not feasible at this point in time and that subject to future proofing the proposed energy strategy and conditions to seek to secure additional energy measures to achieve a Council target of 27% under a revised energy strategy is an appropriate alternative for the scheme. These are to be secured via conditions and s106 obligations.

Highways and Transportation

- 10.139 The site is located at the corner of Goswell Road and Pear Tree Street. Goswell Road is a principal borough road. The site has a high PTAL rating of 6a with a number of bus stops located within walking distance. The building is currently used as business floorspace (Use Class B1) and has an existing servicing yard/car parking provision off Pear Tree Street.
- 10.140 The proposal would remove the existing car parking/servicing area with an entrance pavilion. The main pedestrian entrance to the building would be off Goswell Road with a secondary entrance along Pear Tree Street. The proposed flexible commercial/retail unit fronting Goswell Road would also be directly accessed from this road.

Pedestrian Access

- 10.141 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. Furthermore, in line with Development Management Policy DM2.1 (Design), Part A and DM2.2 (Inclusive design), new developments should be safe for pedestrians.
- 10.142 The PTAL of the site to bus and train services maximises the opportunity for visitors and employees to walk all or part of their trips to the site. The proposal would create an active frontage along Pear Tree Street and this is likely to result in a more intensified use of Pear Tree Street. Pear Tree Street is a narrow street with narrow footways that will need improvements to cope with the proposed application and other developments in the area. The applicant

should pay a reasonable and proportionate cost towards improving the footways in Pear Tree Street. Improvements to Pear Street already form part of the local area's Ward Improvement Plan (Bunhill Ward Improvement Plan). A contribution for public realm improvements is captured through Islington's Community Infrastructure Levy (CIL) and as such no separate s106 obligation is necessary.

10.143 *Cycle access and parking*

10.144 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. The level of cycle parking proposed for the office use and flexible B1/A1 space equates to 110 spaces. The proposal provides for 90 spaces within the development. The above levels of cycling would not meet the required number in line with the Council's Development Management policy. A total of 110 cycle spaces would be required (1 per 80 square metres) and as such an increase in cycle parking is required for the proposed B1 office accommodation proposed. This is to be secured via the imposition of a condition.

10.145 Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Additionally, Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. Conditions will be imposed to ensure cycle arrangements are in line with CS10 and DM 8.4 with regard to the above.

10.146 Development Management Policy DM8.4 (Walking and cycling), Part E requires publically accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm. This contribution is captured by Islington's CIL (Community Infrastructure Levy).

Vehicle parking

10.147 For non-residential developments, Development Management Policy DM8.5 (Vehicle parking), Part B (Non-residential parking) states that parking will only be permitted where this is essential for operational requirements and integral to the nature of the business/service (such as a car hire or storage/distribution use). Normal staff parking will not be permitted. The development does not propose any car parking in accordance with Core Strategy Policy CS10 (Sustainable development), Part H, which requires car free development.

10.148 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). Given the site's constraints to provide for on-site wheelchair parking, a contribution of £10,000 towards parking bays or other accessible transport initiatives given 5 accessible parking bays cannot be provided on site or on street. The proposed off-street disabled car parking space is not accounted for in the above, as this is on local highways land and the highways authority would require to approve of such measures. As such, the development would be car-free and consistent with policy CS10 of the Core Strategy.

Physical impacts on the on-street network

- 10.149 Given the proposal seeks on-street loading along Goswell Street, this would require changes to on-street parking and loading restrictions on Goswell Road and neighbouring streets. This would require traffic orders and these changes are to be secured via the S106 Agreement and a S278 Agreement with Highways.

Refuse and Recycling

- 10.150 Storage is appropriately located within the development for all uses. However, an uplift in the number of bins and type of bins would be required for the extent of floorspace being proposed. These details regarding the number and type of bins are to be secured by condition.

Servicing and Deliveries

- 10.151 Part A of DM Policy 8.6 (Delivery and servicing for new developments) requires that delivery/servicing vehicles are 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, Development Management 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. The proposals for delivery and servicing do not accord with this policy.
- 10.152 However, on-site servicing was considered at pre-application stage and it was not considered practical for this site from a design perspective and it would conflict with the 3 key design objectives:
- a) Frontages should be positioned along the site boundary and be active frontages. The length of the frontage is limited and use of the existing parking areas would conflict with design principles and be at the expense of creating active ground floor frontages. Furthermore, it would impact on optimising the development potential of the site;
 - b) The need to respect the established building lines along Pear Tree Street and Goswell Road; and
 - c) Provision of servicing on site would be at the expense of maximising the employment floorspace on the site.
- 10.153 Therefore, it is considered that sufficient justification has been provided to demonstrate the benefits of not providing on-site servicing.
- 10.154 The applicant has identified a proposed loading bay on Goswell Road, which takes into account the Barclays Bike Stand and the bus stop. This would result in the loss of shared use parking on Goswell Road to provide an on-street loading. As such, it is considered that the applicant would need to pay

for the cost of moving such bays elsewhere and this is to be secured via the s106 and s278 legal agreements.

10.155 Further, a delivery and servicing plan is to be secured by condition to ensure that the development has no adverse impact on the highway. This condition will require details to be submitted as required by Development Management Policy 8.6 and the servicing and delivery plan addressing the list of required information at section 8.39 of the Development Management Policies SPD.

10.156 In addition to the above conditions and section 106 obligations the following has also been secured as part of the planning application

- Submission of a final Travel Plan
- The repair and re-instatement of the footways and highways adjoining the development. Cost to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.

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

Planning Obligations

10.158 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.

10.159 It is considered that these contributions are necessary to make the development acceptable in planning terms; the impacts are directly related to the development and fairly and reasonably related in scale and kind to the proposals and would comply with the Community Infrastructure Levy Regulations.

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

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

- 10.162 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore, this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.
- 10.163 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 10.164 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.

CIL

- 10.165 Additionally, the Mayor's Community Infrastructure Levy CIL (currently £50 per square metres) is applicable to the application. An appropriately worded informative is recommended to draw the agent's attention to the CIL liability. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) will be chargeable on this application in the case of it being granted planning permission. In the event that the application is approved, CIL would be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).
- 10.166 Developments in the Central Activities Zone (CAZ) must also make a separate contribution towards Crossrail in the section 106 agreement. However, Mayoral CIL will be treated as a credit towards the section 106 Crossrail liability and this is to be reflected in the wording of the section 106 agreement.
- 10.167 The CIL contributions are calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The redevelopment of this site to provide a mix of Class A1 retail and Class B1 office accommodation in the CAZ would be entirely appropriate in this highly accessible location and would generate sustainable employment opportunities. The proposed building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of surrounding listed buildings or the character or appearance of surrounding conservation areas.
- 11.2 The proposed building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of surrounding listed buildings or the character or appearance of surrounding conservation areas.
- 11.3 The development would be highly sustainable and energy efficient in compliance with relevant planning policies. Subject to appropriate contributions the development would mitigate its impacts on local infrastructure and would contribute towards the provision of off-site housing.
- 11.4 The proposed scheme when compared to the previously refused application has limited the extent of loss of sunlight and daylight. When balancing the townscape and other benefits against the sunlight and daylight losses to these properties in this central London location, the harm to these properties is on-balance accepted. Further, the proposed development would not cause demonstrable harm to the amenities of any neighbouring occupiers in terms of sense of enclosure or privacy.
- 11.5 The scheme is therefore considered acceptable and recommended for approval subject to appropriately worded conditions and s106 obligations and contributions to mitigate against its impact.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
2. The relocation of any existing on-street parking bays to accommodate the proposed servicing/loading bay. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways.
3. Compliance with the Code of Employment and Training.
4. Facilitation, during the construction phase of the development, of 2 work placements: Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/'15). If these placements are not provided, LBI will request a fee of £10,000.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £2,454 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
7. The provision of an additional number of accessible parking bays (5) or a contribution towards bays or other accessible transport initiatives of £10,000.
8. 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: £283,962 (£292,560 tCO2 X £920) – based on information submitted in Energy Strategy.

9. 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.
10. Submission of a Green Performance Plan.
11. 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).
12. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
13. Payment towards employment and training for local residents of a commuted sum of £27,135.
14. For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of £392,640.
15. Crossrail contribution of £343,560 minus any Mayoral CIL credit.
16. All payments to the Council are to be index-linked from the date of Committee are due upon implementation of the planning permission.

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Nos.: 992_S-00 Rev P1; 992_EX-B1 Rev P1; 992_EX-00 Rev P1; 992_EX-01 Rev P1; 992_EX-02 Rev P1; 992_EX-03 Rev P1; 992_EE-00 Rev P1; 992_EE-01 Rev P1; 992_EE-02 Rev P1; 992_ES-AA Rev P1; 992_ES-BB Rev P1; 992_ES-DD Rev P1; 992_ES-EE Rev P1; 992_ES-FF Rev P1; 992_GA-B1 Rev P3; 992_GA-00 Rev P3; 992_GA-01 Rev P3; 992_GA-02 Rev P3; 992_GA-03 Rev P3; 992_GA-04 Rev P3; 992_GA-RF Rev P3; 992_GE-01 Rev P3; 992_GE-02 Rev P3; 992_GE-03 Rev P3; 992_GE-04 Rev P3; 992_GS-AA Rev P3; 992_GS-BB Rev P3; 992_GS-EE Rev P3; 992_GS-FF Rev P3.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials and Design Details – Further Details Required
	<p>CONDITION: Notwithstanding the plans hereby approved, details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority, prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none">a) Grey handmade brick;b) New bricks to match existing;c) Concrete lintels;d) window treatment (including sections and reveals);e) balustrading treatment (including sections);f) detailed drawings showing the principal entrance and service entrances;g) glass samples;h) any other materials to be used; andi) a signage strategy. <p>The development shall be carried out strictly in accordance with the details so</p>

	<p>approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Design Detail – Roof Plant Extension
	<p>CONDITION: Notwithstanding the plans hereby approved, full details of the detailed design of the sixth storey roof extension including the type of material shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</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 and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
5	Inclusive Design
	<p>CONDITION: Notwithstanding the drawings hereby approved, prior to commencement of any works above ground level, details (including plans and sections) of the development against all relevant requirements of Islington's Inclusive Design SPD and other relevant policies and guidance 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 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.</p>
6	Micro and small enterprises (Details)
	<p>CONDITION: Details, including floorplans, of business accommodation suitable for occupation by micro and small enterprises shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development's business floorspace. The details shall confirm that no less than 5% of the development's business floorspace shall be suitable for occupation by micro and small enterprises.</p> <p>REASON: To ensure adequate provision of business accommodation suitable for occupation by micro and small enterprises.</p>
7	Use Class A1 – Restrictions on Use
	<p>CONDITION: The proposed retail units (A1) shall not operate outside the following times: Sunday to Thursday – 07:00 to 23:00 Friday to Saturday – 07:00 to midnight.</p>

	REASON: To ensure that the operation of the above uses do not have a detrimental impact on residential amenity.
8	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: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not have an adverse impact on residential amenity.</p>
9	Construction Environmental Management Plan
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
10	Land Contamination
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation</p>

	<p>scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).”</p> <p>REASON:</p>
11	<p>BREEAM</p> <p>CONDITION: Evidence confirming that the development achieves a BREEAM rating (2008) of no less than 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The evidence shall be provided in the following formats and at the following times:</p> <ul style="list-style-type: none"> a) a design stage assessment, supported by relevant BRE interim certificate(s), shall be submitted at pre-construction stage prior to commencement of superstructure works on site; and b) a post-construction assessment, supported by relevant BRE accreditation certificate(s), shall be submitted following the practical completion of the development and prior to the first occupation. <p>The development shall be carried out strictly in accordance with the details so approved and achieve the agreed rating(s). The development shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
12	<p>Rainwater/Greywater recycling (Details)</p> <p>CONDITION: Details of the rainwater/greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
13	<p>Green Procurement Plan (Site Waste Management Plan)</p> <p>CONDITION: No development shall take place unless and until a Green Procurement Plan (Site Waste Management Plan) has been submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability: use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste.</p>

	<p>The development shall be constructed strictly in accordance with the Green Procurement Plan so approved.</p> <p>REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction.</p>
14	<p>Sustainable Urban Drainage System (SUDS)</p> <p>CONDITION: No development shall take place unless and until details of an updated drainage strategy for a sustainable urban drainage system and maintenance and management plan has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems and be designed to minimise flood risk and maximise water quality, amenity and biodiversity benefits in accordance with DM Policy 6.6 and the National SuDS Standards. The submitted details shall:</p> <ul style="list-style-type: none"> i. provide information about the design storm period and intensity, the method employed (SuDS management train) 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; ii. include a timetable for its implementation; and iii. provide a management and maintenance plan for the lifetime of the development which shall specify who is responsible for the on-going maintenance of the system and include any other arrangements necessary to secure the operation of the system throughout the lifetime of the development. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed/completed strictly in accordance with the approved details.</p> <p>The scheme shall be implemented and thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
15	<p>Nesting Boxes (Details)</p> <p>CONDITION: Details of bird and bat nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall include the exact location, specification and design of the habitats.</p>

	<p>The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
16	<p>Green/Brown Biodiversity Roofs</p> <p>CONDITION: Notwithstanding the plans hereby approved, a biodiversity (green/brown roofs) strategy shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown roofs) strategy shall also include the following details:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
17	<p>Renewable Energy</p> <p>CONDITION: A revised Energy Strategy, which shall provide the energy measures contained within the submitted (updated) Energy Strategy for no less than a 19.4% on-site total CO₂ reduction in comparison with total emissions from a building which complies with Building Regulations 2013, and investigating additional energy efficiency measures to reduce regulated and unregulated carbon emissions each stage of the energy hierarchy and the percentage reductions with the aim of targeting a 27% reduction in total (regulated and unregulated) carbon emissions, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development.</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>

18	Thermal modelling
	<p>CONDITION: Details of passive design and other measures incorporated within the to ensure adaptation to higher temperatures (taking climate change projections into account) should be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site and shall be operational prior to the first occupation of the development hereby approved. These details shall include the results of thermal modelling (under the higher future temperatures projected as a result of climate change) for non air conditioned internal spaces to demonstrate that the likelihood of internal overheating has been minimised. The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of adapting to climate change and to secure sustainable development.</p>
19	Cycle Parking Provision
	<p>CONDITION: Notwithstanding the approved drawings, details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to the Local Planning Authority and approved in writing prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than the amount of cycle spaces required for all proposed uses in accordance with Islington DM Policy standards.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport, as well as to reduce opportunities for crime.</p>
20	Cycle Facilities
	<p>CONDITION: Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of superstructure works.</p> <p>The facilities shall be installed and operational prior to first occupation of that part of the development and maintained as such permanently thereafter.</p> <p>REASON: In the interests of ensuring that sustainable forms of travel to work (cycling) is promoted and robustly encouraged.</p>
21	Refuse and Recycling
	<p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p>

	<p>a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);</p> <p>b) a waste management plan</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development 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>
22	Delivery & Servicing 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 (in consultation with TfL) 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>
23	Lighting Management Plan (Details)
	<p>CONDITION: The details contained within the Lighting Management Plan Rev 01 (Ref: 54518) dated April 2018 prepared by Chapman BDSP, shall be provided in accordance with the hereby approved plans prior to the first occupation of the development and maintained as such thereafter.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and future habitats from undue light-spill.</p>
24	No Plumbing or Pipes
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the external elevation(s) of the building hereby approved.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
25	Roof-Top Plant & Lift Overrun
	<p>CONDITION: Notwithstanding the approved drawings, all details of any roof-top</p>

	<p>structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall include the location, height of all individual plant and extract above roof level, specifications, and justification why all areas including servicing areas, currently require to be contained in an enclosure, and justification as to the proposed height for all these areas. The above details shall relate to:</p> <ul style="list-style-type: none"> a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun; <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
26	No Obscuring of Ground Floor Frontage
	<p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
27	Flat Roof Not Used As Amenity Space (Compliance)
	<p>CONDITION: All of the flat roof areas including the new build three-storey corner element shown on drawings on all levels hereby approved shall not be used as an amenity or sitting out space 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>
28	Thames Water
	<p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground</p>

	sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.
29	Construction Logistics Plan (CLP)
	<p>CONDITION: No development shall take place unless and until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:</p> <ol style="list-style-type: none"> 1. the parking of vehicles of site operatives and visitors 2. loading and unloading of plant and materials 3. storage of plant and materials used in constructing the development 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate 5. wheel washing facilities 6. measures to control the emission of dust and dirt during construction 7. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The report shall assess the impacts during the construction phases of the development on the surrounding roads, nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the 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 highway safety and free flow of traffic on Goswell Road and Pear Tree Street, local residential amenity and mitigate the impacts of the development.</p>

List of Informatives:

1	S106
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure</p>

	<p>Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Thames Water
	<p>WATER COMMENTS</p> <p>There are large water mains adjacent to the proposed development. Thames Water will not allow any building within 5 metres of them and will require 24 hours access for maintenance purposes. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.</p>
5	Thames Water
	<p>WASTE COMMENTS</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 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 wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

The National Planning Policy Framework 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 Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

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

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

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 5.16 Waste self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

Policy 5.19 Hazardous waste

Policy 5.21 Contaminated land

Policy 5.22 Hazardous substances and installations

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 London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

Policy 6.7 Better streets and surface transport

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

Policy 6.14 Freight

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 4.11 Encouraging a connected economy
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.5 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 7.6 Architecture
Policy 7.7 Location and design of tall and large buildings
Policy 7.8 Heritage assets and archaeology
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops
DM4.2 Entertainment and the night-time economy

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

DM4.3 Location and concentration of uses

DM4.8 Shopfronts

Employment

DM5.1 New business floorspace

DM5.2 Loss of existing 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

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

BC7 Historic Clerkenwell

BC8 Achieving a balanced mix of uses

BC9 Tall Buildings and contextual considerations for building heights

BC10 Implementation

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Bunhill and Clerkenwell Core Strategy Key Area
- Finsbury Local Plan (FLP) Area
- Great Sutton Street Employment Priority Area (General)
- Central Activities Zone
- Adjoins Hat and Feathers Conservation Area
- Within vicinity of Heritage Sites in Historic Clerkenwell at Nos. 73-77, 83 and 89 Goswell Road.

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Basement SPD
- Environmental Design
- Conservation Area Design Guidelines

London Plan

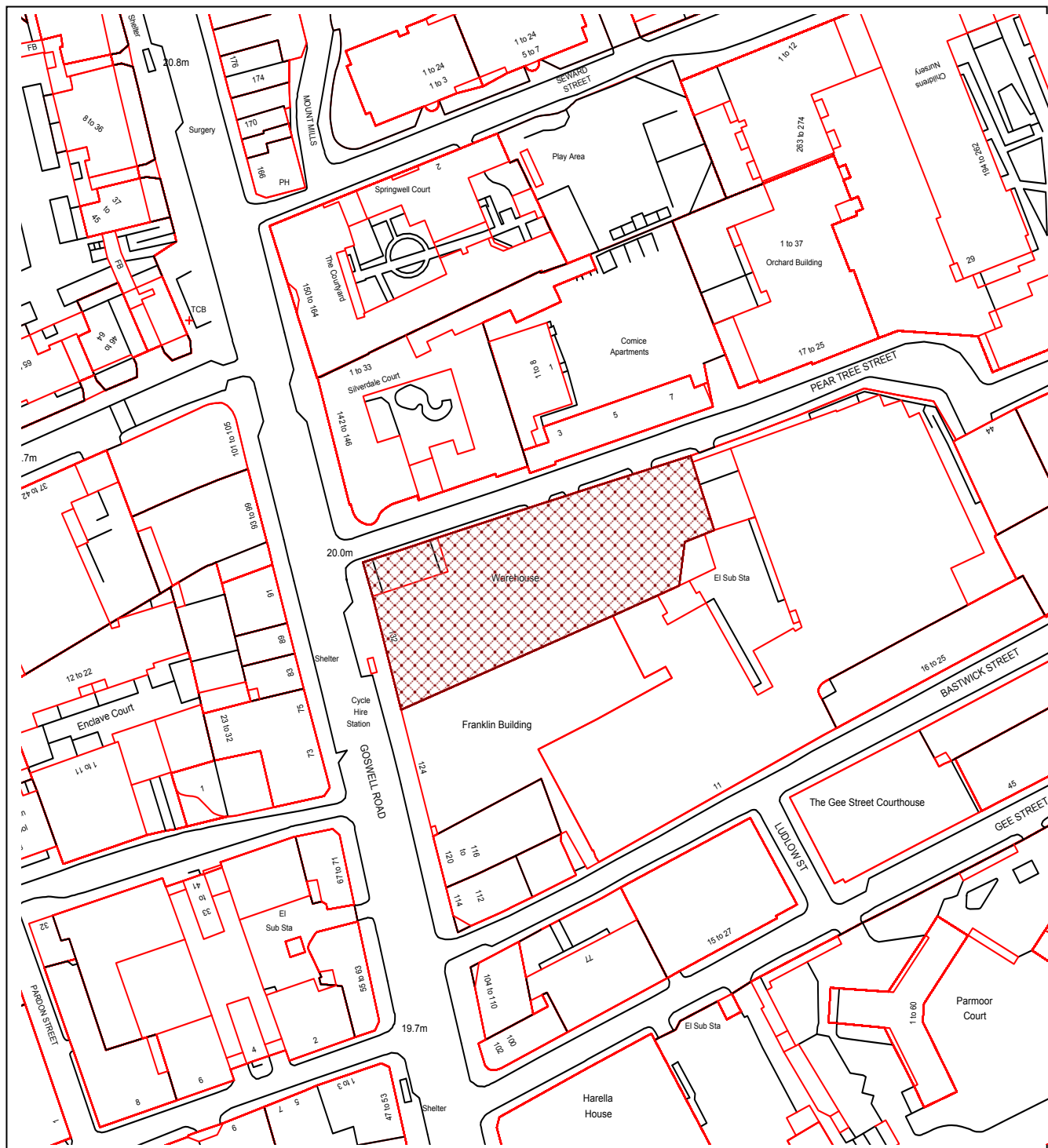
- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction

- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Development Viability SPD

- Planning for Equality and Diversity in London
- City Fringe Opportunity Area Planning Framework

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS

ISLINGTON



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CONFIDENTIAL

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E Luciana.grave@islington.gov.uk
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Our ref: Q2018/0544/DRP

Date: 4 April 2018

Dear Kevin Henson,

ISLINGTON DESIGN REVIEW PANEL

RE: Laser House, 123-140 Goswell Road, Clerkenwell, London, EC1V 7DY (pre-application reference: Q2016/2574/MJR)

Thank you for submitting your scheme to Islington's Design Review Panel (Chair's review session) on Thursday 15 March 2018. The proposed scheme under consideration is for partial demolition of rooftop structures and retention of the existing building along with the construction of a three-storey extension to the existing building and new three-storey infill building to the corner of Goswell Rd and Pear Tree Street resulting in a part 3, part 4, part 5, part 6-storey building including internal reconfiguration and refurbishment of the existing facades to provide for office floorspace (Use Class B1(a)) and flexible retail/office floorspace (Use Class A1/B1(a)) along with associated access arrangements, cycle parking, refuse storage and ancillary works.

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 at the offices of the London Borough of Islington by Richard Portchmouth (Chair) and Ben Gibson who had both reviewed the scheme previously. 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 were updated about the recent planning history and appreciate the need for the amendments to the scheme. They were happy to see that the development team had taken this opportunity not only to address the reasons for refusal by the Planning Committee but also some of the comments previously made by the Panel.

The Panel understood that the main changes were as follows:

- a) Massing changes - lowering floor, lower roof plant, removed one storey along Pear Tree Street and pushed back the massing at upper levels on Pear Tree Street and pushed forward at upper level on Goswell Road, removal of extruded lift core (moved into the middle of the plan).

- b) Use – make ground floor active and lively, entrance to office space, new sunken courtyard to the rear. Goswell Road, lower the glazing to ensure ground and lower ground floor work together and there is activity on this frontage. Corner block is now a clear entrance into the building – office entrance, not D1 anymore as previously proposed.
- c) Architectural expression – on Pear Tree Street two lower floors retained, on Goswell Road the frontage is retained. The corner block is now brick (not polished concrete anymore).

Pear Tree Street elevation

Panel members raised no objections to the moves in relation to the massing changes and stated that they could see the improvements to amenity impact.

They felt that the overall piece, knitting together, is successful and in particular considered it to be a considerable improvement on the Pear Tree Street elevation. Simplifying the design was a welcome move. The datum lines on Pear Tree Street were considered to work well and now that materiality has changed, they thought the fenestration of the corner block works well on the Pear Tree Street facade.

Goswell Road

The Panel welcomed the corner block becoming more vertical, slimmer and were of the opinion that the proportions of the entrance sit comfortably alongside the existing building. They felt there is now a more comfortable relationship between these two elements. They felt the massing was acceptable but there was a further stage of sophistication of the elevation that needs to be developed.

However, they stated that a more detailed study is required in relation to the integration of the proposed upper storey/plane with the existing façade to create a cohesive elevation. The Chair was not convinced that a brick wall with punched windows is necessarily the right solution. He emphasised that what is added to the top needs to respond to the existing façade rhythm including the vertical emphasis of the fenestration. It was suggested one possible resolution to be explored might be to set back the spandrel between the top two levels of windows.

The Panel were also comfortable with the change from art gallery to entrance to offices

Summary

Panel members were generally welcoming of the changes. They felt that the massing was acceptable and were very positive about the Pear Tree Street elevation. They also supported the moves in relation to the corner block. However, although they accepted the principles applied to the Goswell Road elevation, they felt that with the new proposed massing changes the proportions of that elevation and, therefore, its detailing needs to be further developed to make it a coherent composition.

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

Confidentiality

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

Yours sincerely,

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

Luciana Grave

Design Review Panel Coordinator
Design & Conservation Team Manager

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