



**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 **15 October 2019 at 7.30 pm.**

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 7 October 2019

Welcome:

Members of the public are welcome to attend this meeting.

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

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>	
Councillor Klute (Chair)	- St Peter's;	Councillor Chowdhury	- Barnsbury;
Councillor Kay (Vice-Chair)	- Mildmay;	Councillor Gill	- St George's;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Hamitouche	- Barnsbury;
Councillor Mackmurdie	- Clerkenwell;	Councillor Turan	- St Mary's;
Councillor Clarke	- St George's;	Councillor Wayne	- Canonbury;
Councillor Convery	- Caledonian;	Councillor Webbe	- Bunhill;
Councillor Graham	- Bunhill;		
Councillor Poyser	- Hillrise;		
Councillor Spall	- Hillrise;		
Councillor Woolf	- Canonbury;		

Quorum: 3 councillors



A.	Formal Matters	Page
1.	Introductions	
2.	Apologies for Absence	
3.	Declarations of Substitute Members	
4.	Declarations of Interest	

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

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

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

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

- *(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.
- (b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.
- (c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.
- (d) Land** - Any beneficial interest in land which is within the council's area.
- (e) Licences**- Any licence to occupy land in the council's area for a month or longer.
- (f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.
- (g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

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

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B.	Consideration of Planning Applications	Page

1.	141-157 Whitecross Street London, EC1Y 8JL	15 - 56
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3.	Waterlow Building Whittington Hospital, Magdala Avenue, London, Archway N19 5NF	151 - 210

C. Consideration of other planning matters Page

D. Urgent non-exempt items (if any)

Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

E. Exclusion of press and public

To consider whether, in view of the nature of the remaining items on the agenda, it is likely to involve the disclosure of exempt or confidential information within the terms of the Access to Information Procedure Rules in the Constitution and, if so, whether to exclude the press and public during discussion thereof.

F. Confidential/exempt items Page

G. Urgent exempt items (if any)

Any exempt items which the Chair agrees should be considered urgently 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, 18 November 2019

Please note all committee agendas, reports and minutes are available on the council's website: www.democracy.islington.gov.uk

PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

COMMITTEE AGENDA

1 141 - 157 Whitecross Street
London
EC1Y8JL

2 145 - 157 St John Street
London
EC1V 4QJ

3 Waterlow Building
Whittington Hospital
Magdala Avenue
London
Archway
N19 5NF

1 141 - 157 Whitecross Street
London
EC1Y8JL

Application Number: P2019/0194/FUL

Ward: Bunhill

Proposed Development: Retrospective application for a second level basement and extended first level basement, changes to the rear retail areas and other minor shopfront alterations, as well as works to alter existing retail area, change of use of rear of approved retail areas to office (B1a Use Class), use of first and second basement as offices (B1a Use Class) and enclosure to the rear of the buildings with a glass roof from the rear elevation of the buildings to the rear boundary wall.

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: DP9, Mr B. Collins

Recommendation:

2 145 - 157 St John Street
London
EC1V 4QJ

Application Number: P2018/1229/FUL

Ward: Clerkenwell

Proposed Development: Refurbishment and extension of existing building including additional seventh floor level as well as an extension to the rear of the existing building (from ground level to roof level) and front and rear roof terraces at the upper level, replacement of the building's facade to accommodate retail (Class A1) / professional and financial services (Class A2) and office space (B1a use) on the ground floor and office space (Class B1a) in the remainder of the building, with public highway improvements and other associated works.

Application Type: Full Planning Application
Case Officer: Daniel Jeffries
Name of Applicant: Meritcape Limited
Recommendation:

3 Waterlow Building
Whittington Hospital
Magdala Avenue
London
Archway
N19 5NF

Application Number: P2019/1773/FUL
Ward: Junction
Proposed Development: Redevelopment of the former Waterlow Building and construction of a replacement (temporary) building for Use Class D1 purposes with associated parking, landscaping and associated works.
Application Type: Full Planning Application
Case Officer: Dale Jones
Name of Applicant: Whittington Health NHS Trust
Recommendation:

London Borough of Islington

Planning Committee - 9 September 2019

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on 9 September 2019 at 7.30 pm.

Present: **Councillors:** Klute (Chair), Kay (Vice-Chair), Picknell (Vice-Chair), Mackmurdie, Clarke, Convery, Graham, Poyser and Woolf

Councillor Martin Klute in the Chair

103 **INTRODUCTIONS (Item A1)**

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

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

Apologies for absence was received from Councillor Spall.

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

There were no declarations of substitute members.

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

Councillor Poyser declared a personal interest in item B5, The City University as he was a postgraduate student many years ago.

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

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

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

RESOLVED:

That the minutes of the meeting held on 4 June 2019 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

109 **34 DRAYTON PARK ISLINGTON, LONDON N5 1PB (Item B1)**

Refurbishment and extension of existing building to provide a part 1/part 5 storey building comprising 3,054sqm flexible business (Use Class B1) floorspace and 209 sqm restaurant (Use Class A3) floorspace (1,298sqm overall additional floorspace) with ancillary plant room and storage at basement level.

(Planning application number: P2019/0228/FUL)

Prior to the committee presentation, the planning case officer raised several points of clarifications and corrections, these matters included:

- Page 38 of the Agenda, Condition 7 relating to cycle parking provision, the condition notes that the scheme shall provide for no less than 60 spaces. However, a total of 54 spaces are proposed. The provision of 54 spaces is acceptable against planning policy and standards (Appendix 6 of the DMPD requires 41 spaces);
- Page 43 Condition 24 relating to the rear wall planter, the proposed planter would be artificial and therefore does not require irrigation, therefore it is suggested that reference to irrigation should be removed from the condition wording;
- There was a typo graphical error relating to the address of Item B1, which was immediately rectified by Democratic Services. Letters sent to consultees had the correct site address as does the officer report throughout, therefore this will not prejudice the determination of this item;
- Paragraph 10.36 of the report on Page 24 notes the height of the rear boundary wall at 1.9m from the garden level of the neighbouring properties, where in fact the rear boundary wall measures 2.2m from that point (from those properties to the rear);
- Paragraph 10.68 of the report (Page 30) notes that the existing 2.7m high rear wall would be extended in height by virtue of an 850mm planter on top bringing the total height of the rear boundary treatment to 3.55m in height 'as measured from the raised garden level of those properties to the rear, which back onto the site.' However, the extended boundary treatment due to the introduction of the proposed planter would increase the height of the boundary treatment from 2.2m to a height of 3.0m as measured from the raised garden levels to the rear and the 3.55m measurement as referenced would actually represent the new height of the boundary from the patio level at the application site. This is made clear in the next paragraph 10.69 of the report which addresses the respective level changes;
- Paragraph 10.69 which notes the proposed planter would be 800mm in height whereas it would actually measure 850mm in height which is made clear on drawing 3086/221/A.
- 10 objections were noted within the report (Page 14, paragraph 8.2), however it should be clear that a total of 7 objections were received.

In the discussion the following points were made:

- Members were advised that condition 20 has been agreed with the applicant which ensures that the external part of the rear patio is to be used at certain time of the day protecting the amenity of the adjoining residents.
- The planning officer informed members that the site has been vacant for a long time and the scheme being proposed would replace the existing floor space with higher quality, more accessible and more flexible employment space.

Planning Committee - 9 September 2019

- In response to concerns about the scheme's inability to meet the council's CO2 reduction target, Officers advised that this will be offset by a carbon offset contribution from the applicant
- The meeting was informed of overlooking concerns from the proposed scheme into neighbouring habitable rooms and the increased noise and disturbances from users of the patio area. In response Officers highlighted the proposed rear patio area was designed with features to prevent overlooking from it, which included the use of a rear wall planter and use of an obscured glazed canopy which would be installed above the proposed rear patio doors.
- On the matter of overlooking and privacy, an objector expressed concerned in relation to a prospective impact of the development from the upper levels, however, Officers highlighted the separation distanced of 28.8m between the rear wall of the proposed extension and those residential properties to the rear (south) which would ensure that there would not be harmful loss of privacy or mutual overlooking
- In response to objectors concerns, the agent informed the meeting that they had engaged with local residents to address their concerns by lowering the patio and introduced a canopy and a planter .
- On the question of whether a condition could be imposed restricting smoking by users of the patio , the planning officer advised that it is not possible to impose a condition restricting people from smoking however it could control the hours of use of the terrace and recommend that a management plan be considered by officers .
- On the question on whether there was a specific condition to install window blinds to protect the privacy of neighbouring occupiers, officer stated that although a condition regarding privacy is it included but nothing specific on blinds.
- In response to the use of artificial plant instead of natural plants, the meeting was advised that this was suggested by applicants to mitigate the issue of overlooking with some form of screening and was agreed as a long term solution in a sustainable way. A suggestion on whether the height of the rear wall could be extended was noted.
- Members agreed for two additional conditions to be included with the permission, a condition to extend the boundary wall to protect the amenity rather than the use of an artificial plant and another condition for applicants to submit a management plan which will address smoking concerns from users on the roof terrace. Members agreed that the wording of the two additional conditions be delegated to officers. This was seconded and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions set out in Appendix 1 of the officer report, and additional conditions noted 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.

Condition 24 - Rear wall planter (and maintenance of plants and irrigation details)

Notwithstanding the plans hereby approved, details of a raised rear boundary wall and/or planter screen (to include the use of live natural planting and an ongoing maintenance regime) to the external terrace area and the properties to the rear (south) of the development site shall be submitted to and approved in writing by the Local Planning Authority prior to the external terrace area being brought into use. There after the raised boundary wall or planter and plants shall be maintained in accordance with the approved details for the life of the development.

REASON: To protect the amenity of neighbouring occupiers.

Condition 25 – Rear patio area operational management plan

CONDITION: Details of measures to adequately mitigate against noise and disturbance affecting neighbouring residential properties and an accompanying Operational Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the external patio terrace area at ground floor level being brought into use.

The building shall thereafter be operated strictly in accordance with the approved measures to mitigate against any harmful impact on the amenities of neighbouring residential properties and the approved Operational Management Plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.

110

EMIRATES STADIUM, 75 DRAYTON PARK, LONDON, N5 1 BU ((COACH PARKING LOCATIONS: QUEENSLAND ROAD, HORNSEY ROAD, SOBELL CENTRE, HORNSEY STREET, FINSBURY PARK) (Item B2)

The applicant is seeking a permanent permission following approval of details application P2015/1142/AOD for the previously consented locations (Planning application number: P2019/2022/AOD)

Prior to the committee presentation, the planning case officer raised several points of clarifications and corrections, these matters included:

- The following corrections be made to Condition 3 relating to the restricted use of Sobell Centre – replace 12 Coaches with 11 Coaches and remove the words “or such other location as advised by the MPS”.
- Comments from TfL and Hackney Council were received which raised no objection to the proposals.
- An Incident Report (regarding the dumping of waste in January 2019) from a resident of Queensland Road was sent to the officer prior to Committee
- Response made by Steer on behalf of the applicant, this was circulated prior to the meeting, and copies made available on the night for members if needed.

In the discussion the following points were made:

- The Planning officer informed members that Arsenal Football Club is seeking to secure a permanent permission for match day coach parking locations for the 2019/20 season. Members were reminded that the planning committee had granted temporary permissions to the club previously so that a full assessment on issues such as security, traffic and neighbouring amenity.
- The Planning highlighted the arrangements and restrictions that is applied in coach parking locations (Queensland Road, Hornsey Road, Sobell Centre, Hornsey Street and Finsbury Park) in order of priority.
- The officer reminded members about the original plans to use the Stadium undercroft, however in light of advice received from the Metropolitan Police Services Counter Terrorism Unit, the undercroft was never used.
- The Committee heard evidence from 3 objectors on issues such as lack of trained parking stewards resulting into damage to the glass canopy above No.1 Queensland Road and drivers ignoring the Council’s anti idling campaign. Concerns were raised about the air quality in particular and contrary to the Council’s Air quality strategy as published on the council website.
- The agent in response informed the meeting that the club has facilitated different permutations of coach parking over the last 13 years with some tweaks introduced in certain locations and the present arrangement has been in place for over 5 years.
- On the issue regarding sewage being deposited, the agent advised of only one instance and both driver and coach company were penalised. Also on the issue of damage to the glass canopy, agent noted that this was not related to

the coach .

- On the suggestion about reducing some of the locations, the meeting was advised that this would limit the ability to be resilient especially if and when more parking is required. The meeting was advised that evidence shows that overtime there will be fewer coaches being used to attend matches by football fans.
- In response to the air quality concerns, members were advised by the agent that when applications for permits are received, all coach operators are notified of the future requirement that kicks in when the Mayor of London's ULEZ comes into the operation in 2020 and the need to switch to cleaner vehicles, and which will apply to all coaches bringing supporters into the area.
- The meeting was advised that due to improvements to the various modes of transport, there is evidence of a downtrend of coach travel to the Emirates which was to be welcomed.
- In response to a question on how the council's enforcement team is able to support the stewards in multiple coaching locations, the meeting was advised that although the officer fully funded by Arsenal would be based at Queensland Road (the site where most coaches would be parked), if other locations would also be used then the Council would deploy additional enforcement staff at the other locations – the requirement would be established at the pre-match planning meetings.
- Members requested the existing funding arrangement for an enforcement officer be included as a Head of Term to ensure the funding was secured on an ongoing basis.
- In response to concerns about increasing the number of coaches from 12 to 18, the meeting was advised of that there would be no increase, no changes from the previous temporary permissions that were granted and no plans to increase the number of coaches.
- A suggestion to retain a temporary permission for a period of 5 years was proposed by Councillor Clarke and seconded by Councillor Picknell. Vote was taken and motion was defeated.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted for the approval of details on a permanent basis ,subject to the conditions set out in Appendix 1 of the officer report and conditional upon the prior completion of a Deed of Planning Obligation made under Section 106 of the

Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 and an additional Head of Term set out below.

Additional Head of Term: Continuation of existing arrangements where by the Applicant fund 1 x enforcement officer on an ongoing basis.

Informative - You are advised to inform all coach operators of the future requirement that come into force when the Mayor of London's ULEZ becomes operational in 2020 and the need to switch to cleaner vehicles.

111 **OLD STREET STATION, OLD STREET, ISLINGTON, LONDON, EC1Y 1BE**
(Item B3)

Excavation and construction of a new station entrance to provide access to St. Agnes Well and Old Street Station. Construction and installation of a public lift to provide access to St Agnes Well; a service lift and bin store adjacent to the existing clerestory; and associated works including external cladding of the existing clerestory and proposed service lift and bin store.

(Planning application number: P2019/0528/FUL)

In the discussion the following points were made:

- The Planning Officer advised that additional comments have been received from Hackney Council. Members noted the comments were largely supportive but did raise concerns relating to changes proposed to the roadway in the London Borough of Hackney. Members advised that they appreciated the concerns, however officers advised that they fell outside of the scope of the planning application.
- Members were advised that planning permission is required for particular elements of the scheme such as a proposed new station entrance, a new passenger lift, a refuse store/plant enclosure and service lift and the installation of new cladding
- Members were reminded that at present the Old Street Station lacks a sense of place in the public realm and that the elements before the committee were crucial to the wider scheme as reconfiguration of the roundabout could not take place unless a new station entrance is constructed to account for the loss of some of the other subway entrances.
- Members noted the Council's statutory duty to preserve and enhance/to do no harm to heritage assets. Members acknowledged this duty and placed great weight on this. The officer explained the significance of the Leysian Mission building and members agreed. It was agreed that harm to the setting of the building would be less than substantial harm, and that notwithstanding the statutory duty to place great weight on this, the benefits were considered to outweigh the harm. The benefits include promoting safer

cycling and pedestrian facilities, an iconic design with biodiverse green roof, improvements to accessibility and the wider public realm.

- Members acknowledged that the revised proposal had come a long way from the first iteration of the scheme – and praised TfL’s co-operation and willingness to liaise with officers to overcome earlier material issues.

RESOLVED:

That following consideration of the case officer’s report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions set out in Appendix 1 and subject to conditions to secure the following and delegated to the following: the Head of Development Management Team, the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions, removals or amendments) to the conditions.

112

PAUL ANTHONY HOUSE, 724 HOLLOWAY ROAD, ISLINGTON, LONDON, N19 3JD (Item B4)

Two storey roof extension to the existing building to create additional office space (B1a Use Class) along with associated refurbishment and external alterations.

(Planning application number: P2018/3191/FUL)

In the discussion the following points were made:

- Planning Officer advised that although the proposal is now a minor development, as major applications for the same site had been considered by the planning committee on two previous occasions, it is agreed that in the interest of consistency it has been brought back to the main Committee.
- Members were advised that since the application was considered by the committee there have been notable revisions to address concerns raised such as designs to the extensions and the scale and massing of the proposal.
- Members were informed that site is located within Archway Town Centre and Archway Key Area. The proposal would result in an increase in office floor space and employment.
- Members were advised that a comprehensive assessment of the proposed development on surrounding windows, rooms and gardens had been undertaken in accordance with BRE guidance and practice and results of the assessment show good levels of adherence with only minor transgressions to all but one property.
- The Planning Officer set out the representations received in relation to the application as set out in the officer’s report which had been addressed by the application. Issues such as daylight and sunlight had been addressed

following a number of revisions on the massing and design.

- Three objectors addressed the Committee. Objections included loss of privacy as a result of overlooking from windows due to the additional floors and location of bin store in Fairbridge Road and its associated nuisance such as noise, smell and hygiene.
- In response to the decision not to locate the servicing, deliveries and refuse collection on Holloway Road, members were advised that this is a Red Route and that TFL had lodged objection to servicing from the Holloway Road. Also the forecourt has limitation for vehicles to manoeuvre, turn around and exit, the frontage is partially blocked by a bus stop.
- In response to concerns that the revised daylight/sunlight assessment excluded the dwelling of one of the objector and how the hours of use of the terrace would be monitored, the Planning Officer acknowledged that the assessment did include the objector's property and the results did not exceed the BRE guidelines. In terms of the hours of use, the meeting was advised of condition 7 which will address any concerns and protects the amenity of neighbouring properties.
- In response to concerns that their views were not being considered, the agent advised that the scheme to provide office space conforms with the Council's local plan as this brings back into use a building which has been vacated for a long time. In terms of overlooking, the meeting was advised that the design of the scheme has been altered and the massing has been shifted towards Holloway Road away from Fairbridge Road.
- The agent advised that as an office building rubbish levels would not be comparable to residential building so concerns about vermin and litter would not be an issue for Fairbridge resident's. Members were informed that TFL's objection to servicing from Holloway Road had driven the decision to locate the services on Fairbridge Road and that as part of the application, a management servicing plan has been submitted.
- In response to concerns that the applicant had given more consideration to TFL's objections rather than those of the resident's concerns, the agent advised TFL being a statutory consultee had concerns with vehicles reversing onto or off the Holloway Red Route and subsequent disruption to the free flowing traffic especially during the construction period and safety.
- Members were concerned that TFL were not being consistent in their objections as the siting of the bus stop in this particular location is only a recent feature to cater for driver changeover as it is close to Holloway bus garage. A suggestion that the agent explore further discussion with TFL especially as car parking has been removed from the scheme was noted and agreed. Members also noted that other office buildings in the vicinity and on the bus route on Holloway road allowed servicing and refuse collection to

take place from Holloway Road.

- Members acknowledged that this was an improvement on their previous scheme and that issues such as overlooking and sunlight/daylight loss had been addressed but would recommend further discussion with TFL on alternative service arrangements.
- A suggestion that application be deferred so as to enable agent a further opportunity to discuss with TFL. In addition members agreed that this would be an opportunity for agent to meet the residents on their concerns.

Councillor Klute proposed a motion to Defer application on the grounds of further discussion with TFL and with residents. This was seconded by Councillor Poyser and carried.

RESOLVED:

That consideration of the application be deferred for the reasons outlined above.

113

**THE CITY UNIVERSITY, 10 NORTHAMPTON SQUARE, LONDON, EC1V 0HB
(Item B5)**

Alterations and extension at 6th and 7th floor levels of the University Building to provide an extension to the library as well as replacement of the glazing units on the 1st - 6th floor facades and associated works.

(Planning application number: P2019/1124/FUL)

In the discussion the following points were made:

- Members were reminded that the substantive application was considered by the Committee on 4 June where the Committee resolved to grant permission subject to conditions and planning obligations. At that time an objection letter from The 20th Century Society had been received on the day of the meeting but had not been taken into consideration. The letter was attached in full to the Agenda.
- Members were also reminded that they were informed at the committee meeting on 4th June that a listing application for the host building had been made in the days immediately preceding the meeting, and that the application was outstanding at the time of the meeting. Members also noted that the objection from the 20th Century Society made reference to the listing application, and recommended delaying the committee decision until the outcome of the listing application was known.
- The Planning Officer explained that notification had now been received advising that the listing application had been declined by Historic England. The committee considered that the HE decision to decline listing took away from any weight attaching to the 20th Century Society objection.

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- The objector raised similar concerns highlighted during the previous meeting on 4 June and they included the impact of the scheme on the existing listed Georgian houses due to its massing and that the height of the extension would have an adverse effect on the character of the square.
- In response to a question on whether any other circumstances had changed since the application was considered at the 4 June meeting, the Planning Officer advised that the 20th Century Society objection had been taken into account and carefully considered, along with the commentary from Historic England, however the objection did not alter the officers recommendation, as set out in the Committee report.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, the Committee's previous resolution to grant planning permission was unaltered, and that permission be granted subject to the conditions 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.

The meeting ended at 11.00 pm

CHAIR

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 PO Box 3333
 Islington Town Hall
 London N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:B1
Date:	15th October 2019	NON-EXEMPT

Application number	P2019/0194/FUL
Application type	Full Planning Permission
Ward	Bunhill
Listed building	None
Conservation area	St Luke's Conservation Area
Development Plan Context	Central Activities Zone, Bunhill & Clerkenwell Key Policy Area Archaeological Priority Area, St Luke's Conservation Area Employment Priority Area (General), Local Cycle Routes Local Shopping Area – Whitecross Street Article 4 Direction A1-A2 Use
Licensing Implications	None
Site Address	141 - 157 Whitecross Street, London, EC1Y8JL
Proposal	Retrospective application for a second level basement and extended first level basement as well as change of use of the rear of the approved retail areas to office (B1a Use Class) and ground floor rear extensions to provide 1,412sqm of office floorspace. The application also includes the retention of retail frontages, changes to the internal layout of the retail floorspace and other minor shopfront alterations.

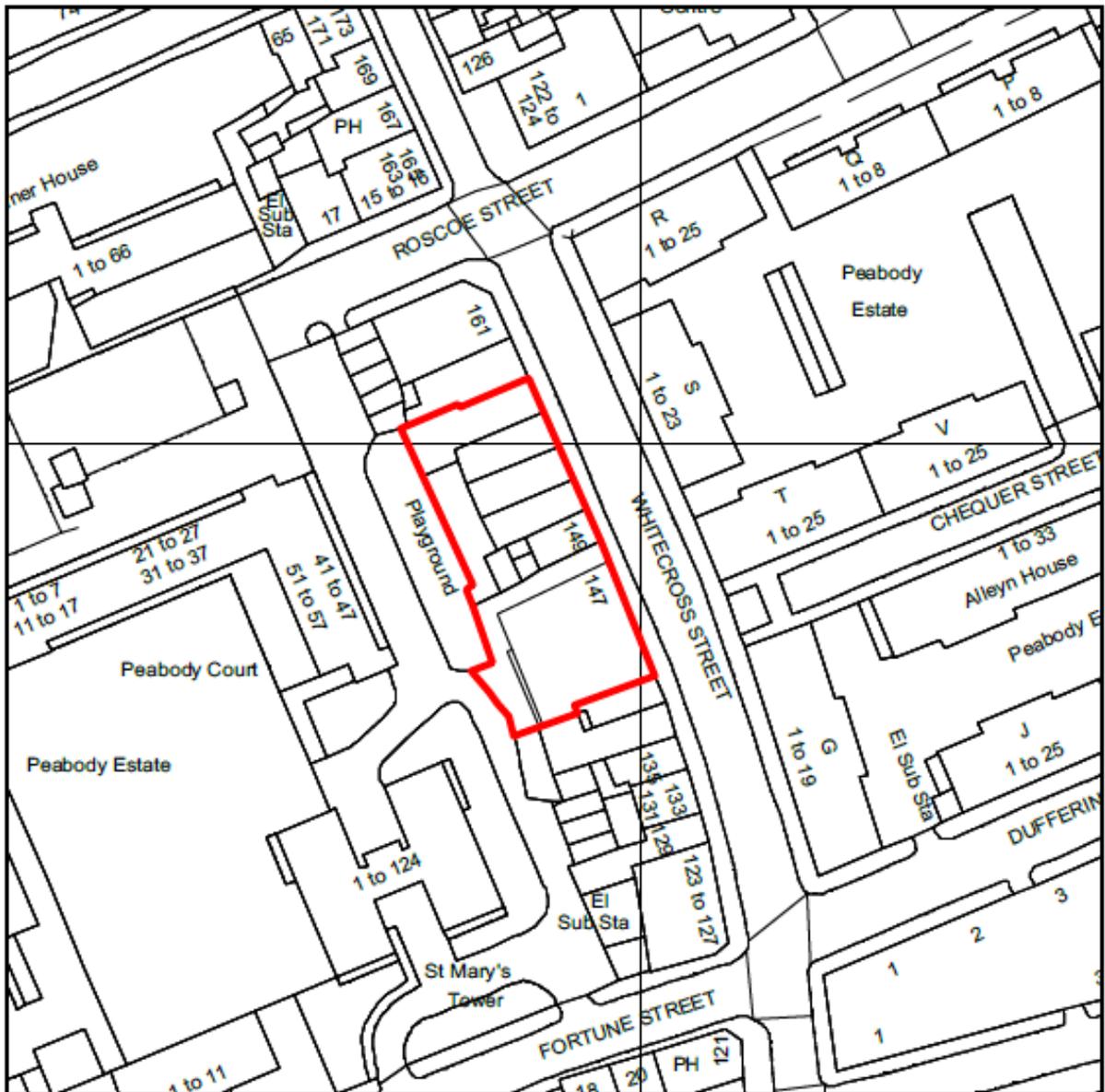
Case Officer	Stefan Sanctuary
Applicant	Phyford Properties Limited
Agent	Barnaby Collins – DP9

1. **RECOMMENDATION**

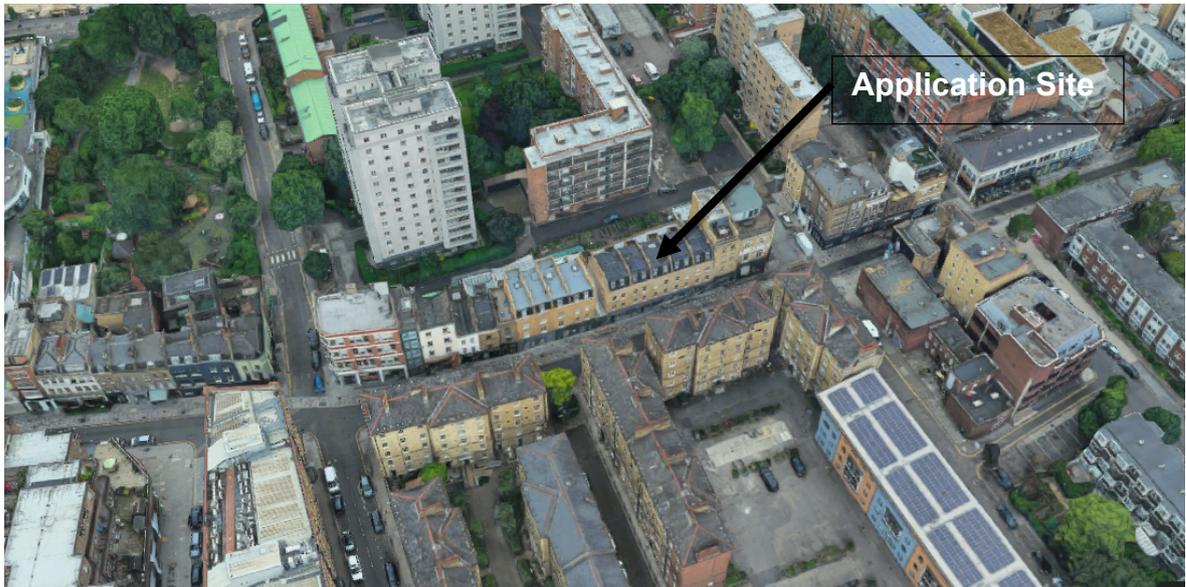
The Committee is asked to resolve to **GRANT** planning permission:

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

2. **SITE PLAN (SITE OUTLINED IN RED)**



Site Plan



Birds-Eye View

3. PHOTOS OF SITE/STREET



View of 141-157 Whitecross Street – Front Elevation



Rear Elevation

4. SUMMARY

- 4.1 The subject site is situated on the western side of Whitecross Street within the St Luke's Conservation Area and comprises two recently-rebuilt terraces (separated by a narrow gap) with retail on the ground floor and dwellings above. There are also office uses at ground floor level to the rear and basement level, for which retrospective permission is being sought. The buildings are four storeys in height (including mansard roof) and have been rebuilt in a period-style typical of the area.
- 4.2 Retrospective planning permission is sought for a second level basement and extended first level basement as well as a change of use of the rear of the approved retail areas to office (B1a Use Class) and ground floor rear extensions to provide 1,412sqm of office floorspace. The application also includes the retention of retail frontages, changes to the internal layout of the retail floorspace and other minor shopfront alterations.
- 4.3 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations set out later in this report. The reduction in retail floorspace has been suitably justified through marketing evidence and retail assessments in accordance with Policy DM4.6.
- 4.4 The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9,

Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide. It is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.

- 4.5 The development includes level access and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. Further details of all-inclusive design features would be secured by condition to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.
- 4.6 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to meet sustainability objectives, in accordance with relevant planning policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable workspace and carbon offsetting.

5. SITE AND SURROUNDINGS

- 5.1 The application site is situated on the western side of Whitecross Street within the St Luke's Conservation Area. The site is occupied by two recently-rebuilt terraces (separated by a narrow gap) with retail on the ground floor and dwellings above. There are also office uses at ground floor level to the rear and basement level, for which retrospective permission is being sought. The buildings are four storeys in height (including mansard roof) and have been rebuilt in a period-style typical of the area.
- 5.2 The site is bordered to the north and south by a continuation of the terrace, brick-built buildings of a similar vernacular and style. To the north, the neighbouring building comprises a slightly taller part 4-, part 5-storey terraced building while to the immediate south is a 3-storey brick building with commercial uses on the ground floor and residential above. To the east of the site, on the opposite side of Whitecross Street, is a 19th century Peabody housing estate while to the west lies a post-war housing estate including a 13-storey residential tower.
- 5.3 Whitecross Street is within the CAZ (London's Central Activities Zone) and is home to a successful street market and commercial shopping area. The surrounding area contains a mix of commercial and residential uses. The site is in a very accessible location close to Old Street, Barbican and Moorgate Underground stations as well as several bus stops, bus routes and cycle lanes.

6. PROPOSAL

- 6.1 The application involves retrospective permission for the following at ground floor level:

- Change of use of the rear part of originally approved retail floorspace to office floorspace;
- Creation of a new office entrance from Whitecross Street;
- Single-storey glazed extensions at ground floor level to create office floorspace to the rear;
- New ancillary spaces such as bicycle storage and lift and stair access to the basement levels;

6.2 The application also seeks retrospective permission for the following changes at basement level:

- Linking of the two basement spaces;
- Change of use of the existing basement space from A1 retail to B1 office floorspace;
- Creation of additional basement space to provide additional office accommodation, involving the excavation of the whole site;
- Creation of a new 2nd basement level to provide additional office accommodation.

6.3 The proposal would essentially result in a reduction of 729sqm of A1-A3 floorspace across ground and basement levels. At the same time the proposal would result in the creation of some 1,412sqm of new B1 office floorspace. There are also some minor changes to the residential entrances and ancillary spaces.

7. RELEVANT HISTORY:

7.1 The application site was previously treated as two sites. As such, the following is the relevant site history for 149-157 Whitecross Street:

P082359 – Full planning application for the erection of extensions at first floor level and construction of mansard roof extensions to numbers 149 to 157. Internal alterations and conversion of properties to provide a total of seven units across 149 to 157 (3 x 2 bed, 1 x 1 bed and 3 x 3 beds). Use of flat roofs to create terraces to all properties. Application approved 29/04/09.

P110942 – Conservation area consent application for the demolition of the existing site buildings being considered in conjunction with P111218. Approved on the 19th March 2012.

P111218 - Redevelopment of site following demolition of the existing site buildings to create a basement and four storey terraced block with a total of nine flats on the first, second and third floors and four basement and four ground floor commercial units, three of which are allocated for A1 use (retail) and one unit as flexible A1/A2/A3 use (retail/financial and professional services/restaurant and cafe). Approved on the 19th March 2012.

P2013/3448/FUL - Installation of 11 x photovoltaic panels to the mansard roofs on the granted development at 149-157 Whitecross Street (reference P111218). Approved on the 2nd December 2013.

The residential component of P110942 has been implemented, though the commercial element across ground and basement levels has not been implemented in accordance with the permission. It is this for which retrospective permission is being sought.

7.3 The relevant site history for 141-147 Whitecross Street is as follows:

Planning permission (ref. **900044**) was granted in July 1990 at 141-143 Whitecross Street for erection of a first and second floor rear extension and erection of a third floor roof extension, together with the conversion of the upper floors to provide 2x1-bed flats and 2x2-bed maisonettes. The permission expired unimplemented.

Planning permission (**P082361**) and conservation area consent (**P082362**) was granted in April 2009 at 145-147 Whitecross Street for the demolition of the existing rear extensions, erection of rear extensions at ground and first floor level to No. 145, the rebuilding of No. 147 to three-storeys incorporating a two-storey extension and mansard roof extension, together with internal alterations and lateral conversion of properties to provide a total of four residential units, comprising two x one-bedroom and two x two bedroom. This permission was not implemented, and has since expired.

Planning permission (**P120513**) for works to No. 141 comprising: demolition of existing rear extension, erection of two storey rear extension with second floor roof terrace, erection of third floor mansard roof extension, replacement of windows and shopfront. Works to Nos. 143 & 145 comprising: demolition of existing rear extension, excavation to create rear basement extension, erection of two storey rear extension with first and second floor roof terraces, erection of third floor mansard roof extension, replacement of windows and shopfront. Works to No.147 comprising: demolition of existing single storey building, excavation to create rear basement extension; erection of four-storey end of terrace building with two storey rear projection including first and second floor roof terraces. Erection of single storey bin stores building and cycle stores enclosure on Warwick Yard with installation of gate to Warwick Yard access. In association with creation of two commercial units (one x A1 unit and one x A1/A2/A3 unit) at ground floor and basement level; together with lateral conversion of the upper floors to create seven residential units (comprising one x three-bedroom, two x two-bedroom, and four x one-bedroom flats) – was approved on the 8th January 2013.

This residential component of this permission has been implemented. However, the commercial component of the development across ground and first floors has not been implemented in accordance with the permission and it is this for which retrospective permission is being sought.

8. PRE-APPLICATION ADVICE

- 8.1 The Council's pre-application response highlighted that the excavation of an additional basement level was a breach of the approved planning permission, and that it was essential that the situation be remedied.
- 8.2 The applicants were advised of the process involved in seeking consent for the additional basement excavations and office floorspace, including the financial contributions towards affordable workspace, affordable housing as well as other additional section 106 contributions. It was confirmed by the Council that any future

planning application for the retention of the lower basement level would need to be supported by extensive engineering information. At a minimum, a retrospective structural method statement (SMS) would be required and will need to contain the information outlined in Appendix B of Islington's Basement Development SPD.

9. CONSULTATION

Public Consultation

9.1 Letters were sent to occupants of 156 adjoining and nearby properties on Whitecross Street, the Peabody Buildings on Roscoe Street and Dufferin Street on the 10th July 2019. Site notices and press adverts were displayed on the 11th July 2019. The public consultation of the application therefore expired on the 4th August 2019, however it is the Council's practice to continue to consider representations made up until the date of a decision.

9.2 At the time of the writing of this report no responses had been received from the public.

External Consultees

9.3 London Fire and Emergency Planning Authority did not comment on the current application.

9.4 Thames Water offered no comment on the proposal.

9.5 The Design Out Crime Officer offered the following comments on the proposal:

- The main communal entrance door should be LPS1175 SR2 or STS 202 security rated with encrypted fob access control on a self-closing self-locking system.
- Post should be delivered through the wall to mailboxes security tested to TS008
- If CCTV is present at the communal entrance it should be in a position to capture a clear facial image of those entering and exiting the building, at a height not to be tampered with and compliment any lighting present.
- The main entrance should be lit from dusk until dawn, bulk head or wall mounted lighting which compliments CCTV.
- Internally the second line of defence, entrances to offices and cycle store should all be to a minimum of PAS24, self-closing, self-locking, with P1A glazing and encrypted fob access.
- Concerns raised regarding how future tenants would manage the access to office space. It would work well if it was one company using the space but if it was to be let to two or more different parties then how would access be controlled with such an open plan layout.
- There is no mention of security provisions in the Design and Access statement and it is strongly recommended that areas be compartmentalised if they have the potential to be used by different companies. This would include security rated doors to PAS24 2016, self-closing and self-locking and encrypted fob entry system as detailed in my recommendations to Buckley Gray Yeoman Architects in March 2018.

- Cycle areas should also be protected by a security rated door to a standard of PAS24 2016 which is self-closing and self-locking and within the cycle store there should be the opportunity to lock to pedal cycle to a secure stand.
- Externally - The main communal entrance door should be security rated to LPS 1175 SR2 as a minimum with encrypted fob access and all accessible doors and windows should be PAS24 2016. There should also be separate entrance points for retail, residential and office space.

It is considered that these measures can be addressed as part of a planning condition (18) in the event of permission being granted.

- 9.6 Historic England (GLASS) noted that the proposals are unlikely to have a significant effect on the heritage assets of archaeological interest and therefore recommended no archaeological requirement.

Internal Consultees

- 9.7 Inclusive Design Officer welcomed the attention given to inclusive design features, such as the correct ramp gradients, level access, lift provision and accessible toilet facilities. The following additional points were raised:
- Concerns raised over how the evacuation of disabled people in the case of a fire emergency would work in practice
 - The need for there to be fire separation of mobility scooter storage.
- 9.8 Design and Conservation Team Manager: The D&C team noted that the development could not be seen from any public vantage point and raised no objection.
- 9.9 Energy Conservation Officer initially requested that more detail should be provided on:
- Further potential reductions to CO₂ emissions;
 - Potential further improvements to energy efficiency parameters;
 - Dynamic thermal modelling and use of active cooling;
 - Decentralised energy networks and future-proofing for connection;
 - Potential for additional renewable energy technologies;
 - Green Performance Plan.

The further information was provided and the energy officers now (subject to conditions and planning obligations, which are recommended) raises no objection to the scheme.

- 9.10 The Council's Policy team were consulted on the application. It was noted that marketing evidence was acceptable. No objections were raised to the proposed land uses on site.

- 9.11 The Council's Transport and Highways Teams were consulted on the application. It response it was confirmed that there would be no adverse impact on the surrounding highways infrastructure as a result of the proposed development.
- 9.12 The Council's Sustainability Officer made no comment on the application.
- 9.13 The Council's Pollution Control were consulted on the application raising no objection to the proposal.

10.0 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

- 10.1 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.*); and
 - *As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).*
- 10.2 The updated National Planning Policy Framework (NPPF) 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 10.3 Paragraph 14 of the NPPF states that: *"at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay. At paragraph 7 the NPPF states: "that sustainable development has an economic, social and environmental role"*.
- 10.4 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.
- 10.5 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.

10.6 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.

10.7 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

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

Designations

10.9 The site has the following designations under the London Plan 2016 and Islington Local Plan suite of documents which consist of the Islington Core Strategy 2011, Development Management Policies 2013, Site Allocations June 2013 and the Finsbury Local Plan:

- Adjacent to Bunhill Fields and Finsbury Square CA;
- Employment Priority Area (General);
- Archaeological Priority Area (Moorfields);
- Bunhill and Clerkenwell Core Strategy Key Area;
- Cycle routes (local);
- Finsbury Local Plan Area;

- Central Activities Zone;
- Article 4 Directions (A1-A2, B1c-C3)
- Local Shopping Area (Whitecross Street)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

11 ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use;
- Quality of the Basement;
- Design and Conservation;
- Neighbour amenity;
- Transport and Servicing;
- Accessibility;
- Sustainability and energy efficiency;
- Fire Safety;
- Planning Obligations.

Land Use

11.2 London Plan Policies 2.10 and 2.11 encourage development proposals to maximize office floorspace within the Central Activities Zone and seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality. Moreover, Policy 4.2 of the London Plan supports mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises. The policy goes on to confirm support for the consolidation of the strengths of the diverse office markets in the capital by promoting their competitive advantages, focusing new development on viable locations with good public transport, enhancing the business environment including through mixed use redevelopment, and supporting managed conversion of surplus capacity to more viable, complementary uses.

11.3 Islington Core Strategy Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy, which supports and complements the central London economy. Moreover, Policy CS13 encourages new employment floorspace to locate in the CAZ where access to public transport is greatest, and for new office provision to be flexible to meet future business needs.

11.4 Within Employment Priority Areas (General) designated within the Finsbury Local Plan (FLP), Policy BC8 states that the employment component of a development should not be unfettered commercial office (B1(a)) uses, but where appropriate should also include retail or leisure uses at ground level, alongside:

- A proportion of non-B1(a) business or business-related floorspace, and/or
- Office/Retail floorspace that is suitable as accommodation for micro or small businesses, and/or
- Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.

11.5 The site is located within a Local Shopping Area, namely that of Whitecross Street. Local Shopping Areas are designated on the Policies Map and described in Appendix 3 of Islington's Development Management Policies. In accordance with Policy DM4.6, within these designated areas:

A. Proposals will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area, is retained.

B. Existing ground floor retail units will be protected from Change of Use unless all of the following criteria are satisfied:

i) The premises has been vacant for a continuous period of at least 2 years and continuous marketing evidence for this 2 year vacancy is provided which demonstrates that there is no realistic prospect of the unit being used in its current use in the foreseeable future;

ii) The proposal would not result in a harmful break in the continuity of retail frontages; and

iii) Individually, or cumulatively, the proposed replacement use would not have an adverse effect on the vitality, viability and predominantly retail function of the Local Shopping Area.

C. The Change of Use of ground floor units to residential use will generally be resisted. Such proposals will only be considered acceptable where Parts A and B of this policy are satisfied, and where high quality dwellings with a high standard of residential amenity will be provided consistent with other policies and standards relating to housing and design.

11.6 The application involves provision of 1,412sqm of office floorspace (B1a) in a highly-accessible area within the London Plan's Central Activities Zone and Islington Core Strategy's Bunhill and Clerkenwell Key Area. As such, the application complies with the strategic intentions of London Plan Policies 2.10, 2.11 and 4.2 as well as Islington Core Strategy Policy CS7 and CS13, on the basis of the application's maximisation of employment floorspace, in particular office accommodation.

11.7 FLP Policy BC8 also states that proposals should incorporate the maximum amount of business floorspace reasonably possible on site, which the application is considered to successfully achieve. As well as this however, Part B of Policy BC8 states that the employment floorspace component of a development should not be unfettered office (B1a) use and must, where appropriate, include retail or leisure uses at ground floor alongside specified other uses such as non-B1 business or business-related floorspace (e.g. workshops, galleries); and/or small retail units/offices; and/or affordable workspace. The application site is part of a development which includes retail uses at ground floor level fronting Whitecross Street, all of which are below the 80sqm threshold which defines 'small' retail units. Given the nature and arrangement of the proposed office accommodation and the limitations of only one entrance, it is considered appropriate to seek off-site contributions towards affordable workspace.

The applicants have agreed to a contribution of £286,273 towards affordable workspace off-site and this will form part of the section 106 agreement.

- 11.8 The proposal results in a reduction in retail floorspace (729sqm) in the Local Shopping Area, which is inconsistent with DM Policy 4.6. The loss of retail floorspace is mainly as a result of the loss of ancillary basement spaces rather than retail frontage itself. A Retail Assessment has been submitted with the application which finds that, in their approved configuration with large, ancillary back of house space and full-cover basements, the units (which featured large basement spaces) would be out of line with current retail occupier trends both in a general sense and specifically in this location. In commenting on the specifics of the local context, the Retail Assessment states that:

“The characteristics of the street and the wider market context mean that retail demand for the units is likely to come from quirky, independent businesses rather than large, national chains. These occupiers are highly cost-sensitive and need their retail space to be utilised as efficiently as possible. As a result, the proposed reconfiguration which makes the units smaller and therefore cheaper whilst still retaining the key Zone A retail space is much more suitable for potential tenants.”

- 11.9 It is acknowledged that 3 of the 5 existing retail shops are currently let and operating successfully. The application seeks permission to convert 145 Whitecross Street to become the main entrance / lobby of the office accommodation that is subject of this application. In response to this, the applicant’s Retail Assessment also points out the significant challenges facing the occupational retail market:

“from the existential threat of online shopping to a weak pound, political uncertainty and a squeeze in consumer spending power, difficult trading conditions and the high-profile collapse of established chains mean that occupiers are being more cautious than ever.”

- 11.10 It is also argued that far from reducing the vitality and vibrancy of the shopping area, the reduction in the unit sizes and the introduction of significant office accommodation on Whitecross Street would result in a more vibrant shopping area by increasing footfall and bringing more people to the area. In line with this argument, Policy DM4.6 states that proposals involving a loss of retail will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area, is retained. Given the retention of five out of the six consented retail units, the retail and service function of the LSA would be retained. Moreover, the supporting text of the policy contends that the provision of community and/or non-retail commercial uses may be appropriate to support the viability and vitality of the Local Shopping Area in preference to a Change of Use to residential.

- 11.11 In order to further justify the loss of retail floorspace within the Local Shopping Area as a result of the application, the applicants have submitted relevant marketing evidence demonstrating lack of demand as well as unsuccessful marketing of one of the retail units for over two years. Throughout the marketing of this retail unit, the floorspace has remained vacant and it is considered that the submitted evidence is sufficient to justify the loss of one of the retail units in order to accommodate an office entrance. It is worth noting that the marketing adheres to the requirements of

Appendix 11 of the Development Management Policies 2013. The change is considered acceptable as it would not harm the retail and service function of the area, not result in a harmful break in the continuity of the shopfront and would result in an overall increase in employment opportunities in the area.

- 11.12 Part D of the Policy states that where major development proposals result in a net increase in office floorspace, housing should be included. While residential uses are found on the upper levels, the application being considered here is purely for office accommodation.
- 11.13 If housing comprises less than 20% of the total net increase in office floorspace, an equivalent off-site contribution will be sought. In this case, the policy position is clear and the requirement applies to the specific office (B1a) floorspace uplift proposed in the application (1,412sqm), using the formula in the Planning Obligations SPD. The application thus includes a contribution towards the provision of affordable housing off-site of £120k.
- 11.14 In line with the Policy CS13(C) (Employment Spaces) the development will see contributions totalling £16,750 secured through S106 for local employment and training opportunities.
- 11.15 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations set out later in this report. The loss of retail floorspace has been suitably justified through marketing evidence and is considered to comply with relevant policies.

Quality of the Basement Office

- 11.16 In accordance with Islington's Basement Development SPD (2016) a Structural Method Statement (SMS) would need to be prepared and submitted to the Council as part of any development involving basement development or excavation. In the context of this retrospective planning application, a retrospective SMS has been prepared by the applicants.
- 11.17 The Structural Method Statement has been independently assessed and verified by an appropriately qualified structural engineer (Alan Baxter Ltd) who have confirmed that the details submitted cover the requirements of Islington's Basement Development SPD and demonstrate the constructed basement to be of sound construction. The document submitted conveys a clear design and construction process and states how ground conditions, trees, infrastructure, drainage, flooding, vertical and lateral loads, movements and the integrity of existing structures have been considered and addressed.
- 11.18 Based on the information provided and the subsequent independent review, it is considered that the procedures used in the construction of the basement was well-considered and in accordance with good engineering practice. The basement has now been constructed for about 5 years and is performing satisfactorily. It has been

confirmed by Baxter Ltd that there had not been any indication of significant movement in the adjacent buildings.

- 11.19 The details submitted have satisfied the Council that the basement has been well-constructed and though the Council's Basement SPD had not yet been adopted when the basement was constructed, the retrospective SMS outlines the design and process involved in the constructing the basement which in line with the requirements of the now adopted SPD.
- 11.20 It is clear from the layout and design of the building, in particular the provision of an atrium space, which allows natural daylight to penetrate into the basement levels, that the spaces have been designed in order to optimise natural daylighting and provide good quality office accommodation. The proposed office accommodation is comparable to other recent office developments in the area and overall would provide a good level of amenity to future occupiers.

Design, Conservation and Heritage Considerations (including Archaeology)

- 11.21 The following requirements are necessary for Local Planning Authorities when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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'*.
- 11.22 Section 72(1) of the Act states: *'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 11.23 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting

the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'

- 11.24 Relevant Development Plan Guidance is provided by London Plan Policy 7.8 which is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'
- 11.25 Equally the Council also attach great importance to design and heritage impacts. Policy DM2.3 on heritage encourages development that makes a positive contribution to Islington's local character and distinctiveness. More general design guidance is put forward in Development Plan policies, Policy DM2.1 which states that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. To emphasise this Policy CS7 of the Islington Core Strategy states that the character-defining attributes of Bunhill and Clerkenwell will be protected and enhanced. Core Strategy Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.
- 11.26 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that: *'Buildings, streets and open spaces should provide a high quality design response that allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.'*
- 11.27 Policies CS8 and CS9 in Islington's Core Strategy are also relevant. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and Conservation Area Design Guidelines for the St Luke's Conservation Area, and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.
- 11.28 The application site is in a moderately sensitive location with regards to heritage assets as it lies within the St Luke's Conservation Area but is not within the setting of any listed or locally listed buildings. St Luke's Conservation Area is an important surviving part of historic Finsbury, with a special character and appearance which is desirable to preserve and enhance. Whitecross Street is a medieval lane which ran from the Cripplegate to Old Street, home of London's oldest surviving street market and fronted by a number of domestic-scale properties from the 18th and 19th centuries. Either side, the narrow side streets contain a wide range of 19th century commercial buildings and one of the largest late 19th century Peabody housing estates. While the local area is characterised by a relatively diverse mixture of building styles, the application site itself sits within a fairly cohesive 19th century terrace with shops on the ground floor and residential above.

11.29 The proposal is quite modest in terms of the proposed changes that are actually visible from street level and only involves some quite minor changes to the front elevation. The original consent sought to preserve and enhance the special historic character of the terrace and this retrospective application is also considered to uphold its historic character. Moreover, the proposed shopfronts are considered to broadly follow Islington's Shopfront Design Guide and Islington's Urban Design Guide SPD, incorporating well-proportioned stall-risers, window opening, entrances, fascia, cornice and pilasters. As such, the proposal is considered to enhance the character and appearance of the St Luke's Conservation Area. The previous shopfronts, originally consented and now proposed shopfronts are compared below.



Original Front Elevation



Consented Front Elevation



Proposed Front Elevation

11.30 As can be seen from the comparisons above, there are no changes from the original consent to the front elevation of the buildings in the right-hand section of the terrace (149-157 Whitecross Street) and no proposed changes to 141/143 Whitecross Street. However, it is proposed to change the shopfront of 145/147 Whitecross Street, largely involving the introduction of a double door and the removal of mullions. However, the

historic character of the shopfronts would remain in-tact and are considered to preserve and enhance the character of St Luke's Conservation Area.

- 11.31 While the rear elevation would remain as per the original consent above first floor level, the application does propose a single-storey rear extension at ground level with a glazed pitched roof. Its design is sympathetic in appearance to the host buildings and the surrounding area and would in any case be largely hidden behind the rear boundary wall. The rear elevation is shown below:



Proposed Rear Elevation

- 11.32 In terms of archaeology, archaeological desk-based assessments were carried out for the previous planning permissions for 141-147 Whitecross Street (P120513) and 149-157 Whitecross Street (P111218). The assessments looked at the potential for finding archaeological remains on site are thus relevant to the application being considered here.
- 11.33 The assessments, which were submitted to and approved by the Council in the context of planning conditions relating to archaeology, concluded that would be limited evidence of any remains from the Neolithic, Bronze or Iron Age period. There would also be low potential for Roman or medieval features. These would have been removed by the construction of the basements below the original shops and the creation of the basements approved in 2012 and 2013. Surveys for the surrounding area indicate made ground between 1.8m and 2.6m thick below ground level. It is within this made ground that any archaeological deposits, if any, are likely to be found. As such, the construction of the 2nd level basement, which is considerably below this level would be unlikely to disrupt any archaeological deposits.
- 11.34 In conclusion, the proposal is considered to be well-designed while enhancing the setting of the adjacent Conservation Area and neighbouring heritage assets. The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9, Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide.

Neighbouring Amenity

- 11.35 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, outlook, privacy and 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.
- 11.36 **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.
- 11.37 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'*.
- 11.38 **Sunlight:** The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: *'If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*
- *Receives less than 25% of annual probable sunlight hours, or less Than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - *Receives less than 0.8 times its former sunlight hours during either period and*
 - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.'*
- 11.39 **Assessment:** The only extensions to the building's footprint and massing involves a single-storey rear extension, which is limited to the height of the existing boundary walls. Moreover, all of the adjacent buildings have commercial uses on the ground floor with residential above. It is clear and unambiguous from the context of the site and parameters of the development that there would be no adverse impacts as a result of the development on residential amenity in terms of loss of daylight, sunlight, overshadowing or an increased sense of enclosure. Moreover, the extension has already been built which enables a clear assessment of the development's impacts. Finally, no objections have been received to the development by any neighbouring impacts despite a full and comprehensive consultation exercise.

- 11.40 **Overlooking/Noise:** As the development for which retrospective planning permission is being sought is mainly confined to the basement levels, it is not considered that there could be any overlooking issues. The development on the ground floor is largely hidden behind the existing boundary walls, and thus it is not considered that there would be any privacy issues as a result of the development.
- 11.41 In terms of noise, there would be an increased footfall as a result of the enlarged office and new office accommodation. However, most of these pedestrian movements would be confined to normal daily working hours and when Whitecross Street is a relatively busy shopping street with a bustling food market. The Council's Pollution Control team have been consulted on the proposal, in particular to comment on potential noise and disturbance as a result of the development. It was confirmed that office uses were not particularly noise-generating uses and given that the majority of the floorspace would be confined to basement levels, it is not considered that there would be any undue noise and disturbance impacts as a result of the development.
- 11.42 In summary, it is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.

Transport and Servicing

- 11.43 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy Policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.
- 11.44 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6a/6b, the highest rating. The site does not have a delivery / servicing yard, but would rely on on-street servicing and delivery.
- 11.45 A Transport Statement has been submitted with the application, which estimates the increased footfall, including peak-time movements, as a result of the development. Future occupiers of the office accommodation are all expected to travel on foot, by bicycle and/or public transport. Policy-compliant bicycle storage is provided on-site and it can be concluded that the development would not result in an overall material impact in terms of trip generation.
- 11.46 In terms of the delivery / servicing, the proposed office accommodation is estimated to generate a total of approximately 6 daily vehicle trips, of which the majority would be small vehicles or couriers. The reduction of retail floorspace on site would result in a reduction of approximately 2 trips per day. Although Policy DM8.6 encourages all delivery and servicing to be off-street, particularly for commercial development of over 200sqm, it is considered that Whitecross Street would be able to satisfactorily accommodate the anticipated service vehicle numbers referenced above. Given the nature of Whitecross Street, with its busy lunchtime food market and its tight parking / loading restrictions, it will be necessary to restrict servicing and delivery to hours outside of the operation of the market. In the event of planning permission being granted, a planning condition (14) would restrict the hours of delivery vehicles to outside of the hours of 10am to 4pm.

- 11.47 The application includes a dedicated cycle storage facility for the office accommodation that can accommodate 18 cycles and associated end-of-trip facilities including a shower. The provision is in line with the amount required as a result of the increase in floorspace proposed and accords with current Islington policy (1 space per 80sqm of office).
- 11.48 It can also be noted that the applicant will also be obliged through a Section 106 clause to submit a Framework Travel Plan. This Travel Plan will describe the means by which users of the development shall be encouraged to travel to the site by sustainable modes of travel and will be monitored and reviewed on an annual basis.
- 11.49 In summary, the proposed scheme and highways and transport arrangements will ensure that the development will not have an adverse impact on the surrounding road or cause any loss of amenity to local residents. Subject to conditions and clauses within the Section 106 legal agreement, the development is considered to meet the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use.

Accessibility

- 11.50 The relevant policies are 7.2 of the London Plan 2016 and Development Management 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.
- 11.51 Islington's Development Management Policies 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.
- 11.52 The development includes level access throughout and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. Further details of all-inclusive design features would be secured by condition (5) to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.

Sustainability and Energy Efficiency

- 11.53 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

- 11.54 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.
- 11.55 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.56 Islington Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 11.57 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 11.58 Development Management Policy DM 7.4D states that 'Major non-residential developments are required to achieve 'Excellent' under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding'. The council's Environmental Design Guide states 'Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification'.

BE LEAN

Energy Efficiency Standards

- 11.59 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation.
- 11.60 The proposed U-values are a significant contributing factor in achieving a reduction in carbon emissions on the development proposal. Exposed floor U-values measure 0.12, external walls are 0.17, for the roof it's 0.11 and the glazing U-values are 0.80. Other passive design features which reduce demand for energy include the following:
- high performance solar control glazing is to be used;
 - energy-efficient internal lighting;
 - air permeability of 3m³/h/m²;
 - energy-efficient heat recovery ventilation system

BE CLEAN

District Heating

- 11.61 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 11.62 The feasibility study has indicated that because of the energy profile of the proposed scheme (low heat demand), practical difficulties of making physical connections and costs involved and viability issues connection to the Citigen network is not realistic at this moment. A relevant clause within the S106 agreement requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development. The Council's Energy Team accept the findings in regard to District Heating

Shared Heating Network

- 11.63 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.'
- 11.64 The accompanying Energy Statement concludes that the scheme does not have energy demands large or diverse enough for it to act as an energy hub for it and surrounding buildings. However, a space has been allocated in the proposed plant room of the basement adjacent to the street to future-proof potential connection to a decentralised energy network or shared heat network in the future. The Council's Energy Team accept the findings of the Energy Statement in regard to possible connection to a Shared Heating Network.

BE GREEN

Renewable energy technologies

- 11.65 The Mayor's SD&C SPD states that '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.'
- 11.66 The applicant has demonstrated that there is no suitable roof-space for additional solar PV panels, however air source heat pumps have been proposed to further reduce carbon emissions. This has been welcomed by the Council's Energy Team.

Carbon Emissions

- 11.67 Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution of £920 per tonne of CO₂ towards measures which reduce CO₂ emissions from the existing building stock.
- 11.68 The applicant proposes a reduction on regulated emissions of 27% compared to a 2013 baseline target, which falls short of the London Plan target of 35% as well as Islington's targets on carbon reduction. The scheme therefore gives rise to a requirement for a carbon offset contribution of £22,301.

Sustainable Design Standards

- 11.69 Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major development. 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. The applicants have committed to achieving a BREEAM rating of 'Excellent' through a BREEAM score of 74.98% and the pre-assessment which accompanies the application demonstrates that the building would achieve this 'Excellent' rating. The BREEAM methodology assesses developments on the basis of credits for a set of performance criteria covering issues such as energy, transport, water materials, waste, pollution, health and well-being, management and ecology. A condition will be attached to secure this rating (Condition 9)
- 11.70 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires 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.

- 11.71 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litres/second/hectare), where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres per second per hectare. The green roof installed on the first floor of the building is a form of SuDS and in line with London Plan Policy 5.13, will contribute towards increasing infiltration and reducing runoff for the site as a whole as it replaces an impermeable surface. This will also contribute to climate change adaptation by providing natural cooling and reducing the urban heat island effect.
- 11.72 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the Energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.
- 11.73 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions (9-11) and s.106 obligations.

Fire Safety

- 11.74 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire. The application is accompanied by a fire strategy report which addressed issues relating to means of warning and escape, internal fire spread (linings and structure), external fire spread and access and facilities for the fire and rescue service. No comments were received by the Fire Brigade but an informative (no.12) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.75 The proposal seeks to increase the amount of floorspace through extensions, basement excavations and layout changes. The additional capacity would accommodate additional employees and those additional people would introduce impacts on the surrounding infrastructure that must be mitigated.
- 11.76 The heads of terms that have been agreed with the applicant would suitably mitigate any impacts of the development. They are considered to be fairly and reasonably related in scale and kind to the scale and nature of the proposals. 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. The full list of contributions is set out at Appendix 1 of this report.
- 11.77 These obligations sought by the Council satisfy the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 204 of the NPPF), as set out below:
- Necessary to make the development acceptable in planning terms

- Directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations. The loss of retail floorspace has been suitably justified through robust marketing evidence and a comprehensive retail assessment.
- 12.2 The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9, Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide. It is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.
- 12.3 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to be inclusively-designed and is considered to meet sustainability objectives, in accordance with relevant planning policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable workspace, affordable housing and carbon offsetting.

Conclusion

- 12.4 The application would deliver a high quality scheme that is in accordance with planning policy. It is thus recommended that planning permission be APPROVED as set out in Appendix 1 – RECOMMENDATIONS, subject to Section 106 agreement and planning conditions

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 Area Team Leader:

- 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. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1

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 £5,000.

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £683 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of an additional number of accessible parking bays: 3, or a contribution towards bays or other accessible transport initiatives of £6,000.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £22,301.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
- Payment towards employment and training for local residents of a commuted sum of £16,750;
- A contribution towards Crossrail of £132,070;
- 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 £120,640;
- A contribution towards the provision of off-site affordable workspace of £286,273.

All payments to the Council are to be index linked from the date of Committee and are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timescales set within the Planning Performance Agreement, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development 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, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall begin no later than the of 3 years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>Location Plan 1517-NMA-00-ZZ-DR-B-00001 Rev P2; 1517-NMA-B1-ZZ-DR-A-30100 Rev P7; 1517-NMA-B2-ZZ-DR-A-30100 Rev P5; 1517-NMA-00-ZZ-DR-A-30100 Rev P10; 1517-NMA-01-ZZ-DR-A-30100 Rev P1; 1517-NMA-XX-ZZ-DR-A-30200 Rev P1; Planning Statement by DP9; Design & Access Statement by Norton Mayfield Architects Revision P6; Retail Viability Report by KLM dated October 2018; Transport Statement by TTP Consulting dated September 2019; BREEAM Pre-assessment dated June 2019; Review of the Structural Aspects of the Basement Proposals by Alan Baxter dated March 2019; Retrospective Structural Method Statement for Basement Construction by Gurney dated December 2018 (including Appendices); Daylight Report by GL Hearn dated December 2018; Fire Engineering Stage 3 Report Revision 4 dated November 2018; Sustainable Design & Construction Statement dated December 2018.</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
3	Materials and samples
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details and samples shall include:</p> <ul style="list-style-type: none">a) new brickwork (including brick panels and mortar courses);b) window treatment (including sections and reveals);c) roofing materials;d) glazing details;e) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

4	Roof-level structures
	<p>CONDITION: Full details of any roof-top structures/enclosures (including those at 1st floor level) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) extract ducts.</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 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>
5	Access
	<p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. To achieve this, the following further details shall be provided prior to the occupation of the development:</p> <ul style="list-style-type: none"> • details of the evacuation strategy; • fire separation of mobility scooter 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 order to facilitate and promote inclusive and sustainable communities in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.</p>
6	Security & General Lighting
	<p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>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, as well as protecting the setting of important heritage assets.</p>
7	Energy Reduction
	<p>CONDITION: The energy efficiency measures/features and energy technology(s) as detailed within the Sustainable Design & Construction Statement (December 2018) and the subsequent Energy Strategy Response by Greengage shall be installed and operational prior to the first occupation of the development.</p>

	<p>The agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
8	Cycle Storage
	<p>CONDITION: The bicycle storage and mobility scooter storage area(s) shown on the ground floor plan hereby approved as well as showering, changing and locker facilities on the basement floor plans shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	BREEAM
	<p>CONDITION: The development shall achieve a BREEAM Non-Domestic Refurbishment (2014) rating of no less than 'Excellent' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development, in accordance with Development Management Policy DM7.4.</p>
10	Green / Brown Roofs
	<p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <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 roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with Development Management Policy DM6.6 and DM7.1.</p>
11	Sustainable Urban Drainage System
	<p>CONDITION: Details of a drainage strategy including the green roof and drainage of the site (following the principles of Sustainable Urban Drainage) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The drainage system shall be installed / operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water in accordance with Development Management Policy DM7.4.</p>

12	Plant Noise
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90,T}$.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:1997.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
13	Lifts
	<p>CONDITION: All lifts serving the office 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>
14	Delivery and Servicing
	<p>CONDITION: Delivery and servicing for the office accommodation hereby approved shall only occur outside of the Whitecross Street market operating hours of 10am - 4pm.</p> <p>REASON: In order to secure highway safety and not to disrupt the operation of the market on Whitecross Street, protect local residential amenity and mitigate the impacts of the development.</p>
15	No external piping
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
18	Crime Prevention
	<p>CONDITION: Details of security and safety measures to reduce risks of crime shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development and subsequently implemented prior to first occupation of the development hereby permitted.</p> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of</p>

	adjacent residential dwellings

List of Informatives:

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
3	Surface Water Drainage
	It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the 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 at the final manhole nearest the boundary. Connections are not permitted for removal of groundwater. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Community Infrastructure Levy (CIL) (Granting Consent)
	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>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 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>
8	<p>Highways Requirements (1)</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
9	<p>Highways Requirements (2)</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.</p>

	<p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
10	Highways Requirements (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
11	Crossrail 2
	<p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
12	Fire Safety
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant</p>

	(building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk
13	Thames Water (Groundwater Risk Management Plan)
	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 .

APPENDIX 2 – RELEVANT POLICIES

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

1. NATIONAL GUIDANCE

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

2. DEVELOPMENT PLAN

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

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London
Policy 2.11 Central Activities Zone – strategic functions
Policy 2.18 Green infrastructure: the network of open and green spaces

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs

6 London's transport

Policy 6.1 Strategic approach
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking

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 7.9 Heritage-led regeneration
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature

Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.18 Construction, excavation and
demolition waste

8 Implementation, monitoring and review

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

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington's
Character)

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

Strategic Policies

Policy CS9 (Protecting and Enhancing
Islington's Built and Historic
Environment)
Policy CS10 (Sustainable Design)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS20 (Partnership Working)

C) Islington's Development Management Policies 2013

DM2.1 (Design)
DM2.2 (Inclusive Design)
DM2.3 (Heritage)
DM2.5 (Landmarks)
DM4.3 (Location and concentration of
uses)
DM4.6 (Local Shopping Areas)
DM4.8 (Shopfronts)
DM5.1 (New Business Floorspace)
DM5.4 (Size and Affordability of
Workspace)
DM6.1 (Healthy development)

DM6.6 (Flood prevention)
DM7.1 (Sustainable design and
construction)
DM7.3 (Decentralised Energy Networks)
DM7.4 (Sustainable design standards)
DM7.5 (Heating and cooling)
DM8.1 (Movement hierarchy)
DM8.2 (Managing transport impacts)
DM8.3 (Public transport)
DM8.4 (Walking and cycling)
DM8.5 (Vehicle parking)
DM8.6 (Delivery and servicing for new
developments)
DM9.1 (Infrastructure)
DM9.2 (Planning obligations)

D) Finsbury Local Plan 2013

BC8 (Achieving a balanced mix of uses)
considerations for building heights) **BC10** (Implementation)

3 Designations

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

- Within St Luke's Conservation Area
- Central Activities Zone
- Article 4 Directions (A1-A2, B1c-C3)
- Finsbury Local Plan Area
- Employment Priority Area (General)
- Archaeological Priority Area
- Bunhill and Clerkenwell Core Strategy Key Area
- Within 100 m of an SRN

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

The following SPGs and SPDs are relevant:

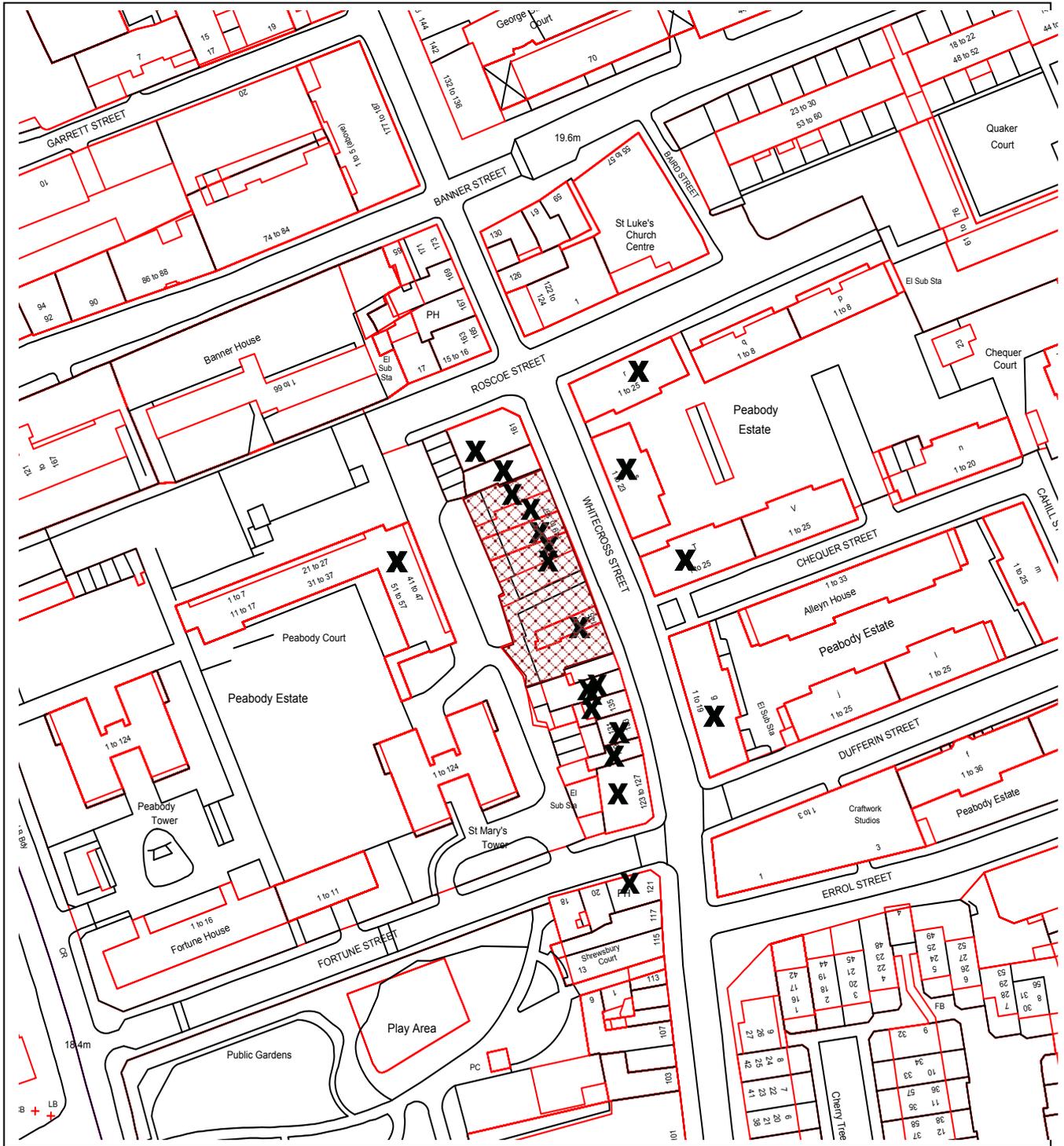
Islington Development Plan

Conservation Area Design Guidelines
Sustainable Design and Construction
guidance
Environmental Design SPD
Inclusive Landscape Design SPD
Planning Obligations (Section 106) SPD
Streetbook SPD
Urban Design Guide

London Plan

Accessible London: Achieving an
Inclusive Environment SPG
Sustainable Design and Construction
SPG
Planning for Equality and Diversity in
London SPG

Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO: B2
Date:	15 th October 2019	NON-EXEMPT

Application number	P2018/1229/FUL
Application type	Full Planning Permission
Ward	Clerkenwell
Listed building	Adjacent to Grade II Listed Building (no. 42 St John's Square) to west Adjacent to Grade I Listed Building (The Grand Priory Church of the Order of St John) to the south west and (associated Priory Church Garden) to the south Opposite the Grade II Listed Building (nos. 148 and 156-162 (Cannon Brewery) St John Street)
Conservation area	Clerkenwell Green Conservation Area Hat and Feathers Conservation Area 40m away to the east
Development Plan Context	Locally Listed Buildings (nos. 144 and 146 St John Street, front gates of Priory Church Garden) Bunhill & Clerkenwell Core Strategy Key Area Finsbury Local Plan Employment Priority Areas (General) Central Activities Zone (CAZ) Clerkenwell Archaeological Priority Area Local view from Archway Road Local view from Archway Bridge Mayors Protected Vistas – Alexandra Palace viewing terrace to St Paul's Cathedral Heathrow Safeguarding Area Article 4 Direction A1-A2 Article 4 Direction B1(c) to C3
Licensing Implications	None

Site Address	145 - 157 St John Street, London, EC1V 4QJ
Proposal	Refurbishment and extension of existing building including additional seventh floor level as well as an extension to the rear of the existing building (from ground level to roof level) and front and rear roof terraces at the upper level, replacement of the building's facade to accommodate retail (Class A1) / professional and financial services (Class A2) and office space (B1(a) use) on the ground floor and office space (Class B1(a)) in the remainder of the building, with public highway improvements and other associated works.

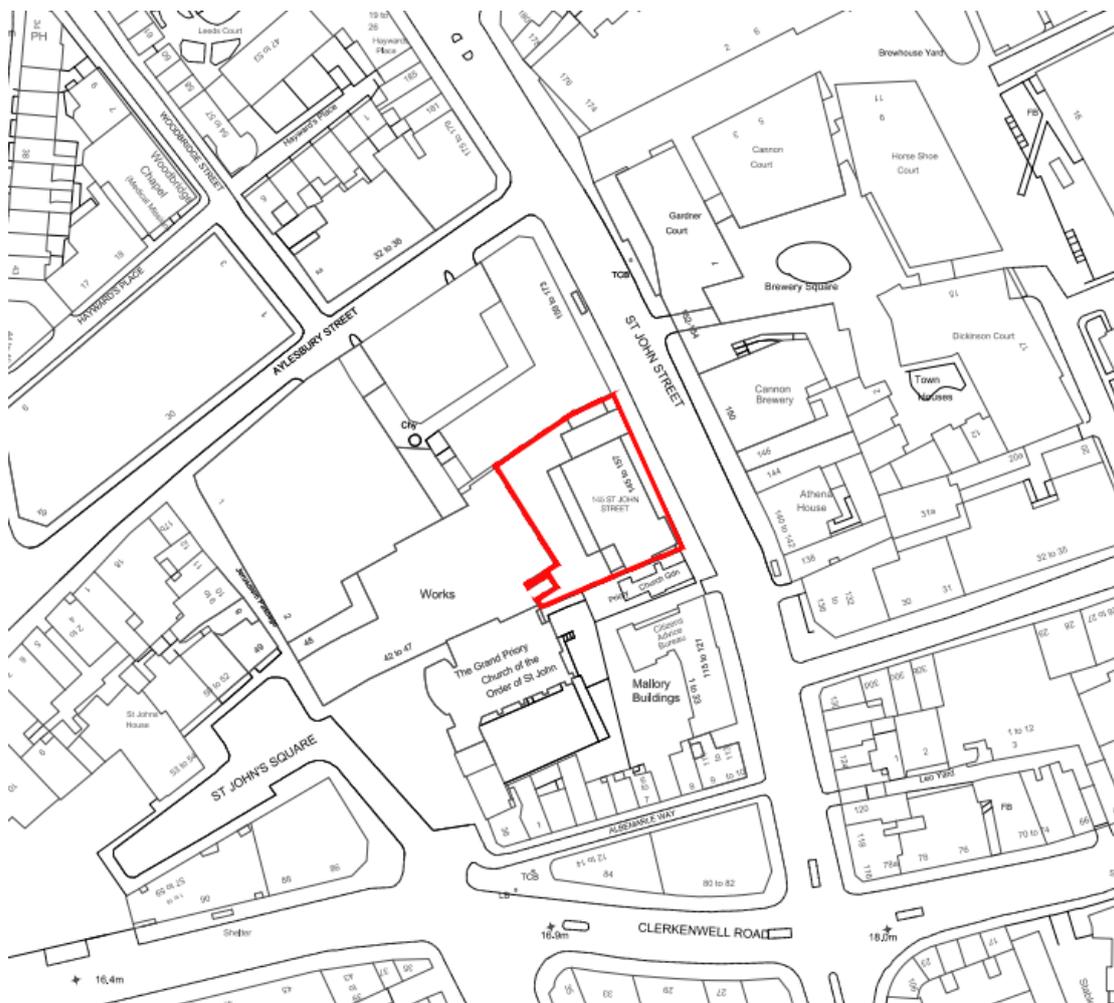
Case Officer	Daniel Jeffries
Applicant	Meritcape Limited
Agent	GSC Solicitors - Mr Philip Kratz

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

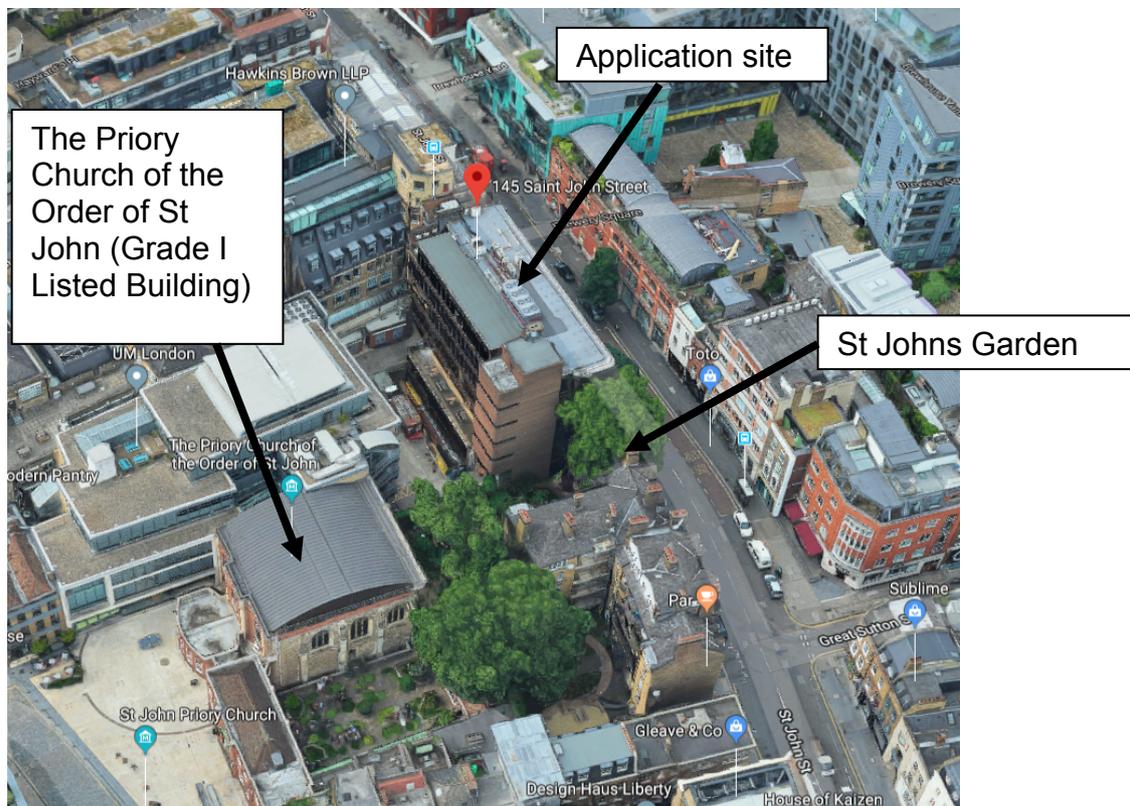


Image 1: Aerial photograph facing north



Image 2: Photograph from St John Street facing north showing front (east) and part of side (south) elevation of the host building



Image 3: Photograph along St John Street facing south showing front (east) elevation of the host building



Image 4: Photograph from rear courtyard/car park facing south showing part of rear (west) elevation and lift core



Image 5: Photograph along St John Street facing west showing part of the front (east) elevation of the host building and existing undercroft providing access to rear car park



Image 6: Photograph along St John Street facing west showing part of front (east) elevation of the host building showing the relationship with adjacent property with no. 159-173 St John Street

4. SUMMARY

- 4.1 Subject to conditions and planning obligations (which are recommended) the proposed development 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 design of the recladding of the building and associated extensions in terms their height, scale, appearance and relationship to the street scene are considered to result in some harm to the associated heritage assets of the setting of the Grade I Listed church and the Clerkenwell Green Conservation Area, as a result of the additional visual prominence of the additional massing, when viewed from St Johns Square. However, given, the detailed design and

recessive nature of the roof level addition the proposal is considered to result in less than substantial harm to these heritage assets.

- 4.3 This less than substantial harm is considered to be outweighed by the public benefits provided including financial contributions towards the re-landscaping of the rear yard of the Grade I Listed Church and adjoining St John's Churchyard, as well as towards public highway improvements along St John's Street, and towards Affordable Workspace and Affordable Housing. Therefore, on balance, subject to appropriately worded conditions to secure aspects of the detailed design (such as materials), as well as section 106 legal agreement to secure these public benefits, the proposal is considered to be, on balance, acceptable in design terms.
- 4.4 The scheme comprehensively considers environmental sustainability and proposes a range of energy efficient and renewable measures to tackle climate change.
- 4.5 No 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.
- 4.6 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive set of planning obligations to mitigate the impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is considered acceptable subject to conditions, informatives and the finalisation of a s106 legal agreement.

5. SITE AND SURROUNDING

- 5.1 The application site accommodates a six storey building (with basement level below) to the west side of St John Street and it is constructed of glass, steel and concrete. To the south west corner of the building there is a 7 storey brick clad lift overrun. The main entrance to the building is from the east.
- 5.2 The site is within the Clerkenwell Green Conservation Area, and is in close proximity to several statutory and locally listed buildings. The Clerkenwell area has the longest history of any part of the borough and its urban fabric derives from incremental development from Norman times to the present day, with surviving examples of buildings from nine different centuries, including monastic precincts. The area has a particularly strong relationship with neighbouring Smithfield, and has a special character and appearance which stems from its mix of uses, its architecture and its history, including a historic street pattern, with narrow side streets, courtyards and pedestrian alleyways.

- 5.3 The statutory listed buildings include the adjacent Grade I Listed Building of the Grand Priory Church of the Order of St John and associated Priory Church Garden, which are located to the south west and south respectively. The Grand Priory Church of the Order of St John is a multi-phased Anglican church. Whilst the original 12th century crypt has survived, the main part of the church was partly constructed in the 16th century, with interventions from 1723 (by Simon Mitchell), and restored in 1958 (by Lord Mottistone) following bomb damage in the Second World War.
- 5.4 Immediately to the front (west) of the church is St John's Square, which historically, formed the inner precinct of the Priory of the Order of St John of Jerusalem, and comprised a closed, high-status area. The buildings surrounding this space are now considerably varied in their architectural character, in terms of scale, massing and materiality. The square enables clear views towards the restored church, from the west and south. It is considered in these views, it is possible to appreciate the architectural quality of the listed building, which reinforces an understanding of its heritage significance.
- 5.5 There are also Grade II Listed Buildings adjoining the site to the west (no. 47 and 48 St John Square), being 18th century three storey red brick terraced properties, and identified as probably being associated with one of the post-Dissolution (1540) houses, and to the opposite side of St John Street (The Cannon Brewery and no. 148-154) to the east, consisting of the three and four storey red brick (over basement) terraced red brick brewery buildings constructed in the late 19th century.



Image 7: Map showing the application site in relation to the heritage assets (Grade I Listed in green, Grade II in khaki, and locally listed in purple)

- 5.6 The site has a PTAL rating of 6a (excellent) with a number of bus stops located within walking distance. The building is currently in use as an office (B1(a) use) with the ground floor in use as a showroom (A1 use) and reception area. It has a rear service yard and is accessed from St John Street via an undercroft area towards the north east corner of the building.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the internal refurbishment and extensions to the existing building, including extensions to the rear and an additional seventh floor level, as well as the replacement of the existing façade of the building to all elevations. This is along with improvements to associated access arrangements, cycle parking and refuse storage.
- 6.2 The above works will provide an additional 1,897 square metres (GIA) of floorspace (the proposal would result in a total of 5,026 square metres (GIA)) of office floorspace (Use Class B1(a)), and 150 square metres (GIA) of flexible retail/professional and financial services floorspace (Use Class A1/A2).
- 6.3 The proposed rear extension would extend partly into rear courtyard. The extended fifth floor would be setback by 1.5m, with the top floor (sixth floor) benefitting from a further 3.5m setback from the rear elevation. This proposed upper level extension would also have a setback of 3.5m from the front elevation. The proposed setbacks would allow for proposed roof terraces to the front and rear elevations.
- 6.4 The proposed replacement of the existing facades would result in the host building being designed in glazing with metal and faience spandrel panels on the front (east) elevation (on the second to fifth floors), separated by metal and glazed tiled columns, this is continued on the south elevation (second to fifth floors to the south east corner) and to the rear (west) elevation (first to fourth floors). The ground and first floor to the front and part of the south would be clad with full height glazing. The remaining parts of the fifth and sixth floors would consist of full height curtain walling glazing.



Image 8: Visual facing south along St John Street showing proposed front (east) elevation

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 P012425: New entrance to ground floor front elevation. The application was granted consent on 9 January 2002.

7.3 891443: Change of use of basement ground and mezzanine floors from showroom and storage to offices (701 sq.m) so that the whole building is offices. The application was granted consent on 7 February 1990.

7.4 881658: Retention of fourth floor as offices without complying with condition No. 2 on planning permission dated 20th October 1977 restricting use to one particular company. The application was granted on 31 May 1989.

Enforcement:

7.5 There are no current live or historical enforcement cases that are relevant to the application site.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to the occupants of 203 adjoining and nearby properties including Aylesbury Street, Albermarle Way, St John Street, Clerkenwell Road, Jerusalem Passage, Great Sutton Street, St John Square, Leo Yard, Brewery Square and Brewhouse Yard. Site notices and a press advert were displayed on 4th July 2019 and the period of public consultation closed on 28th July 2019. 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 5 no. objections were submitted against the proposal.
- 8.3 The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- Proposal will result in an unacceptable height (paragraphs 10.34 to 10.36 and 10.50 to 10.62);
 - Requests that external shop signage at ground/first floor should be non-illuminated (paragraph 10.68);
 - Proposal will have an impact on the daylight and sunlight, and an overbearing impact on surrounding residential properties and office buildings (paragraphs 10.77 to 10.96);
 - Proposed roof terrace which would have a detrimental amenity impact on the surrounding properties, including increased overlooking to surrounding properties, as well as noise and should be restricted to working hours (paragraphs 10.97 to 10.100, and 10.103);
 - Requests that internal and external lighting of the building to be appropriate so as to not impact the surrounding area (paragraphs 10.105 to 10.107)
 - Proposal should include bird and bat boxes, and biodiversity roofs should be predominately wildlife-friendly species (paragraph 10.116)
 - Proposal will have an impact on the local highway network, in terms of the delivery, loading and refuse collection. Requests that refuse collection and deliveries should be restricted to between 8am and 6pm. (paragraphs 10.164 to 10.166)

- Proposals should include obligations to improve the public realm along St John Street immediately outside the property, including both sides of the public highway (paragraphs 10.72, 10.156 and 10.157)

External Consultees

- 8.4 **Thames Water** have requested that the developer is made aware of the responsibility for making proper provision for drainage. Requested a condition (10) to request that no piling shall take place until a piling method statement has been submitted and approved. No objection in relation to sewerage and water infrastructure capacity. They have also recommended informatives relating to surface water drainage (4) and discharging into public sewers (5).
- 8.5 **Historic England (GLAAS)** have confirmed that they have no objections subject to two conditions relating to the details of the foundation design and construction method and a Written Scheme of Investigation to be submitted as well as informatives relating to follow Historic England on piling and archaeology.
- 8.6 **Historic England** advised that they do not wish to offer any comments and suggest that the views of the Council's specialist conservation advisers are taken into consideration.
- 8.7 **London Fire and Emergency Planning Authority** advised that they have no objections to the scheme, but strongly recommended that a sprinkler system be considered for the development. An informative (7) has been recommended that a sprinkler system is used.

Internal Consultees

- 8.8 **Policy Officer** advised that the proposal would comply with land use policies, and considers that the proposal maximizes the provision of business floorspace, which is a policy requirement and welcomes the active frontage in the form of A1/A2 use at ground floor, subject to appropriate provision of financial contributions towards affordable workspace and housing.
- 8.9 **Inclusive Economy (Affordable Workspace) Officer** confirmed that given the small size of the affordable workspace and location at basement level it would not be accepted, and a financial contribution in lieu would be required.
- 8.10 **Design and Conservation Officer** confirmed that whilst the existing building has some merit in its design and detailing, but as a substantial curtain wall building with dark glass, it is very much incongruous with its context and detracts from the character of the Clerkenwell Green Conservation Area. Therefore, a high quality recladding has the potential to enhance the Conservation Area and setting of listed buildings. However, given its sensitive location (located within the Clerkenwell Green Conservation Area and the

setting of the Grade I Listed church) as well as the already large scale of the existing building, an increase in massing has the potential to result in harm to these heritage assets.

- 8.11 The Design Review Panel was comfortable with the principle of a roof extension, but raised some concerns in relation to its scale and expression, particularly at the rear. The design has been developed to address these concerns, by reducing the height of the extension by one storey and cutting back the seventh floor, and by making the glazing more recessive with the introduction of simple framing and a slight roof overhang. The proposed rooftop plant has been positioned so that it would be invisible from any public vantage point. Whilst Historic England raised no concerns with the proposed visual impacts on heritage assets as a result of the increasing in massing at roof level.
- 8.12 The proposed recladding is considered appropriate by the Design and Conservation Officer in the context of the historic development of the area, given that there are other buildings with glazed recladding which feature prominently along St John Street. The bay rhythm and asymmetry is considered to correspond to the structure of the existing building and is comparable to that of the neighbouring Pollard building. The vertical and horizontal emphases are considered to be well balanced.
- 8.13 The other options to the design of the corner such as a double column or chamfered corner were found to be unsuccessful. The use of projecting glazing at ground level is reminiscent of the existing building and gives a logic to the corner. It has been pushed back so that it sits behind the columns, following DRP comments.
- 8.14 The Design Officer confirmed that as the existing circulation core is being reused, this impacts on the form and expression of the southern elevation. It was decided to replicate the fenestration pattern with faience panels, which is considered to be an honest way of expressing its function, whilst ensuring a coherent and unified elevation.
- 8.15 The use of high quality materials proposed, including faience, cast metal and Crittall windows, are considered appropriate and are all harmonious with the local vernacular. The DRP recommended that the materials should be subject to a Chair's Review and a condition to this effect has been recommended.
- 8.16 In accordance with Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the impact of the proposal on the visual appearance and historic character of the heritage assets, being the Clerkenwell Green Conservation Area and setting of the Grade I and II Listed Buildings, have been assessed.

- 8.17 The Design and Conservation Officer has considered that the proposed massing would result in harm to the setting of the Grade I listed church and the Clerkenwell Green Conservation, due to its additional massing which would result in additional glimpses of the building from St Johns Square to the west. However, given visual prominence of the existing building, together with the recessive design of the top floor, and that it would largely be obscured from other viewpoints, the proposal is considered to result in less than substantial harm to these heritage assets.
- 8.18 In line with case-law where the harm identified is less than substantial (i.e. falls within paragraph 134 of the NPPF), that harm must still be given considerable importance and weight, and given that more than one heritage asset would be harmed by the proposed development, a balancing exercise has been undertaken against the public benefits to the scheme.
- 8.19 The public benefits include financial contributions towards heritage led re-landscaping of both the area to the rear of the Grand Priory Church of the Order of St John, to the south west, and associated Priory Church Garden, the improvements of public highway along St John Street, as well as contributions towards Affordable Workspace and Affordable Housing.
- 8.20 The Design and Conservation Officer has considered that, on balance, these public benefits would outweigh the less than substantial harm as a result of the proposal. He has therefore confirmed that subject to appropriate conditions including materials, light pollution and to prevent visible structures to the roof terraces, and a section 106 legal agreement to secure these heritage assets he has no objections to the proposal. Appendix 4 at the back of this report outlines how the applicant has addressed the DRP comments, and confirms that the Design and Conservation Officer is satisfied that these issues have been successfully resolved.
- 8.21 **Access Officer** confirmed that subject to the measures (condition 30) being implemented in full the proposal would meet the requirements set out in the Council's Inclusive Design SPD.
- 8.22 **Sustainability Officer** has confirmed that the targeting BREEAM 'Excellent' rating is welcomed, and recommended conditions relating to the submission of details of a pre-assessment for BREEAM Refurbishment and Fit out is provided to ensure this is also targeting an Excellent rating as well as the interim and final BREEAM certification documents under both schemes. The drainage proposals set out in the Flood Risk Assessment are welcomed and the maximum surface water runoff rate of 50l/s/ha should be targeted, and should be secured by condition (15). Recommends additional details are secured by condition (15) regarding how the drainage requirements will be achieved, including permeable paving and other SUDS measures as part of the landscaping, such as raingardens and bio-retention planters, so these should also be considered to provide additional attenuation in accordance

with policy to manage runoff as close to its source as possible. Confirmed that the proposed maximisation of biodiversity value is welcomed and the chosen planting should maximise biodiversity value. Requested conditions relating to the installation of bird/bat boxes (condition 16). Welcomes the proposed biodiverse green roof, but advised that the depth of the substrate should be secured by condition (7). Recommends that the green roof is combined with bio solar panels.

- 8.23 **Energy Conservation Officer** has recommended a condition (29) to state they will target at least 28.1% reduction in total CO2 but investigate further options to improve on this given it falls short of the London Plans target of 35% and provide evidence that they have maximised all opportunities. The targeting BREEAM 'Excellent' rating is welcomed, and recommended condition (5) relating to the submission of details of a pre-assessment, as well as the interim and final BREEAM certification documents. However, confirmed that any assessment should consider the whole of the development (extensions and refurbishment). 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. A carbon offset contribution is to be secured by s106 legal agreement.
- 8.24 **Environmental Public Protection Team** have recommended conditions (8 and 9) 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. In addition, a condition (27) has been recommended for an air quality assessment to be submitted.
- 8.25 **Local Highways Officer** have raised no objection to the proposed highways improvements but note that this would require a Section 278 Agreement. While some parking would be lost at the rear, given the car free policy, this will be acceptable. The size of the servicing areas is acceptable also.
- 8.26 **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 (condition 31).
- 8.27 **Biodiversity Officer** has reviewed the proposal and recommends the planting includes bushy shrubs that can be used by nesting birds. Also that bird boxes, including swift boxes (preferably swift bricks) should be included (condition 16) and that any external lighting needs to be sensitive to wildlife (condition 20). Also that the ongoing management of the landscaped areas will be crucial to their success and would recommend that a water feature accessible to wildlife is included.

- 8.28 **Public Realm Officer** has reviewed the landscaping designs and have welcomed the funding for the refurbishment of St Johns Garden, but recommended that the scheme is designed so that it is easily maintained.
- 8.29 **Tree Officer** has reviewed the submitted Arboricultural Impact Assessment and has confirmed that subject to a condition (17) to ensure the tree protection measures are implemented in accordance with the report, they have no objections to the scheme.

Other Consultees

Design Review Panel

- 8.30 Islington's Design Review Panel considered the proposed development at application stage on 3 no. separate occasions on the 13th November 2018, 9th April 2019 and 28th May 2019.
- 8.31 The panel's written comments (issued on 27th November 2018) and full response in relation to the schemes review on the 13th November 2018 are summarised below and their response in full is attached under Appendix 3:

Although the Panel did not raise objections to the principle of extending the host building, they raised the following summarised concerns and suggestions:

- The original proposal, which was subsequently amended, has not fully considered the heritage assets in the surrounding area, and the value that the host building provides to the conservation area, particularly in relation to the height and massing of the proposal.
- The Panel suggested that additions would be better located towards the northern end of the roof, as the roofline is much less sensitive, and towards the rear of the building.
- It was advised that one additional set back floor may be acceptable, but this would need to be tested in key views.
- The Panel were concerned regarding the impact on the amenity of neighbouring buildings, and recommended that this should be assessed.
- The applicant was advised that the detailing, in terms of the design and materials, should be reviewed, as the proposal was considered to lack coherence.
- It was recommended that the scheme should improve accessibility, by funding level changes to the footway. The Panel also suggested the scheme fund improvements to the adjacent St Johns Garden immediately to the south.

Following the session with the DRP, the applicants continued their discussions with Planning and Design & Conservation officers through an

series of workshops and design charrettes. A series of options were explored as part of the design development of the proposal.

- 8.32 The scheme was subsequently represented to the Design Review Panel on the 9th April 2019. The panel's full response is attached under Appendix 3, however a summary of their response is below.

The Design Review Panel welcomed the progress made in relation to the revised proposal, including reducing the massing, increasing the separation distances from neighbouring properties, considering it a more sympathetic relationship. However, they raised the following summarised concerns and suggestions:

- The Panel remained concerned with the impact on the wider conservation area.
- They advised that the proposed roof addition was not fully resolved, and that the small cut away did not result in a recessive enough top floor. Some members were concerned that the use of full glazing would not work, and suggested a light framing and recessed glazing.
- The Panel recommended that the south and east elevations required further simplifying, making it a calmer and less assertive building. They suggested that the colour and architectural expression is explored to ensure it would be less dominant, and also that the south east corner required further work.
- They welcomed the public realm improvements proposed.

Following the session with the DRP, the applicants continued their discussions with Planning and Design & Conservation officers to address these concerns, through further series of workshops and design charrettes.

- 8.33 Following a number of amendments to the design, the proposal was subsequently represented to the Design Review Panel on the 28th May 2019. The full response is attached under Appendix 3, and their comments are summarised below.

The Design Review Panel unanimously agreed that the proposal has been designed to have a much lighter and less assertive feel, and that it therefore sat more comfortably in its context than previous iterations. They also considered that the asymmetric treatment of the southeast corner was potentially an elegant solution, which resolved its previous overly dominant character.

The Panel commended the careful thought given to the redesigned front and side elevations to St John Street.

Panel members suggested that the glazing at ground level should not be pushed out to the building line, as this was considered to detract from the proposed corner treatment.

Officer response

[Following discussions with the Council Design Officer the entrance was redesigned so that the 'memory' of the existing building was retained. The glazing line as proposed, follows that of the existing building's reception & showroom, and through re-glazing with an active frontage proposed, a visual connection has been reinstated]

The Panel also considered that the junction between the front and side elevations needed further thought, suggesting that the proposed cornice treatment could be improved.

Officer response

[In response, and following detailed discussions with the Council's Design Officer, the proposal was designed to include a traditional cornice and parapet detail. The design changes are considered to have resolved the corner condition with improved coherency and consistency with the rest of the façade].

Panel members recognised the proposed materials discussed for the recladding to be of high quality and potentially complementary to their context. The Panel considered that they would be critical to the success of the scheme, and therefore recommended that a Chair's Review of the proposed materials should be undertaken pending the outcome of the planning application, to ensure an appropriate outcome.

Officer response

[In response drawings were provided identifying the proposed materials and section reveals which were considered to be acceptable by the Council's Design Officer. However, it is important to consider that given that exact colour, finishes, methods of fixing etc will not yet be defined, the Design Officer has requested that details and samples of the specific materials and window details should be submitted to the Local Planning Authority for review and controlled by condition. The acceptability of the materials would include a review with DRP Chair Review post-decision].

Whilst Panel members were appreciative and in principle positive about the direction of design changes and simplification to the modelling of the sixth floor, these had not been tested or illustrated in the verified views previously presented. Panel members were therefore unable to comment on whether they considered the revised massing to have fully addressed their concerns.

Officer response

[Further changes were made to the proposal following the second and final DRP, including the reduction of the height and setback of the 6th floor and lift overrun, as well as further alterations to the elevations requested by the Council's Design Officer. Verified views were submitted which included these amendments, and were considered by the Council's Design Officer to address the Panel's concerns in relation to the revised massing]

Reservations were reiterated about the appearance and dominance of the 6th floor glazing in the long view from St. Johns Square and the Panel queried whether some form of roof overhang might help the glazing to appear more recessive. Similar concerns were expressed regarding the south east corner roof level glazing and the relationship to the stair/lift core behind.

Officer response

[Following detailed discussion with the Council's Design Officer, the scheme was revised to alter the 5th and 6th floor treatment to improve coherency across all external facades (east, south, west), declutter the proposed facades by omitting doors, balustrades, building services in the views from St. Johns Square. The applicant expressed a commitment to review this during construction to ensure they remain hidden from views. The proposal was also revised for an 'arcade' inspired fenestration design to the upper levels, which is an interpretation of the Priory of the Order of St. John's façade, to which these elevations serve as a very distant backdrop (6th floor west façade approx. 50m behind St. John Church; 65m to centre of St. John Square). The rhythm of the fenestration to the east and south façade has been extended across the retained stair & lift core with horizontal breaks introduced for façade coherency and continuity]

The Panel reiterated that the visible massing in certain views from St John's Square was considered to be regrettable, particularly in light of the height restrictions within Council's Conservation Area Design Guidelines. The Panel considered that as much as possible should be done to mitigate this impact, and that the proposals should demonstrate significant public benefits in order to offset any conceivable harm arising, and to justify exceptional circumstances for an additional floor being considered acceptable. The Panel recognised the potential for the enhancement of the Conservation Area (a public benefit) through the proposed improvements to the public realm and high quality recladding of the existing building, in a more contextual idiom. However, Panel members encouraged that the provision for the re-landscaping of the former churchyard should go further, and include the small parcel of land beyond the gate, immediately adjacent to the eastern elevation of the church. Despite this not being publicly accessible, and accepting it may never be, it was considered to have strong visual connection with the Conservation Area.

Officers response

[As outlined above the scheme has been amended to improve the buildings relationship with the surrounding area and heritage assets, in terms of the scale and massing, and materiality. This includes exploring how the 6th floor massing could be reduced and produced a study showing progress and final solution, and adopting BRE Standards when refining the massing and presented these results to the council. Multiple options have been tested for recessing the west facing glazing on the 6th floor, to understand how the façade behaved and the impact that could have to the background / periphery views from St. John Square.

The south and west elevations, was improved by extending the faience panelling around the lift & stair core. The 6th floor terrace was reduced and a door to the terrace was omitted (to simplify the visible façade from St. John Square). The façade has been studied in detail looking at the expression of vertical vs. horizontal breaks. All the proposed plant is shown on the drawings and it would be concealed from views.

The structural bracing to the south façade has been redesigned in order to step the façade further away from The Mallory Buildings and Cemetery Gardens. The 6th floor slab edge has been profiled so as to reduce the appearance of the slab face; the lift overrun is the minimum dimension achievable by the most efficient passenger/ fire fighting lift; the floor to ceiling heights are the minimum accepted. The submitted scheme, has been reduced at the 6th floor by 50sqm, between 200-450mm lower in height, and proposes a lighter faience cladding colour more similar to the adjacent buildings, as well as introducing a more refined and contemporary 'arcade' style to this top floor and would increase the amount of faience cladding by reducing the amount of (curtain wall) glazing.

In terms of the provision of re-landscaping in the adjoining church yard, an illustrative landscaping and planting scheme has been developed and refined to the adjacent public and private land that will improve accessibility, enhance public and private enjoyment and invigorate the public realm. This is following collaboration with English Heritage Gardens and The Priory of The Order of St. John to expand the original concept to include the additional landscaped area. The scheme has incorporated heritage, maintenance, ecology and access requirements]

The Council's Design Officer has concluded that he is satisfied that the DRP comments have been adequately addressed by the amendments made to the proposal. The DRP comments and the officer's response, outlined above, together with the confirmation that the Council's Design Officer is satisfied with the information provided, is outlined within the table in Appendix 4 of this report.

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)).
 - 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 National Planning Policy Framework (NPPF) (2019): 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 (2019) states: 'that sustainable development has an economic, social and environmental role'.
- 9.4 The NPPF (2019) seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF (2019) 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:

- Clerkenwell Green Conservation Area
- Hat and Feathers Conservation Area 40m away to the east
- Adjacent to Grade II Listed Building (no. 42 St John's Square) to west
- Adjacent to Grade I Listed Building (The Grand Priory Church of the Order of St John) to the south west and (associated Priory Church Garden) to the south
- Opposite Grade II Listed Buildings (nos. 148 and 156-162 (Cannon Brewery) St John Street) to the east
- Locally Listed Buildings (nos. 144 and 146 St John Street, front gates of Priory Church Garden)
- Bunhill & Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Employment Priority Areas (General)
- Central Activities Zone (CAZ)
- Clerkenwell Archaeological Priority Area
- Local view from Archway Road
- Local view from Archway Bridge
- Mayors Protected Vistas – Alexandra Palace viewing terrace to St Paul's Cathedral
- Heathrow Safeguarding Area
- Article 4 Direction A1-A2
- Article 4 Direction B1(c) to C3

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
- Landscaping, Trees and Biodiversity
- Sustainability, Energy Efficiency and Renewable Energy

- Archaeology
- Health and Air Quality
- Highways and Transportation
- Planning Obligations, Community Infrastructure Levy and local finance considerations

Land-use

- 10.2 The existing building on the site provides for 3,129 square metres (GIA) of Use Class B1 business floorspace, and 150 square metres (GIA) of Use Class A1 (Retail). The existing Use Class A1 (retail) floorspace is located on the ground floor in the form of a showroom. The remaining part of the existing six storey building, including the lower ground floor level consists of office (Use Class B1(a)) accommodation.
- 10.3 The current application seeks permission for the refurbishment and extension of the existing building to provide a total of 5,026 square metres (GIA) of office floorspace (Use Class B1(a)) and 150 square metres (GIA) of flexible retail floorspace (Use Class A1) or financial and professional service floorspace (Use Class A2) on a site located within the London Central Activities Zone (CAZ).
- 10.4 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.
- 10.5 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.
- 10.6 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.
- 10.7 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, the relevant policy aims to sustain the existing level of business floorspace to support existing clusters of economic activity.

- 10.8 The proposal represents an uplift in business floorspace in accordance with the 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/financial and professional service areas (A1 and A2 uses) would be located at ground floor level to provide for active frontages along St John Street.
- 10.9 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.”*
- 10.10 The incorporation of 150 square metres (GIA) of flexible retail/financial and professional services floorspace (Use Class A1/A2) 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 St John Street. The proposed ground floor retail element of the proposal has been designed as one unit and subject to a condition (25) prohibiting obscuring the shopfront glass would provide natural surveillance and an active frontage to this elevation of the building.
- 10.11 Policy BC8 requires office floorspace to be accompanied by either a portion of non-business floorspace (e.g. a gallery) or SME (Small Medium Enterprises) space or Affordable Workspace.
- 10.12 The applicant proposed the provision of 245 square metres (GIA) (5%) of office floorspace at basement level for occupation by micro and small enterprises.

- 10.13 Part F of Policy DM5.4 of Development Management Policies (2013) provides advice in relation to where in exceptional circumstances, the proportion of small, micro or affordable workspace to be provided on site does not meet the council's expectations. It notes that where it can be demonstrated that the on-site provision of such workspace is inappropriate, financial contributions will be sought to secure equivalent provision off-site, based on a cost per square metre of equivalent provision. In this instance, given that the SME provision does not meet the council's expectations (being small in size and in a basement), the use of financial contributions is considered appropriate.
- 10.14 The Council's Affordable Workspace Financial Contribution calculation is based upon a valuation formula known as 'Single rate years purchase for a number of years'. The Council's Viability Team have identified that the affordable workspace financial contribution calculation generates an Affordable Workspace Financial Contribution equating to £920,417. This contribution of £920,417 is to be secured via an obligation in the section 106 Agreement.
- 10.15 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 'off-site contributions can make, especially to sustain strategically important clusters of commercial activities such as those in the City of London...." Given the situation, subject to the contribution being secured there would be no conflict with policy BC8.
- 10.16 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. The policy seeks at least 20% of the net increase of floorspace to be used for housing. In this case, the site is within the CAZ. The policy also seeks the maximisation of business floorspace, therefore the two elements of this policy are in conflict, seeking both on-site residential provision as well as the maximisation of office floorspace.
- 10.17 A mixed use scheme would require separate access to the flats, including lift and stair cores, as well as storage cycle and refuse storage, for the residential units within the floors below. This would result in a significant portion of the both the proposed office accommodation and the ground floor retail unit being reduced in size and constrained in terms of the amount of useable accommodation. Therefore, it is considered that a mixed use scheme would be less desirable, given the policy requirement to maximise business floorspace in the CAZ, in comparison to additional office floorspace.
- 10.18 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.". This contribution of equates to £303,520 and is to be secured via an obligation in the section 106 Agreement.

- 10.19 Notwithstanding the above compliance, it should be noted that the proposed rear addition would extend into part of the rear car park/service yard. Policy DM8.5 of Development Management Policies (2013) confirms in Part B(i) that *parking will only be allowed for non-residential developments where this is essential for operational requirements and therefore integral to the nature of the business or service (e.g. car hire, Use Class B8 storage and distribution uses)*. No objection is raised to the loss of parking. The Council's Highway engineer advises sufficient area will remain for servicing.
- 10.20 It is considered that the development is acceptable in land use terms with regard to the Development Plan and as such would make an efficient use of this site 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

- 10.21 The existing building, known as Crusader House, is a six storey (with basement level below) predominately glazed building from the 1970s with its main frontage onto St John Street. The building has a set back at ground floor level, creating an overhang, supported by vertical columns, the building has a strong horizontal emphasis and well-proportioned fenestration and modest window reveals, cornicing and detailing. Located towards the north boundary, and fronting St John Street, there is an undercroft providing vehicular and pedestrian access to the rear of the building, providing servicing and vehicle parking for the host building in the existing situation.
- 10.22 Whilst the host building is not historically listed, the site is located within the Clerkenwell Green Conservation Area, and within 40m of the Hat and Feathers Conservation Area. Within the vicinity of host building there are a number of statutory listed buildings, being the Grand Priory Church of the Order of St John to the south west, and associated Priory Church Garden to the south (Grade I), opposite nos. 148 and 156-162 (Cannon Brewery) St John Street to the east (Grade II) and no. 42 St John's Square to the west (Grade II). Also the non-designated locally listed buildings are located opposite the site, nos. 144 and 146 St John Street, and the front gates of Priory Church Garden to the south along St John Street.

Policy Context

- 10.23 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.

- 10.24 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).
- 10.25 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.
- 10.26 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.
- 10.27 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.
- 10.28 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).

Assessment

- 10.29 The proposed scheme seeks planning permission for the extension and refurbishment of the existing building, including changing the external

materials. The extensions include an additional seventh floor level as well as an extension to the rear of the existing building (from ground level to roof level), with associated front and rear roof terraces at the upper level. The proposal would replace the building's façade and accommodate retail (Class A1) / professional and financial services (Class A2) as well as office space (B1(a) use) on the ground floor.

10.30 The current proposal has been amended significantly from the initial application submission, following discussions with Design & Conservation officers and the scheme was also submitted for comments from the Design Review Panel at three separate occasions.

10.31 The most notable amendments to the proposed scheme are as follows:

- Massing changes – removal of one storey and pushing back the massing at both the roof level from St John Street, to the east, and from St John Square, to the west. The projection and depth of the floors below have been reduced so that there is a greater separation distance between the nearby existing office buildings to the rear (nos. 42 to 47 St John's Square, to the west, and nos. 159-173 St John Street) and the proposal;
- Use – the proposal incorporates the introduction of a flexible A1/A2 uses making ground floor active;
- Architectural expression – the design of the elevations has been altered to improve its general coherence and relationship with neighbouring buildings and the surrounding area.

10.32 The recladding of the existing office building is considered acceptable in principle. The Buildings of England (Pevsner) describes it as 'tall ungainly 1970s offices'. It has some merit in its design and detailing, but as a substantial curtain wall building with dark glass, it is very much incongruous with its context and detracts from the character and appearance of the Conservation Area. Therefore, a high quality recladding has the potential to enhance the Conservation Area and setting of listed buildings. Equally, an increase in massing has the potential to result in harm to these heritage assets, given its sensitive location and the already large scale of the existing building.

10.33 It is also proposed to sensitively re-landscape the former churchyard which also has the potential to impact the Conservation Area and setting of listed buildings.

Bulk, height and massing

- 10.34 The proposal would add a rear extension, effectively extruding the existing floorplates, in addition to a seventh floor level roof extension.
- 10.35 The Design Review Panel was comfortable with the principle of a roof extension, but raised some concerns in relation to its scale and expression, particularly at the rear in their initial reviews. The design has been developed to address these concerns, resulting in the extension being reduced in height (by 1 no. storey) to now match the height of the lift core and by cutting back the seventh floor. Also the top glazing has been designed so that it would be more recessive, in comparison to its original incarnation, with the introduction of simple framing and a slight roof overhang. The rooftop plant has also been shown within the drawings and has been positioned so that it would be invisible from any public vantage point.
- 10.36 The consultation process has confirmed that Historic England have raised no concerns with the proposed visual impacts on heritage assets resulting from the increase in massing at roof level. However, the Council's Design and Conservation Officer considers there to be some harmful impacts as discussed below.

Elevational treatment and materiality

- 10.37 The proposed recladding takes inspiration primarily from early C20 commercial buildings, which is considered appropriate in the context of the historic development of the area, given there are other examples which feature prominently along St John Street. In some respects, the detailing is inspired by historic precedents, but this is not considered to result in a 'pastiche' development and the building will clearly read as contemporary.
- 10.38 The bay rhythm and asymmetry corresponds to the structure of the existing building and is comparable to that of the neighbouring Pollard building (no. 159-173 St John Street). The Council's Design and Conservation Officer has considered that this vertical and horizontal emphasis is considered to be well balanced.
- 10.39 The treatment of the corner has been the subject of much discussion, with the DRP and with the Council's Design Officer. The application has proposed to utilize the existing columns, which are considered to result in an asymmetric composition. Whilst other options were considered and explored, such as a double column or chamfered corner, these approaches were found to be unsuccessful. The proposed projecting glazing at ground level is considered to be reminiscent of the existing building, being pushed back so that the extension sits behind the existing columns. This approach is considered by the Design Officer to successfully resolve the DRP concerns and would give a logic to the corner of the building.

- 10.40 Given that the proposal would reuse the existing circulation core, this impacts on the form and expression of the southern elevation. Following discussions with the Council's Design Officer, the proposal was designed to replicate the fenestration pattern with faience panels, which the Design Officer has considered to be an honest way of expressing its function, whilst ensuring a coherent and unified elevation.
- 10.41 The visual appearance of the recladding of the host building and the proposed extensions would use high quality materials, including faience, cast metal and Crittall windows. These are considered by the Design Officer to be harmonious with the local vernacular. The Design Officer has considered that the proposal has a fine grain to the elevations, fenestration and materials, which complements the grain and proportions of neighbouring historic buildings.
- 10.42 As noted in the summary of the DRP, it was recommended that the materials should be subject to a Chair's Review. A condition to this effect has been recommended to include a condition for the details and samples of materials which includes this review. The Design Officer has identified that other aspects of the detailed design, such as the recessed glazing to the top floors, and treatment of the upper part of the circulation core, could also be considered as part of this review given that they remained areas of concern. However, these elements of the design have been amended following the final DRP, and are considered by the Design Officer to be a successful response to the concerns raised.

Impacts on heritage assets

- 10.43 As identified in paragraph 5.2, the site is located within the setting of listed buildings as well as being within a conservation area. Therefore, in the determination of the application, the assessment of the proposal must consider the impact of these heritage assets in accordance with the legislation set out in Section 66(1) and 72(1) of Planning (Listed Buildings and Conservation Areas) Act 1990 ("PLBCAA"). Which is outlined below:
- Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 ("PLBCAA") provides that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall 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.

- Section 72(1) PLBCAA provides that in the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of (amongst others) the planning Acts, special attention shall be paid to the desirability of preserving or enhancing the character
- 10.44 The South Lakeland District Council v Secretary of State for the Environment case and the Barnwell Manor case (East Northamptonshire DC v SSCLG) establish that “preserving” means “doing no harm”.
- 10.45 The decision of the Court of Appeal in Barnwell Manor confirms that the assessment of the degree of harm to the heritage asset is a matter for the planning judgement of the decisionmaker. However, where the decision-maker concludes that there would be some harm to the heritage asset, in deciding whether that harm would be outweighed by the advantages of the proposed development the decision-maker is not free to give the harm such weight as the decision-maker thinks appropriate. Rather, Barnwell Manor establishes that a finding of harm to a heritage asset is a consideration to which the decision maker must give considerable importance and weight in carrying out the balancing exercise.
- 10.46 There is therefore a “strong presumption” against granting planning permission for development which would harm a heritage asset. In the Forge Field case the High Court explained that the presumption is a statutory one. It is not irrebuttable. It can be outweighed by material considerations powerful enough to do so. Paragraph 134 of the NPPF provides that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. A local planning authority can only properly strike the balance between harm to a heritage asset on the one hand and planning benefits on the other if it is conscious of the statutory presumption in favour of preservation and if it demonstrably applies that presumption to the proposal it is considering.
- 10.47 The case-law also establishes that even where the harm identified is less than substantial (i.e. falls within paragraph 134 of the NPPF), that harm must still be given considerable importance and weight.
- 10.48 Paragraphs 5.2 to 5.4 of this report identifies the heritage assets associated with the application site, being the Grade I and Grade II Listed Buildings and the Clerkenwell Green Conservation and their significance.
- 10.49 Where more than one heritage asset would be harmed by the proposed development, the decision-maker also needs to ensure that when the balancing exercise is undertaken, the cumulative effect of those several harms to individual assets is properly considered. Historic England does not suggest that the cumulative effect of the individual instances of harm identified

amounts to substantial harm and officers do not consider that the total harm (i.e. the cumulative effect of the several instances of harm identified) amounts to substantial harm.

- 10.50 The proposed height is considered to broadly match the height of the adjacent Pollard Building at 159-173 St John Street. Historically this part of St John Street was and is home to larger scale commercial buildings which were built following the widening of the road by the LCC from c.1900.
- 10.51 The Council's Design and Conservation Officer has considered that in certain views from the south and west, the increase in scale is considered to result in an impact to the character and appearance of the conservation area, and to the setting of listed buildings. These impacts are considered in the paragraphs below.
- 10.52 As identified in paragraphs 5.2 to 5.4 of this report, the Grade I Listed Priory Church is of outstanding architectural and historical importance as part of the surviving built form associated with the Monastic Order of the Knights Hospitallers of St John of Jerusalem, including fabric from the 12th Century and multiple significant phases since. The reimagining of church and additions following bomb damage in the 1950s, by the architects Seely & Paget, adds to its special interest and also makes a strong positive contribution to the Conservation Area as a backdrop to St John's Square.
- 10.53 The Design and Conservation Officer considers that the low rise setting of the church is important to its appreciation. In its current form the host building is visible from St Johns Square to the west, with the brick clad lift core projecting beyond the roofline of the listed church.



Image 9: Verified view showing the (proposed) host building from St John's Square to the west

- 10.54 However, from this view to the west (shown within Image 9), the new seventh floor would be partly visible behind the 1950s neo-Georgian frontage to the Priory Church in certain medium range views. The existing brick circulation core is already partly visible in these views, but it is a smaller, more recessive element than the massing now proposed. Any seventh floor addition is considered to have a similar degree of visibility, owing to the requirement for it to be accessed via the existing circulation core.
- 10.55 The Officer has concluded that the additional visible glimpses in built form in the backdrop of the church that the proposals would introduce, is considered to result in a small level of harm to the setting of the Grade I Listed Church, as well as the wider Clerkenwell Green Conservation Area.
- 10.56 However, the Design Officer has considered that the design of the roof extension with its light weight design and recessive element, which would be subservient to the main body of the building below, would help mitigate this harmful impact.
- 10.57 The Design Officer has also considered that in most views from within St John Square, the additional massing is occluded by the church and in limited views where it is visible, the change in comparison to the existing situation, is not extensive. Therefore, the Officer has considered that the harmful impact is considered to be relatively minor. As at the front of the building, the roof terrace to the rear of the seventh floor has been reduced so that no doors, balustrade (or any other visual clutter associated with its operation) would be visible and care has also been taken to ensure that the roof terrace at the front has no visible manifestation in conservation area views. However, a condition has been recommended to ensure this. The proposed balustrade would be constructed in faience and would be read as part of the cornice below. As recommended by the DRP, a slight roof overhang and framing have been introduced to reduce the prominence of the glazing.
- 10.58 When looking at the site from the south, along St John Street, the increase in height resulting from the additional floor level and extended circulation core is considered by the Design and Conservation Officer to have a negative impact on the character and appearance of the conservation area. This is as a result of the building on the site becoming more dominant when viewed next to the neighbouring Mallory Building, also reducing the prominence of the latter's interesting roofline. However, the Design and Conservation Officer considers that in some respects there is enhancement to the conservation area in the same views, given the significant improvement on the existing elevations. He has also identified that there is enhancement in views from the north, where the proposal would have a much more harmonious relationship with the Pollard Building (no. 159-173 St John's Street) to the north and its roofline.



Image 10: Verified view showing the (proposed) host building from St John Street to the south

- 10.59 In terms of the south elevation, it is acknowledged that the lift overrun is determined by the reuse of the existing circulation core. Therefore, its existing prominent location is unfortunate given that this is necessarily the tallest part of the building. Following discussions with the Design Officer, therefore it has been decided to incorporate the lift overruns into the overall mass of the circulation core (rather than treating them as roof top addition) which reads as a separate, albeit integrated part of the building, which is considered to reduce its prominence.
- 10.60 The Design and Conservation Officer has concluded that the increase in massing results in a level of harm to the Conservation Area and setting of the Grade I listed church. This is limited to certain views and is 'less than substantial' under the terms of the NPPF. The harm arising, however low, should be given great weight in weighing it against any public benefits arising from the proposals. These include, but are not limited to, an overall enhancement to the Conservation Area, arising from the high quality recladding of the existing building, in addition to the re-landscaping of the former churchyard. These could be considered exceptional circumstances for contravening the Conservation Area Design Guidelines, as the DRP noted.
- 10.61 Looking at the position as a whole, and as identified by the Design and Conservation Officer it is plain that there are adverse impacts on heritage features which individually and cumulatively result in less than substantial harm. However, less than substantial harm does not mean insignificant harm. Considerable importance and weight must be attached to each of the harms identified and to their cumulative effect.

10.62 In addition to the recladding and extension of the existing building, the proposal includes financial contributions towards heritage led re-landscaping of both the area to the rear of the Grand Priory Church of the Order of St John, to the south west, and associated Priory Church Garden, which was historically the eastern approach to the church. The illustrative designs provided are considered by the Design and Conservation Officer to be very similar to the churchyard as it was in the late-C19 (perhaps laid out in connection with Scott's remodelling of the church). This is considered by the Design and Conservation Officer to represent an enhancement to the understanding of the significance of the church and its setting, in addition to the character and appearance of the Conservation Area.

Assessment of harm versus benefits

10.63 Public benefits are defined within the NPPG. It advises that public benefits:

“may follow from many developments and could be anything that delivers economic, social or environmental progress as described in the National Planning Policy Framework. Public benefits should flow from the proposed development. They should be of a nature of scale to be of benefit to the public at large and should not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.”

10.64 The proposed heritage led landscaping of these areas are considered to be a public and heritage benefit to the scheme. The landscaping of Priory Church Garden, which is immediately adjacent to the site, is publicly accessible and the improvements would improve the environment of this area and as identified by the Design and Conservation Officer the illustrative designs provided similar to the churchyard as it was in the late-C19 (perhaps laid out in connection with Scott's remodelling of the church). Whilst the proposed landscaped area to the rear of the Grand Priory Church of the Order of St John is not publicly accessible, this area is visible from the existing cloister garden associated with the church, and is considered to contribute to the enjoyment of the church. The submitted illustrative designs have been costed and have identified that a financial contribution of £75,000 would be appropriate to carry out these works, which would be secured by a Section 106 legal agreement.

10.65 In addition, the proposal includes financial contributions towards the improvement of the existing footways along St John Street, to provide a more accessible entrance to the building, as well as financial contributions towards Affordable Workspace and Affordable Housing.

Conclusion

- 10.66 In conclusion, as identified by the Council's Design and Conservation Officer the proposals would result in harm to the visual appearance and historic character of the Grade I Listed church as well as the setting of the Clerkenwell Green Conservation Area, due to its visual prominence from St John's Square to the west.
- 10.67 As noted in paragraphs 10.64 and 10.65 above, whilst officers are mindful of the statutory duty, and place great weight on this, the proposal includes a number of public benefits which need to be weighed against this less than substantial harm. It is considered that these public benefits tip the balance in favour of permission being granted. The proposal is therefore considered to on balance be acceptable in design terms, providing these public benefits and details of the design of the proposal are secured with suitable conditions and/or Section 106 agreements.

Other Matters

- 10.68 This application does not include any proposed signage at ground/first floor of the development. However, in the event that the applicant wishes to display signage, a separate advertisement consent application would be required, which would be assessed against the relevant policies found within the Development Plan and any other material considerations.

Accessibility

- 10.69 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.
- 10.70 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 Inclusive Design officers have confirmed that the proposal would meet the Council's objectives in terms of providing accessible accommodation for future occupiers (condition 30).
- 10.71 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 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.

- 10.72 To improve the accessibility of the site, and following the recommendations made by the DRP, the application seeks to improve existing footways along St John Street immediately in front of the host building. The existing footway consists of two different levels of pavement and is a narrow street with narrow footways that will need improvements to cope with the proposed application and other developments in the area. The Council's Inclusive Design Officer has welcomed this element of the proposal which would improve the existing arrangement. However, given this element of the proposal is outside the red line and application site the applicant should pay a reasonable and proportionate cost towards improving the footways in St John Street. The contribution for public realm improvements is captured through a s106 obligation.

Neighbouring Amenity

- 10.73 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.
- 10.74 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

- 10.75 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.
- 10.76 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:

- 10.77 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).*
- 10.78 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.”*
- 10.79 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.80 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”.*
- 10.81 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.

10.82 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”*

10.83 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:

10.84 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.”*

10.85 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.”

10.86 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.

Residential properties

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

- a. No 150 St John Street
- b. No. 146 St John Street
- c. No. 144 St John Street
- d. The Mallory Building

10.88 These properties are all located along St John Street, being to the east, immediately opposite (nos. 144-150) and to the south (The Mallory Building) on the west side of the public highway.

10.89 The submitted and daylight report concludes that none of the windows to the properties to the east side of St John Street 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.

10.90 The report concludes that 2 no. of the 26 no. windows assessed at The Mallory Buildings would have losses over 20% of their former values, in relation to VSC (Vertical Sky Component). These windows are labelled R8/W11 at ground floor level and R8/W10 at first floor level. The percentage loss of VSC will be 23.7% and 21.4% respectively and therefore only marginally above the BRE threshold of 20%. It should however be noted that

both of these rooms are dual-aspect rooms which have the benefit of a second principal window in the rear elevation facing west facing onto the Priory of St John.

- 10.91 The No Sky Line (NSL) test demonstrates that all of the windows would retain a good level of daylight distribution with no reductions further than 20% of their former value.
- 10.92 Additionally, all windows on this floor would meet the recommended BRE thresholds for annual and winter probable sunlight hours.

Non-residential properties

- 10.93 The height and massing of the proposal has taken into consideration the impact on the adjoining non-residential (B1(a) use office) buildings, to the north and west of the proposal area with an assessment in relation to Vertical Sky Component (VSC), Average Daylight Factor (ADF) and No-Sky Line (NSL – Daylight Distribution).
- 10.94 Paragraph 2.2.2 of the BRE Guidelines provides advice in relation to daylight to existing buildings: *‘the guidelines may also be applied to an existing non-domestic building where the occupants have a reasonable expectation of daylight; this would normally include schools, hospitals, hotels and hostels, small workshops and some offices’*.
- 10.95 The BRE Guidelines advises (paragraph 3.2.1) that in relation to sunlight to existing buildings *‘care should be take to safeguard the access to sunlight both for existing dwellings, and for any nearby non-domestic buildings where there is a particular requirement for sunlight’*.
- 10.96 The non-residential buildings adjoining the site are currently occupied as B1(a) office accommodation. While the nearby offices would be impacted, the setbacks and separation will ensure light is still received.

Overlooking

- 10.97 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 the east side of St John Street, 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.

- 10.98 The adjoining buildings to the rear, nos. 159-173 St John Street, to the north, and nos. 42-57 St John Square to the west, are currently occupied as offices (B1(a) use). Whilst the proposal would reduce the separation distances between these adjoining buildings given their use, it is not considered to result in any additional unacceptable overlooking issues.
- 10.99 It is noted that the proposal would result in the introduction of roof terraces to both the front and rear elevations at the sixth (top) floor. Given the position of the rear roof terrace and the separation distance (22m) from the nearest residential properties, the Mallory Buildings, together with the position of the top floor between, occupiers of this area are not considered to result in any significant overlooking to neighbouring properties. It is acknowledged that there is the potential for overlooking from the proposed roof terrace to the front of the building. However, any overlooking to the properties to the east, are located across a public highway, and overlooking of the properties within the Mallory Buildings would largely be restricted to a small section of the roof immediately adjacent to the south elevation.
- 10.100 Overall, given the location of the roof terraces the proposal is considered not to result in any significant privacy issues.

Sense of Enclosure

- 10.101 Whilst it is acknowledged that the proposal would result in increased height to the host building. Given the separation distances from adjacent residential properties including those to the opposite side of the public highway of St John Street, and to the south side of St John's Garden, the proposal is not considered to result in a sense of enclosure to neighbouring properties.

Noise Mitigation

- 10.102 Conditions (8 and 9) are recommended to ensure that plant equipment operates below background noise levels to protect nearby residential amenity. To mitigate construction impacts, it is recommended that a Construction and Environmental Plan is conditioned (4). A code of construction response document is to be secured by legal agreement.
- 10.103 A condition (18) has been recommended to ensure the use of the proposed roof terraces are restricted between 09:00 and 19:00 hours Monday to Friday.
- 10.104 A condition (6) has also been recommended in relation to the hours of operation of the retail (A1) / financial professional services (A2) unit at ground floor, between 7:00 to 23:00 hours, Monday to Sundays.

Light Pollution

- 10.105 It is not recommended that the hours of occupation of the development be restricted. However, this raises the possibility of night time light pollution occurring, should office staff need to work outside normal office hours.
- 10.106 To address this, a condition (19) has been recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors. In addition, another condition (20) has been recommended in relation to the submission of any external lighting.
- 10.107 It is considered that these conditions would ensure the extent of light being used within the building is reduced and help minimise any impact on neighbouring properties, so as to address light pollution concerns.

Landscaping, Trees and Biodiversity

- 10.108 London Plan Policy 2.18 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into the wider network, and Islington Policy DM6.5 of Development Management Policies (2013) states that Developments must protect, contribute to and enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area
- 10.109 There are a number of street trees positioned along St John Street, immediately adjacent to the public highway. Whilst these trees are not subject to a Tree Preservation Order, they are protected by their location within a conservation area. Part B of Policy DM6.5 seeks to ensure developments minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.
- 10.110 An Arboricultural Impact Assessment was submitted in support of the application identifying the impacts on the existing trees within close proximity to the site, including those along St John Street. The report was assessed by the Council's Tree Officer who has confirmed that he has no objections to the proposal subject to a condition (17) ensuring that the tree protection identified within the report are implemented in full. The proposal is therefore considered to be acceptable in regard to Policy DM6.5 objectives to minimise any impacts on trees.
- 10.111 The gardens are important and adjoin the site, being St John's Garden to the south. The Design Review Panel and the Council's Public Realm Team advised that the garden would benefit from investment, given the likely

increased usage by occupiers of the expanded building proposed in this application.

- 10.112 The St John's Garden is currently managed and maintained by the Council's Public Realm Team and is a designated open space (OS 153).
- 10.113 Following the recommendation by the Design Review Panel and the Council's Public Realm Team the applicant looked at a number of options for a heritage led landscaping schemes for the garden, to understand the costs. The Council's Public Realm are supportive of the proposals.
- 10.114 The final Design Review Panel recommended that further heritage benefits should be sought for the landscaping of the garden immediately to the rear and east of the Grand Priory Church of the Order of St John.
- 10.115 Given both of these areas fall outside of the application site, a financial obligation would be necessary to secure the improvement of these areas. The cost estimate has identified that a contribution of £75,000 would be appropriate in this instance, which would be secured by way of a legal agreement.
- 10.116 In addition to the above, the proposal would also include a biodiverse green roof on top of the extended building, which would be secured by way of condition (7). A compliance condition (16) has also been recommended in relation to the inclusion of nesting boxes for birds/bats.
- 10.117 Overall, the proposal is considered to have an acceptable impact on the existing landscaping in the area, and would improve the biodiversity in the area.

Health and Air Quality

- 10.118 Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being. Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). Policy DM 6.1 of the Development Management Policies document requires that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.119 Islington is an Air Quality Management Area in recognition of borough-wide poor air quality. As such a condition (28) has been recommended for the submission of air quality assessment, including an Air Quality Neutral Assessment.

Archaeology

- 10.120 London Plan Policy 7.8 and Policy DM2.3 Part F of Development Management Policies (2013) seeks to ensure the conservation of scheduled monuments and non-designated heritage assets with archaeological interest.
- 10.121 The application site is within the Clerkenwell Archaeological Priority Area, and as such an Archaeological Evaluation Assessment was submitted in support of the application.
- 10.122 Historic England's Greater London Archaeology Advisory Service (GLASS) has reviewed the submitted information and confirmed that the evaluation has not encountered any medieval or earlier remains nor any burials. There is also extensive disturbance from a 19th century basement but a tile floor and possible quarrying of 17th century date was found indicating some survival of pre-modern remains at a depth of just less than 2m below modern ground surface.
- 10.123 They have considered that the proposed pile and groundbeam foundations should only cause localised harm, if sensitively designed. The pile caps and ground beams can be constructed within the modern made ground and the pile density kept to acceptable limits. Also a further concern relating to 'pile probing' was raised which should be avoided in sensitive areas.
- 10.124 Given these concerns, Historic England have recommended 2 no. conditions and associated informatives, relating to the details of the foundation design and construction method (32) and a written scheme of investigation (33) to be submitted and approved in writing, along with relevant informatives (8 and 9).
- 10.125 Therefore, subject to these recommended conditions the proposal is considered to accord with the London Plan Policy 7.8 and Policy DM2.3 Part F of Development Management Policies (2013) and is acceptable in regards to conserving the archaeological interest at the site.

Sustainability, Energy Efficiency and Renewable Energy

- 10.126 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.
- 10.127 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.

- 10.128 The BREEAM pre-assessments submitted demonstrate that the office and retail parts of the development are likely to achieve a BREEAM 'Excellent' rating against the BREEAM New Construction criteria. Development Management Policy DM7.4 requires all major non-residential developments to achieve an "Excellent" rating and make reasonable endeavours to achieve "Outstanding". The submitted information has confirmed that the development would achieve a BREEAM 'Excellent' rating which is acceptable and welcomed. The Council's Sustainability Officer requested that the applicant should target 'Excellent' rating in both the BREEAM New Construction and BREEAM Non-Domestic Refurbishment and Fit-Out 2014. The Council's Energy Officer has confirmed that any BREEAM assessment should take into consideration the whole development (i.e. both the new-build and refurbishment elements). This could take the form of the two assessments as, or a single assessment for the whole development. Therefore, condition (5) is recommended to be imposed requiring the development to achieve an "Excellent" rating, against BREEAM New Construction with the interim and final BREEAM certification documents.
- 10.129 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 (13).
- 10.130 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.
- 10.131 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 therefore any proposals to incorporate ecology and green infrastructure would represent an improvement over the existing situation. The roof of the proposed sixth floor level containing proposed plant equipment would also incorporate a biodiverse roof. A condition (7) shall be imposed for details of the proposed green/brown roof along with the provision of bird and bat boxes across the site will be sought via condition (16), in addition the proposal is subject to a financial obligation to improve the adjacent St John Garden.
- 10.132 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

- 10.133 There are 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 is an opportunity for an appropriate SUDS strategy to be incorporated into the scheme. A drainage strategy will be sought via condition (15) in order for the quantity and quality standards of DM Policy 6.6 to be met.
- 10.134 The Council's Sustainability Officers requested the inclusion of photovoltaic panels at roof level, integrated with the proposed green roof. However, given that any panels would likely be visible from the wider conservation area and the setting of the nearby listed buildings, the lack of photovoltaic panels is considered acceptable.
- 10.135 Finally, a Green Performance Plan has been submitted in draft, however full details will be secured through a section 106 obligation.

Energy

- 10.136 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. Whilst it is acknowledged that the proposal would retain the existing floorplates, with the proposal including the recladding of the existing elevation and extending to the rear and at roof level, Policy 5.2 of the London Plan is still applicable and requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 10.137 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.
- 10.138 The application submission material presents the base line (2013 Regs.) regulated carbon emissions and the reduction equates to a 28.1% reduction in relation to London Plan policy, which falls 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 reduction of 34.5% on total emissions, surpassing the Islington council's target for 27% which is welcomed. Therefore, a condition (28) is to be included to state that a target of at least 28.1% 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.

10.139 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."

10.140 In this instance, a contribution of £132,990 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).

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

BE LEAN

Energy efficiency standards

10.142 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 development which would result in an overall reduction in total regulated carbon emissions from energy efficiency measures equating to 28.1%. The energy reduction measures consist of low energy and LED luminaires and whilst the proposed U-values for the proposed extension and refurbishment element are generally good and consistent with the Council's guidance. However, given the development falls short against its regulated emissions target, the Council's Energy Officer has recommended that further improvements are targeted here, and also regarding other efficiency parameters. A condition (28) has been recommended in relation to meeting the energy efficiency targets.

BE CLEAN

Energy (Heating and Cooling) Supply Strategy

10.143 It is proposed that heating and cooling to the development will be provided via air source heat pumps, and distributed via fan-coil units. The hot water to be supplied via point of use electric heaters, and a hot water storage cylinder will also be provided. The Council's Energy officer has accepted the proposed approach to the heating and cooling strategy.

District Heating Connection

10.144 The applicant has considered connection to the Citigen heat network, which is around 500m from the development. However, connections to this network

has been ruled out. The reason given is the various physical barriers between the existing networks and the site. This conclusion is accepted by the Council's Energy Officer, also that it is not currently feasible for the development to make a connection to the Bunhill heat network which is also within 500m of the site. This is based on the quoted carbon dioxide emissions (and the maximum possible heat loads inferred from these) and the distance away.

- 10.145 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

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

Shared Energy Network

- 10.147 The Energy Report does not consider any opportunities for shared heating with other local sites. However, the Council's Energy Officer is not aware of any opportunities for shared heat networks in the vicinity of the application site and, if making a connection in the longer term, the council's preference would be for connection to a district heating network.

Shared Futureproof District Heating Connection

- 10.148 The submitted Energy Statement Addendum has provided additional information to address future-proofing of the development for connection to a potential heat network. The information provides indicative drawings showing a space for both future plate heat exchanger and incoming Decentralised Energy Network (DEN) pipework, detailing proposed connection points and requirements, detailing the proposed heat pumps, interconnecting pipework distribution and fan coil units across the proposed building, as well as adding calculation and summary of contributions of the heat pump to the CO2 reductions of the proposed building, as well as descriptive of the system operation. at basement level.
- 10.149 An obligation is required to secure 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

- 10.150 Solar thermal hot water systems 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 any PV panels would be visible from the public realm.
- 10.151 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 the London Plan target of 35% 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

- 10.152 The site is located at the west side of St John Street, which is a principal borough road, which connects Angel to the south of the borough. The site has a Public Transport Accessibility Level (PTAL) of 6a, which is 'excellent,' with a number of bus stops located within walking distance. The building is currently used as business floorspace (Use Class B1) with a ground floor showroom (A1 use) and has an existing car parking / servicing area provision off St John Street, accessed via an existing undercroft.
- 10.153 Whilst the proposal would retain this existing undercroft, the proposed extension to the rear would result in the loss of the existing car parking area. The main pedestrian entrance to the building would be off St John Street, with the office accommodation accessed towards the south east corner and the A1/A2 unit, benefiting from a separate access to the front elevation.

Pedestrian Access

- 10.154 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.
- 10.155 The PTAL of the site 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 St John Street and this is likely to result in a more intensified use of St John Street.
- 10.156 The existing footways on St John Street, immediately in front of the host building consists of two different levels, making access for wheelchair users difficult. These public highway alterations are proposed to improve the existing arrangement to the frontage of the host building. This would require traffic orders and the applicant should pay a reasonable and proportionate

cost towards improving the footways in St John Street, which would be secured via the S106 Agreement and a S278 Agreement with Highways.

- 10.157 A letter of representation requested that works are carried out to improve the pavements, to the other side of the road. However, obligations are required where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind. It is considered that the redevelopment of the opposite side of St John Street would not meet this test.

Cycle access and parking

- 10.158 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.
- 10.159 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).
- 10.160 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. The existing level of cycle parking provision is 6 spaces, which are located to the rear. The proposal includes storage for 55 no. cycles, given the uplift in cycle parking numbers and the limitations of the site, this provision is considered acceptable. A condition (11) has been recommended to secure the proposed cycle provision.

Vehicle parking

- 10.161 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.
- 10.162 As noted in the land use section above, as a result of the proposed rear extension the proposal would result in the loss of part of the existing rear car park. Given that the existing undercroft would be retained, as well as a separation distance between the adjacent buildings to allow for servicing and delivery, this loss is considered compliant with the above vehicle parking policies. The Council's Highways Officer is satisfied that access to the rear service yard is possible, and raised no objections in this regard.

- 10.163 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 £24,000 towards parking bays or other accessible transport initiatives.

Refuse and Recycling

- 10.164 The proposed waste strategy for the recycling/refuse storage for the development is outlined within the Design and Access Statement. The storage is located within the rear service yard, initially to the north west corner in 5 no. bin stores), which is then subsequently sorted and placed in a temporary bin store adjacent to the entrance to the undercroft, which is collected by waste/recycling vehicles. Given the uplift in office floorspace and the introduction of an A1/A2 use at ground floor, it is acknowledged that the host building would require an increase in refuse/recycling storage. However, the proposed waste strategy is considered to follow the Council's refuse/storage requirements. However, in order to ensure the refuse/recycling provision is acceptable a condition (21) has been recommended for the submission of the details of the number and type of bins.

Servicing and Deliveries

- 10.165 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.
- 10.166 The existing undercroft and service yard allows for off-street deliveries, which is considered acceptable by the Council's Highways Officer. In order to ensure that the proposal would not detrimentally impact the local highway network in this regard, a delivery and servicing plan is to be secured by condition (22). 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 (2013).

Planning Obligations, Community Infrastructure Levy and local finance considerations

Planning Obligations

- 10.167 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.
- 10.168 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.
- 10.169 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 improvements and landscape improvements required to ensure that the development does not cause unacceptable impacts on the local area.
- 10.170 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.
- 10.171 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.
- 10.172 The highway and footway improvements are very site-specific. The total cost will depend on the construction of these works.
- 10.173 The Affordable Housing and Affordable Workspace Contributions are considered appropriate given these could not be incorporated within the development.
- 10.174 The landscaping contributions are considered appropriate given that these would provide a heritage benefit to the development.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The redevelopment of this site to provide a mix of Class A1 retail / A2 financial and professional services and Class B1 office accommodation in the CAZ, as 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.
- 11.2 In design terms, whilst Council's Design and Conservation Officer has considered that the proposal would result in harm to the visual appearance and historic character of the Clerkenwell Green Conservation Area and the setting of the Grade I Listed Building (Priory Church of the Order of St John), he has considered that this harm would be less than substantial harm. While officers have been mindful of the statutory duty and placed great weight on the fact this harm would be caused, this harm is considered to be outweighed by the public benefits provided. The public benefits include financial contributions towards the re-landscaping of the rear yard of the Grade I Listed Church and the adjacent St Johns Churchyard, in addition to public highway improvements to St John Street, and towards Affordable Workspace and Affordable Housing. Therefore, subject to detailed conditions and a section 106 legal agreement to secure these benefits, the proposal is considered to be, on balance, acceptable in design terms.
- 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 development would not cause an undue impact to the amenities of any neighbouring occupiers in terms of a loss of daylight/sunlight, outlook, 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. Contribution of £75,000 towards the heritage led landscaping of both the area to the rear of the Grand Priory Church of the Order of St John, to the south west, and associated Priory Church Garden, immediately adjacent along St John Street and to the south of the application site.
3. Compliance with the Code of Employment and Training.
4. Facilitation, during the construction phase of the development, of 5 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 (£10.55 as at 05/11/18). If these placements are not provided, LBI will request a fee of £25,000.
5. Compliance with the Code of Local Procurement.
6. Compliance with the Code of Construction Practice, including a monitoring fee of £5,176 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 (12) or a contribution towards bays or other accessible transport initiatives of £24,000.

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: £132,990 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 £72,192.50.
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 £303,520.
15. Affordable Workspace Contribution of £920,417.
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.: 3031-00-1001 (Location Plan), 3031-00-1002(Block Plan), 3031-20-2001/Rev.03 (Proposed Basement), 3031-20-2002/Rev.02 (Proposed Ground Floor Plan), 3031-20-2003 (Proposed First Floor Plan), 3031-20-2004 (Proposed Second Floor Plan, 3031-20-2005 (Proposed Third Floor Plan), 3031-20-2006 (Proposed Fourth Floor Plan), 3031-20-2007 (Proposed Fifth Floor Plan), 3031-20-2008/Rev.02 (Proposed Sixth Floor Plan), 3031-C0-2009 (Proposed Roof Plan), 3031-20-2012 (Proposed East Elevation), 3031-20-2013/Rev.01 (Proposed South Elevation) 3031-20-2014/Rev.01 (Proposed West Elevation), 3031-C0-2015 (Proposed North Elevation), 3031-50-0011 (Design intent for public highway), 3031-40-0001 (Basement Floor Showers), 3031-40-0002 (Ground Floor Cycles), 3031-40-0003 (Ground Floor Cycles), 3031-40-0004 (Ground Floor Mobility Scooters), 3031-40-0005 (Ground Floor Accessible Cycles), 3031-40-0006 (Disabled Toilets), 3031-40-0007 (Fire Fighting Lift), 3031-40-0008 (Affordable Workspace), 3031-40-0010 (Public Highway Improvements), 3031-40-0011 (Mixed Use Proposal), 3031-50-4030 (Waste Strategy), 3031-20-4040 (Hardscape Plan), 303031-40-0013 (Access & Security Strategy – Ground Floor), 3031-40-0014 (Access & Security Strategy – Typical</p>

	<p>Floor), 3031-40-0005/Rev.01 (Proposed Ground Floor – Accessible Cycle Racks), 3031-40-0003/Rev.01 (Proposed Ground Floor – Cycle Route Strategy), 3031-40-0006/Rev.02 (Proposed Plan- Disabled Toilets), 3031-40-0001/Rev.01 (Proposed Basement – Showers Layout), 3031-40-0004/Rev.01 (Proposed Ground Floor – Mobility Scooter Strategy), 40-0017(Future Energy Connection Provision), 3031/30-0015 (Proposed Roof Biodiversity & Ecology Plan), 2999-5-001, 29999-5-1B, 2999-5-2B (Proposed Mechanical Plant),</p> <p>Document Nos.: Arboricultural Impact Assessment by Bucks Plant Care Ltd ref. 20274 dated 2018, BREEAM New Construction Pre-Assessment Report Rev.A by Encon Associates Ltd dated 13/06/19, Daylight and Sunlight Report by Lumina dated 13th June 2019, Design and Access Statement dated 19/06/2019, Draft Construction Management Plan dated April 2018, No Harm Scheme dated March 2019, Economic Regeneration Statement by Birketts dated June 2019, Energy Statement by ENG Design ref. 2999-ME-R-1-B dated 29 May 2018, Environmental Noise Survey by RBA Acoustics ref. 8684.RP01.ENS.1/Rev.1 dated 13 June 2019, Flood Risk Assessment for BREEAM compliance by Ambiental ref. 4652 BREEAM/Version Draft v1.0 dated June 2019, Green Performance Plan by ENG Design ref. 2999-ME-R-2-A/Rev.A dated 07 June 2019, Heritage Statement by Turley dated June 2019, HIA Screening dated June 2019, Historic environment assessment by MOLA dated May 2018, Landscape Design Proposals, PERS Audit by Atum Design Lab ref. 3031-PP-PERS dated June 2019, Site Photographs, Site Waste Management Plan by Atum Design Lab ref. 3031-PP-SWMP dated June 2019, Statement of Community Involvement by Atum Design Lab ref. 3031-PP-SOCI dated June 2019, Supporting Planning Statement by Birketts dated June 2019, Sustainable Design and Construction Statement by ENG Design ref. 2999-PP-1-B/Rev.A dated 19 December 2018, Thermal Modelling Assessment by ENG Design Ltd ref. 2999-TM-1-B/Rev.B dated 07 June 2019, Transport Statement and Travel Plan by Atum Design Lab ref. 3031-PP-TP dated June 2019, Written Scheme of Investigation for an Archaeological Evaluation by MOLA dated 13/06/2019, 145 SJS: confirm how the environmental impact of construction material to be minimised, Accurate Visual Representations Proposal B dated 27th March 2019, (and AVR Nos. 095, 044, 078, 036, and 031), Sixth Floor Studies, English Heritage Gardens visuals dated 30th August 2019, Height and Massing document, ENG Design Energy Additional Information ref. 2999-ME-6-2 and Energy Statement Addendum ref. 2999-ME-R-1.1,</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 the following facing materials shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Chair of the Design Review Panel before the</p>

	<p>superstructure works commence on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) All external cladding; b) Window treatment (including glazing, sections and reveals); c) Doors; d) Curtain walling; e) Balustrades; f) Terraces; g) Green procurement plan for sourcing the proposed materials; h) Plant screen; i) Roofing materials; j) Any other materials to be used. <p>The Updated Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserve the character/appearance of the conservation area.</p>
4	<p>Construction Environmental Management Plan (Details)</p>
	<p>CONDITION: A Construction Environmental Management Plan assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The CEMP shall provide details of:</p> <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors • loading and unloading of plant and materials • storage of plant and materials used in constructing the development • the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate • wheel washing facilities • measures to control the emission of dust and dirt during construction • a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of</p>

	<p>mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
5	BREEAM (Details)
	<p>CONDITION: Evidence confirming that the whole of the development (extensions and refurbishment) achieves a BREEAM rating (2008) of no less than 'Excellent' under the BREEAM New Construction 2014 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> <p>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</p> <p>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> <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>
6	Use Class A1/A2 – Restrictions on Use
	<p>CONDITION: The proposed retail (A1) / financial and professional services unit (A2) shall not operate outside the following times:</p> <p>Monday to Sunday – 07:00 to 23:00</p> <p>REASON: To ensure that the operation of the above uses do not have a detrimental impact on residential amenity.</p>
7	Green/Brown Biodiversity Roofs (Details)
	<p>CONDITION: Notwithstanding the roof plan indicated on drawing reference 3031-C0-2009 details of a lightweight biodiversity (green/brown) roof shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site unless it is satisfactorily demonstrated that it is not feasible. The biodiversity (green/brown) roof(s) shall be:</p>

	<p>a) biodiversity based with extensive substrate base (depth to be agreed); and b) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum) unless it can be robustly demonstrated that this mix cannot be provided.</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
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	Post installation noise mitigation report
	<p>CONDITION: Within 3 months of the installation of the hereby approved plant equipment, 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 8. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed within 3 months of the date of the approved details and permanently retained thereafter. In the event that the noise levels breach the noise limits in condition 8, the use of the plant equipment shall cease until such time measures to mitigate noise are implemented in full, which shall retained thereafter.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
10	Piling Method Statement (Details)

	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
11	Cycle Storage
	<p>CONDITION: For the hereby approved development, storage for a minimum of 55 no. cycles shall be implemented in accordance with drawing no. 3031-40-0003/Rev.01 and 3031-40-0005/Rev.01.</p> <p>The bicycle storage area(s) which shall be secure and covered 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>
13	Rainwater/Greywater recycling (Details)
	<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>
14	Green Procurement Plan (Site Waste Management Plan)
	<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</p>

	<p>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>
15	Sustainable Urban Drainage System (SUDS)
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system 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 be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec. The details shall demonstrate how the site will manage surface water in excess of the design event, and shall set out a clear management plan for the system. The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
16	Nesting Boxes (Compliance)
	<p>CONDITION: A total of 4No. bird and bat boxes (including swift boxes) shall be installed prior to the first occupation of the building to which they form a part, or the first use of the space in which they are contained, and shall be maintained as such thereafter. The bird / bat boxes shall be equally distributed across the application site.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
17	Tree Protection Measures (Compliance)
	<p>CONDITION: The arboricultural report (Arboricultural Impact Assessment Report 2019) in respect of tree protection issues and the tree protection plan (TPP) submitted from Bucks Plant Care Ltd in support of the application shall be adhered to in full. Particular reference should be made to the TPP (ref: TPP 20274) contained at Appendix 3 of the report and the Arboricultural Method</p>

	<p>Statement (AMS) contained within Appendix 4 of the report.</p> <p>REASON: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees.</p>
18	Roof terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 19:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties are not adversely affected</p>
19	Internal Lighting
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the conservation area shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> • Automated roller blinds; • Lighting strategies that reduce the output of luminaires closer to the façades; • Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
20	Security & General Lighting (Details)
	<p>CONDITION: Details of general and any security outdoor lighting, including full specification of all luminaires, lamps and support structures and hours of use, shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. Any outdoor lighting shall be take into consideration and be sensitive to wildlife in the surrounding area, including the adjoining St Johns Garden.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, protecting the setting of and character of the designated heritage assets, security and protecting neighbouring and</p>

	future residential amenity and existing and future habitats from undue light-spill.
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 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	No Plumbing or Pipes
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the south and east 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>
24	Roof-Top Plant & Lift Overrun
	<p>CONDITION: Notwithstanding the approved drawings, all details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</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>
25	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	Air Quality (details)
	<p>CONDITION: Prior to any superstructure work commencing on the site an assessment of all site emissions, including emissions from all energy sources, is to be provided to the Local Planning Authority for approval. The final design is to be Air Quality Neutral in line with the London Plan and emerging London Plan with respect to all emissions (NO₂, PM₁₀ and PM_{2.5}) from the site. If the proposed development is not air quality neutral, a scheme of mitigation is to be submitted and approved by the LPA and shall be installed as agreed and retained as such thereafter.”</p> <p>REASON: In order to ensure satisfactory air quality for future occupants of the development.</p>
28	Renewable Energy

	<p>CONDITION: A revised Energy Strategy, which shall provide the energy measures contained within the submitted (updated) Energy Strategy for no less than a 28.1% 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 35% 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>
29	Accessible Showers/WC's/Changing Rooms (Compliance)
	<p>CONDITION: For the hereby approved development the accessible showers, WC's and changing rooms shall be implemented in accordance with drawing nos 3031-20-2001/Rev.03 and 3031-40-001/Rev.01 and shall be available for users upon the first occupation of the building following completion. The layout shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To provide an accessible environment for future occupiers.</p>
30	Security Measures (Compliance)
	<p>CONDITION: For the hereby approved development the security measures shall be implemented in accordance with drawing nos 3031-40-0014 and 3031-40-0013 prior to the first occupation of the building upon completion. The measures shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To ensure adequate security measures are provided</p>
31	No structures on roof terraces
	<p>CONDITION: The roof terraces of the development approved shall not include any structures or fittings that exceed 1.1m in height above the floor level (including any tree planters or umbrellas/parasols) unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: To preserve the historic character and visual appearance of the host building and wider conservation area</p>

32	Details of foundation design and construction method
	<p>CONDITION: No development shall take place until details of the foundation design and construction method to protect archaeological remains have been submitted and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.</p> <p>REASON: To protect the archaeology in the area</p>
33	Written Scheme of Investigation (WSI)
	<p>CONDITION: No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p> <p>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</p> <p>B. Where appropriate, details of a programme for delivering related positive public benefits</p> <p>C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.</p> <p>REASON: To protect the archaeology in the area</p>
34	Details of balustrades
	<p>CONDITION: Notwithstanding the details shown on the hereby approved drawings, details of the balustrades for the front and rear roof terraces at top floor shall be submitted and approved in writing prior to the occupation of the new floorspace hereby permitted. The approved details shall be implemented in full prior to the use of the roof terrace and retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring properties.</p>
35	No use of flat roofs
	<p>CONDITION: The flat roof areas on the hereby approved drawings 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, apart from those identified at sixth floor level as shown on drawing number 3031/20-2008 hereby approved.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>

List of Informatives:

<p>1</p>	<p>S106</p> <p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<p>2</p>	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<p>3</p>	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions: 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>
<p>4</p>	<p>Thames Water (surface water drainage)</p> <p>With regard to surface water drainage, Thames Water would advise that if the applicant follows the sequential approach to the disposal of surface water we would have no objection. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-</p>

	services/Wastewater-services
5	Thames Water (public sewers)
	As there may be public sewers crossing or close to the development, in the event that a sewer is discovered, it's important that you minimize the risk of damage. Thames Water will need to check that the development doesn't reduce capacity, limit repair or maintenance activities, 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 .
6	Roller Shutters
	ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Sprinkler Systems
	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.
8	Foundation design and construction method
	For the details for condition 32, please refer to published Historic England guidelines on piling and archaeology.
9	Written Scheme of Investigation
	For the details of condition 33, the written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

The National Planning Policy Framework 2019 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 2016 - 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

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

diverse retail sector
Policy 4.9 Small shops
Policy 4.10 New and emerging economic sectors
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 7.2 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 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

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)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM2.3 Heritage

Shops, culture and services

DM4.3 Location and concentration of uses

DM4.8 Shopfronts

Employment

DM5.1 New business floorspace

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.5 Landscaping, trees and biodiversity

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

DM9.2 Planning obligations

D) Finsbury Local Plan June 2013

BC7 Historic Clerkenwell

BC8 Achieving a balanced mix of uses

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:

- Clerkenwell Green Conservation Area
- Hat and Feathers Conservation Area 40m away to the east
- Adjacent to Grade II Listed Building (no. 42 St John's Square) to west
- Adjacent to Grade I Listed Building (The Grand Priory Church of the Order of St John) to the south west and (associated Priory Church Garden) to the south
- Opposite Grade II Listed Buildings (nos. 148 and 156-162 (Cannon Brewery) St John Street) to the east
- Locally Listed Buildings (nos. 144 and 146 St John Street, front gates of Priory Church Garden)
- Bunhill & Clerkenwell Core Strategy Key Area

- Finsbury Local Plan Employment Priority Areas (General)
- Central Activities Zone (CAZ)
- Clerkenwell Archaeological Priority Area
- Local view from Archway Road
- Local view from Archway Bridge
- Mayors Protected Vistas – Alexandra Palace viewing terrace to St Paul’s Cathedral
- Article 4 Direction A1-A2
- Article 4 Direction B1(c) to C3

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Development Viability SPD

London Plan

- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

APPENDIX 3: DESIGN REVIEW PANEL COMMENTS

DRP: November 2018



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Our ref: Q2018/3651/DRP

Date: 27 November 2018

Dear Philip Kratz,

ISLINGTON DESIGN REVIEW PANEL

RE: 145 - 157 St John Street (planning application ref. P2018/1229/FUL)

Thank you for attending Islington's Design Review Panel meeting on 13th November 2018 for a first review of the above scheme. The proposed scheme under consideration is for Refurbishment and extension of existing building including a part seven storey and part eight storey addition (2,688sqm GIA additional floorspace) to provide a mixed use development comprising Class A1 (Retail) floorspace on part of the ground floor and Class B1(a) (Office) floorspace in the remainder of the building (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Ben Gibson, Dorian Crone and Tim Attwood on 13/11/2018 including a site visit, presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme and commented on the following general areas:

Heritage assessment

The Panel were concerned at the lack of specialist heritage input on the scheme, particularly with regards to possible impacts on the setting of Listed Buildings and on the Conservation Area. The proposed quantum of development was not considered justified by Panel members, with the lack of this analysis apparent. The loss of the existing building itself was also a concern for some Panel members; it was queried whether the 1970s office building by Michael Lyell Associates could be considered to make a positive contribution to the Conservation Area, and whether it might be a particularly good example of its type. The quality of its detailing and composition were pointed out, and Panel members wished to understand to what extent the existing architecture could be worked with. Nevertheless, Panel members generally found its remodelling to be acceptable in principle, subject to the findings of further research into its relative importance, and the proposed design being of high quality.

Height and massing

The Panel found the proposed additional storeys to have an unacceptable impact on key Conservation Area views, from St John Square and St John's Street. The loss of the silhouette of the roofline of the Mallory Building, and encroachment on St John's Square, were considered particularly unfortunate. The rationale for locating the tallest element at the southern end of the building was therefore not understood, given that this would have the greatest negative impact on the townscape. The Panel suggested that additions would be better located at the northern end, at the rear of the building, as the roofline is much less sensitive here. It was considered that one additional set back floor could be acceptable, subject to this being tested in key views.

The Panel considered that there was potential to extend at the rear of site, but as proposed it was too much. The impact on the amenity of the neighbouring office buildings, and loss of open space, was considered too great. Panel members encouraged a more balanced approach, which sought to create a pleasant shared space for the internal outlook of the urban block. It was considered that allowing such a narrow separation distance between office buildings as proposed could set an uncomfortable precedent for the wider area.

Detailed design

The Panel found the proposed remodelling to lack coherence, appearing as four separate components (façade, double height entrance, attic storeys and flank elevation) that were not working together. It was noted that the existing building is read as a coherent entity and this should be carried forward in any proposals. Whilst noting the quality of the suggested materials and detailing, the Panel considered the proposed main façade to appear as a superficial, clip-on element that was not well integrated with the overall building. The Panel considered the existing southern/flank elevation to be unforgiving, with potential for great improvement. Panel members considered that a green wall could be appropriate, but that it would need to work with the treatment of the front elevation.

Public realm

Panel members suggested that the introduction of a stepped approach from street level as proposed would have an unfortunate impact on accessibility. The Panel also encouraged that improvements to St John's Churchyard to the south should be undertaken as part of the scheme.

Summary

The Panel acknowledged that the scheme was at a relatively early stage and looked forward to working with the Design Team in subsequent reviews. The proposals were considered to represent an overdevelopment of the site. Concerns were raised in relation to the loss of the existing facades, the upward and rearward extensions and their impact on heritage assets and amenity respectively, in addition to coherence of the proposed remodelling. The Panel also suggested improvements to the adjoining public realm.

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,



Luciana Grave
Design Review Panel Coordinator
Design & Conservation Team Manager

DRP: April 2019

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Our ref: Q2019/0923/DRP

Date: 25/04/19

Dear Philip Kratz,

ISLINGTON DESIGN REVIEW PANEL

RE: 145 - 157 St John Street (planning application ref. P2018/1229/FUL)

Thank you for attending Islington's Design Review Panel meeting on 9 April 2019 for a second review of the above scheme. The proposed scheme under consideration is for the refurbishment and extension of existing building including a rear, seventh storey and part eighth storey extension (2,688sqm GIA additional floorspace) to provide a mixed use development comprising Class A1 (Retail) floorspace on part of the ground floor and Class B1(a) (Office) floorspace in the remainder of the building (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Tim Attwood, Dorian Crone, Lotta Nyman and Stuart Piercy on 9 April 2019 including a site visit, presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme for a second time and were pleased with the changes made in response to their previous comments.

Panel members commended the greater separation distances between the proposed rear extension and neighbouring buildings, finding this to be a more sympathetic relationship.

The Panel also welcomed the proposed public realm improvements, including the landscaping proposals for the churchyard and the moves towards a more inclusive street entrance through alterations to the pavement levels.

Panel members considered the reduction in massing, by removing one storey from the roof extension, to be an improvement. However, the Panel remained concerned about the impact on the Conservation Area, particularly in views from St John Square. Whilst Panel members accepted the proposed height of the extended building, the massing and form was not found to be persuasive and they suggested that this part of the scheme needed further work. Panel members considered that the simple upward extrusion of the floor below, with a small cut away,

did not produce a recessive enough top floor and encouraged that it should be set back further. The Panel also advised the detailing and materials of this element to be of great importance to mitigating its visual impact. Some Panel members were also unconvinced that a fully glazed top floor would be workable in reality, and suggested that light framing with recessed glazing should be explored.

The Panel also considered that the proposed front and side elevations to St John Street required further refinement. Panel members suggested that one of the qualities of the existing building is the way it sits in the streetscape, with its simplicity making it relatively calm and unassertive. Panel members considered the proposed architectural expression to be comparatively dominant, as a result of the dark colour and busyness of the facades, in addition to the raised parapet. The way the proposed building turns the corner was a particular area of concern, due its prominence. Panel members recommended that doubling up columns as proposed was not an appropriate way to resolve this, suggesting that something calmer, like the existing building, would be preferable.

Summary

The Panel were generally pleased with the response to the comments made in the first review, finding many positives in the revised proposals. However, the Panel's discussion focused on the treatment and massing of the top floor and the treatment of the south and east St. John Street elevations, suggesting ways to refine these areas. The Panel looked forward to reviewing the scheme again at a follow up review.

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,

Alex Bowring
Design & Conservation Officer

DRP: May 2019

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Our ref: Q2019/1462/DRP
Date: 10th June 2019

Dear Philip Kratz,

ISLINGTON DESIGN REVIEW PANEL

RE: 145 - 157 St John Street (planning application ref. P2018/1229/FUL)

Thank you for attending Islington's Design Review Panel meeting on 28 May 2019 for a third review of the above scheme. The proposed scheme under consideration is for the refurbishment and extension of existing building including a rear, seventh storey and part eighth storey extension (2,688sqm GIA additional floorspace) to provide a mixed use development comprising Class A1 (Retail) floorspace on part of the ground floor and Class B1(a) (Office) floorspace in the remainder of the building (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Tim Attwood, Dorian Crone and Lotta Nyman on 28 May 2019, including a presentation from the design team followed by a question and answer session and deliberations at the offices of the London Borough of Islington. There was no site visit as this was a third review. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

The Panel welcomed the opportunity to review the scheme for a third time, concentrating their discussion on the elevational treatment and sixth floor massing.

The Panel commended the careful thought given to the redesigned front and side elevations to St John Street. Panel members unanimously agreed that the proposed building had a much lighter and less assertive feel, and that it therefore sat more comfortably in its context than previous iterations. The asymmetric treatment of the corner was considered to be potentially an elegant solution, which resolved its previous overly dominant character. However, Panel members suggested that the glazing at ground level should not be pushed out to the building line, as this was considered to detract from the proposed corner treatment. The Panel also considered that the junction between the front and side elevations needed further thought, suggesting that the proposed cornice treatment looked somewhat unintentional.

Panel members recognised the proposed materials discussed for the recladding to be of high quality and potentially complementary to their context. The Panel considered that they would be critical to the success of the scheme, and therefore recommended that a Chair's Review of

the proposed materials should be undertaken pending the outcome of the planning application, to ensure an appropriate outcome.

Whilst Panel members were appreciative and in principle positive about the direction of design changes and simplification to the modelling of the sixth floor, they were disappointed that these had not been tested or illustrated in the verified views previously presented. Panel members were therefore unable to comment on whether they considered the revised massing to have fully addressed their concerns. Reservations were reiterated about the appearance and dominance of the 6th floor glazing in the long view from St. Johns Square and the Panel queried whether some form of roof overhang might help the glazing to appear more recessive. Similar concerns were expressed regarding the south east corner roof level glazing and the relationship to the stair/lift core behind. In addition, Panel members advised that any rooftop plant should be shown and tested in verified views, to ensure it is not visible in any public views.

The Panel reiterated that the visible massing in certain views from St John's Square was considered to be regrettable, particularly in light of the height restrictions within Council's Conservation Area Design Guidelines, which the proposed scheme would contravene. The Panel considered that as much as possible should be done to mitigate this impact, and that the proposals should demonstrate significant public benefits in order to offset any conceivable harm arising, and to justify exceptional circumstances for an additional floor being considered acceptable. The Panel recognised the potential for the enhancement of the Conservation Area (a public benefit) through the proposed improvements to the public realm and high quality recladding of the existing building, in a more contextual idiom. However, Panel members encouraged that the provision for the re-landscaping of the former churchyard should go further, and include the small parcel of land beyond the gate, immediately adjacent to the eastern elevation of the church. Despite this not being publicly accessible, and accepting it may never be, it was considered to have strong visual connection with the Conservation Area.

Summary

The Panel felt that the scheme had moved forwards considerably, and were appreciative that the Design Team had understood, and responded to, previous concerns. The elevational treatment, including materials, were considered to represent a more sophisticated and lighter touch addition to the street scene. The design was considered to be an interesting counter balance to the existing Agdon Street scheme, with both buildings designed in respect of their individual contexts. Panel members felt that some areas required further work, including the treatment of the sixth floor and stair/lift core. The Panel also continued to express concern at the massing of the sixth floor, and encouraged that as much should be done to mitigate any potential townscape impact as possible.

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,

Alex Bowring
Design & Conservation

APPENDIX 4: RESPONSE TO DESIGN REVIEW PANEL COMMENTS

Comment/Concern	Architect Response	Design Officer comment
<p>The Panel commended the careful thought given to the redesigned front and side elevations to St John Street.</p>	<p>In response to previous DRP comments the scheme was amended to simplify the architectural language and reduced the window reveals, which is considered to lighten the weight of façade; an effect augmented by choosing a lighter faience material. The proposal is considered to have a calmness and elegance is beholden to increased homogeneity and visual continuity on the horizontal and vertical planes.</p>	<p>Satisfied that DRP comments have been adequately addressed.</p>
<p>Panel members suggested that the glazing at ground level should not be pushed out to the building line, as this was considered to detract from the proposed corner treatment.</p>	<p>Following discussions with the Council Design Officer these comments were integrated within the design of the scheme. The entrance was redesigned so that the 'memory' of the existing building was retained. The glazing line as proposed, follows that of the existing building's reception & showroom, and through re-glazing with an active frontage proposed, a visual connection has been reinstated</p>	<p>Satisfied that DRP comments have been adequately addressed.</p>
<p>The Panel also considered that the junction between the front and side elevations needed further thought, suggesting that the proposed cornice treatment could be improved.</p>	<p>In response, and following detailed discussions with the Council's Design Officer, the proposal was designed to include a traditional cornice and parapet detail. The concept and detailed design was inspired by 20th Century architects like Richard Seifert, Arup Associates. The design changes are considered to have resolved the corner condition with improved coherency and consistency with the rest of the façade</p>	<p>Satisfied that DRP comments have been adequately addressed</p>

<p>Panel members recognised the proposed materials discussed for the recladding to be of high quality and potentially complementary to their context. The Panel considered that they would be critical to the success of the scheme, and therefore recommended that a Chair's Review of the proposed materials should be undertaken pending the outcome of the planning application, to ensure an appropriate outcome.</p>	<p>In response drawings were provided identifying the proposed materials and section reveals which were considered to be acceptable by the Council's Design Officer. However, it is important to consider that given that exact colour, finishes, methods of fixing etc will not yet be defined, the Design Officer has requested that details and samples of the specific materials and window details should be submitted to the Local Planning Authority for review and controlled by condition. The acceptability of the materials would include a review with DRP Chair Review post-decision</p>	<p>Satisfied that DRP comments have been adequately addressed</p> <p>It is important that given that exact colour, finishes, methods of fixing etc will not yet be defined, details and samples of the specific materials and window details should be submitted to the Local Planning Authority for review and controlled by condition. The acceptability of the materials would include a review with DRP Chair Review post-decision.</p>
<p>Whilst Panel members were appreciative and in principle positive about the direction of design changes and simplification to the modelling of the sixth floor, these had not been tested or illustrated in the verified views previously presented. Panel members were therefore unable to comment on whether they considered the revised massing to have fully addressed their concerns.</p>	<p>Further changes were made to the proposal following the second and final DRP, including the reduction of the height and setback of the 6th floor and lift overrun, as well as further alterations to the elevations requested by the Council's Design Officer. Verified views were submitted which included these amendments, and were considered by the Council's Design Officer to address the Panel's concerns in relation to the revised massing</p>	<p>Satisfied that DRP comments have been adequately addressed.</p>
<p>Reservations were reiterated about the appearance and dominance of the 6th floor glazing in the long view from St. Johns Square and the Panel queried whether some form of roof overhang might help the glazing to appear more recessive. Similar concerns were expressed regarding the south east</p>	<p>Following detailed discussion with the Council's Design Officer, the scheme was revised to alter the 5th and 6th floor treatment to improve coherency across all external facades (east,south,west), declutter the proposed facades by omitting doors, balustrades, building services in the views from St. Johns Square. The applicant expressed a commitment to review this during construction to ensure they remain</p>	<p>Satisfied that DRP comments have been adequately addressed.</p>

<p>corner roof level glazing and the relationship to the stair/lift core behind.</p>	<p>hidden from views. The proposal was also revised for an 'arcade' inspired fenestration design to the upper levels, which is an interpretation of the Priory of the Order of St. John's façade, to which these elevations serve as a very distant backdrop (6th floor west façade approx. 50m behind St. John Church; 65m to centre of St. John Square). The rhythm of the fenestration to the east and south façade has been extended across the retained stair & lift core with horizontal breaks introduced for façade coherency and continuity</p>	
<p>The Panel reiterated that the visible massing in certain views from St John's Square was considered to be regrettable, particularly in light of the height restrictions within Council's Conservation Area Design Guidelines. The Panel considered that as much as possible should be done to mitigate this impact, and that the proposals should demonstrate significant public benefits in order to offset any conceivable harm arising, and to justify exceptional circumstances for an additional floor being considered acceptable. The Panel recognised the potential for the enhancement of the Conservation Area (a public benefit) through the proposed improvements to the public realm and high quality recladding of the existing building, in a more contextual idiom. However, Panel members encouraged that the provision for the re-landscaping of the former churchyard should go further, and include the small parcel of land beyond the gate,</p>	<p>As outlined above the scheme has been amended to improve the buildings relationship with the surrounding area and heritage assets, in terms of the scale and massing, and materiality. This includes exploring how the 6th floor massing could be reduced and produced a study showing progress and final solution, and adopting BRE Standards when refining the massing and presented these results to the council. Multiple options have been tested for recessing the east facing glazing on the 6th floor, to understand how the façade behaved and the impact that, for example, could have deeper columns to the background / periphery views from St. John Square. As a heritage led design revision, the scheme was designed to work closely to propose a proportion and materiality well suited to the site.</p> <p>The south and west elevations, was improved by extending the faience panelling around the lift & stair core. The 6th floor terrace was reduced and a door to the terrace was omitted (to simplify the visible façade from St. John Square). The façade has been studied in detail looking at the expression of vertical vs. horizontal breaks. All the proposed plant is shown on the drawings and it would be concealed from views.</p> <p>The structural bracing to the south façade has been redesigned in order to</p>	<p>Satisfied that DRP comments have been adequately addressed.</p>

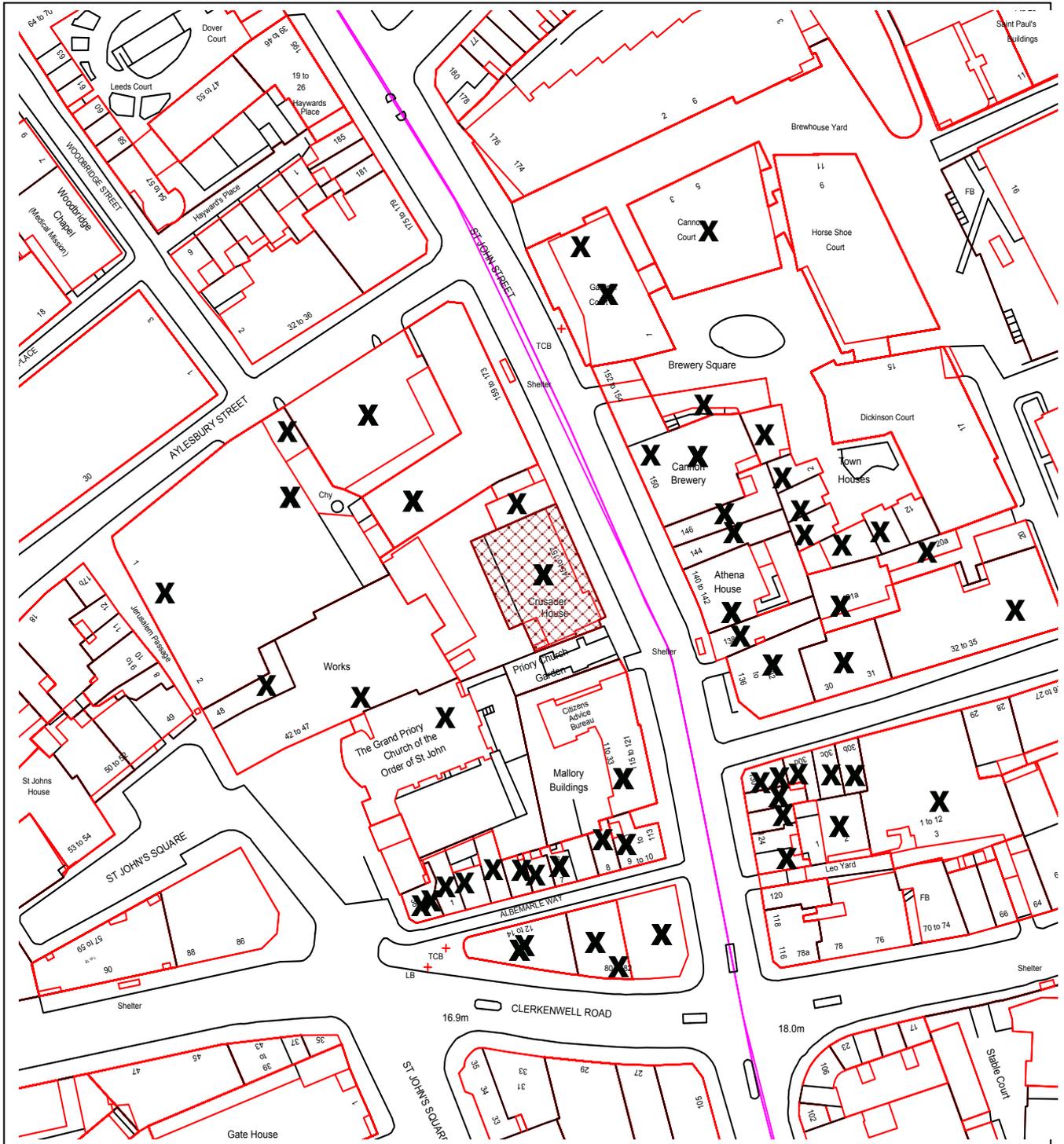
<p>immediately adjacent to the eastern elevation of the church. Despite this not being publicly accessible, and accepting it may never be, it was considered to have strong visual connection with the Conservation Area.</p>	<p>step the façade further away from The Mallory Buildings and Cemetery Gardens. The 6th floor slab edge has been profiled so as to reduce the appearance of the slab face; the lift overrun is the minimum dimension achievable by the most efficient passenger/ fire fighting lift; the floor to ceiling heights are the minimum accepted. The submitted scheme, has been reduced the 6th floor by 50sqm, between 200-450mm lower in height, and proposes a lighter faience cladding colour more similar to the adjacent buildings, as well as introducing a more refined and contemporary 'arcade' style to this top floor and would increase the amount of faience cladding to by reducing the amount of (curtain wall) glazing.</p> <p>In terms of the provision of re-landscaping in the adjoining church yard, an illustrative landscaping and planting scheme has been developed and refined to the adjacent public and private land that will improve accessibility, enhance public and private enjoyment and invigorate the public realm. This is following collaboration with English Heritage Gardens and The Priory of The Order of St. John to expand the original concept to include the additional landscaped area. The scheme has incorporated heritage, maintenance, ecology and access requirements</p>	
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<p>The Panel reiterated that the visible massing in certain views from St John's Square was considered to be regrettable, particularly in light of the height restrictions within Council's Conservation Area Design Guidelines, which the proposed scheme would contravene. The Panel considered that as much as possible should be done to mitigate this impact, and that the proposals should demonstrate significant public benefits in order to offset any conceivable harm arising, and to justify exceptional circumstances for an additional floor being considered acceptable. The Panel recognised the potential for the enhancement of the Conservation Area (a public benefit) through the proposed improvements to the public realm and high quality recladding of the existing building, in a more contextual idiom. However, Panel members encouraged that the provision for the re-landscaping of the former churchyard should go further, and include the small parcel of land beyond the gate, immediately adjacent to the eastern elevation of the church. Despite this not being publicly accessible, and accepting it may never be, it was considered to have strong visual connection with the Conservation Area.</p>	<p>As outlined above the scheme has been amended to improve the buildings relationship with the surrounding area and heritage assets, in terms of the scale and massing, and materiality. This includes exploring how the 6th floor massing could be reduced and produced a study showing progress and final solution, and adopting BRE Standards when refining the massing and presented these results to the council. Multiple options have been tested for recessing the east facing glazing on the 6th floor, to understand how the façade behaved and the impact that, for example, could have deeper columns to the background / periphery views from St. John Square. As a heritage led design revision, the scheme was designed to work closely to propose a proportion and materiality well suited to the site.</p> <p>The south and west elevations, was improved by extending the faience panelling around the lift & stair core. The 6th floor terrace was reduced and a door to the terrace was omitted (to simplify the visible façade from St. John Square). The façade has been studied in detail looking at the expression of vertical vs. horizontal breaks. All the proposed plant is shown on the drawings and it would be concealed from views.</p> <p>The structural bracing to the south façade has been redesigned in order to step the façade further away from The Mallory Buildings and Cemetery Gardens. The 6th floor slab edge has been profiled so as to reduce the appearance of the slab face; the lift overrun is the minimum dimension achievable by the most efficient passenger/ fire fighting lift; the floor to ceiling heights are the minimum accepted. The submitted scheme, has been reduced the 6th floor by 50sqm, between 200-450mm lower in height, and proposes a lighter faience cladding colour more similar to the adjacent</p>	<p>Satisfied that DRP comments have been adequately addressed.</p> <p>It is important that details of measures to mitigate light pollution, including glazing treatment and automated blinds are reserved by condition.</p>
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	<p>buildings, as well as introducing a more refined and contemporary 'arcade' style to this top floor and would increase the amount of faience cladding to by reducing the amount of (curtain wall) glazing.</p> <p>In terms of the provision of re-landscaping in the adjoining church yard, an illustrative landscaping and planting scheme has been developed and refined to the adjacent public and private land that will improve accessibility, enhance public and private enjoyment and invigorate the public realm. This is following collaboration with English Heritage Gardens and The Priory of The Order of St. John to expand the original concept to include the additional landscaped area. The scheme has incorporated heritage, maintenance, ecology and access requirements</p>	
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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

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

PLANNING COMMITTEE		AGENDA ITEM NO:B3
Date:	15th October 2019	

Application number	P2019/1773/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Adjacent to locally listed 89 Highgate Hill.
Conservation area	Adjacent to the Highgate Hill and Hornsey Conservation Area
Development Plan Context	<ol style="list-style-type: none"> 1. Adjacent to the Highgate Hill and Hornsey Lane Conservation Area; 2. Core Strategy Key Area – Archway; 3. Adjacent to Site Allocation - ARCH2; 4. Adjacent to locally listed 89 Highgate Hill.
Licensing Implications	None
Site Address	Waterlow Building, Whittington Hospital Magdala Avenue London Archway, N19 5NF
Proposal	Redevelopment of the former Waterlow Building and construction of a replacement (temporary) building for Use Class D1 purposes with associated parking, landscaping and associated works.

Case Officer	Dale Jones
Applicant	Whittington Health NHS Trust
Agent	Miss Alexander Higgin GL Hearn 65 Gresham St London, EC2V 7NQ

1 RECOMMENDATION

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

1. subject to the conditions set out in Appendix 2; and
2. conditional upon the prior completion of a section 106 agreement securing the Heads of Terms as set out in Appendix 1.

2 SITE PLAN (SITE OUTLINED IN RED)

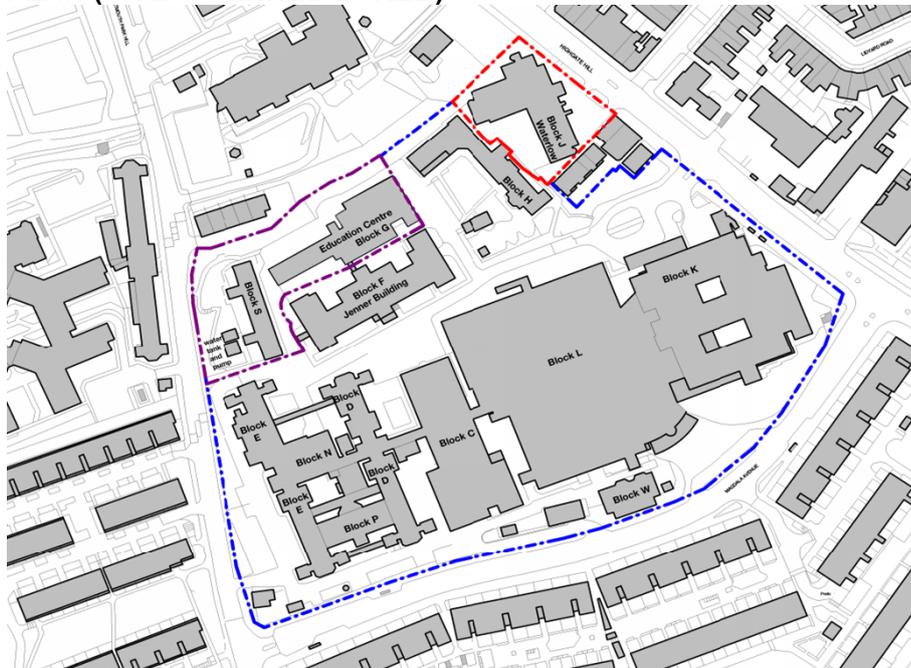


Fig. 1 Site location plan (with the Waterlow building highlighted in red).

3 PHOTOS AND IMAGES OF SITE/STREET

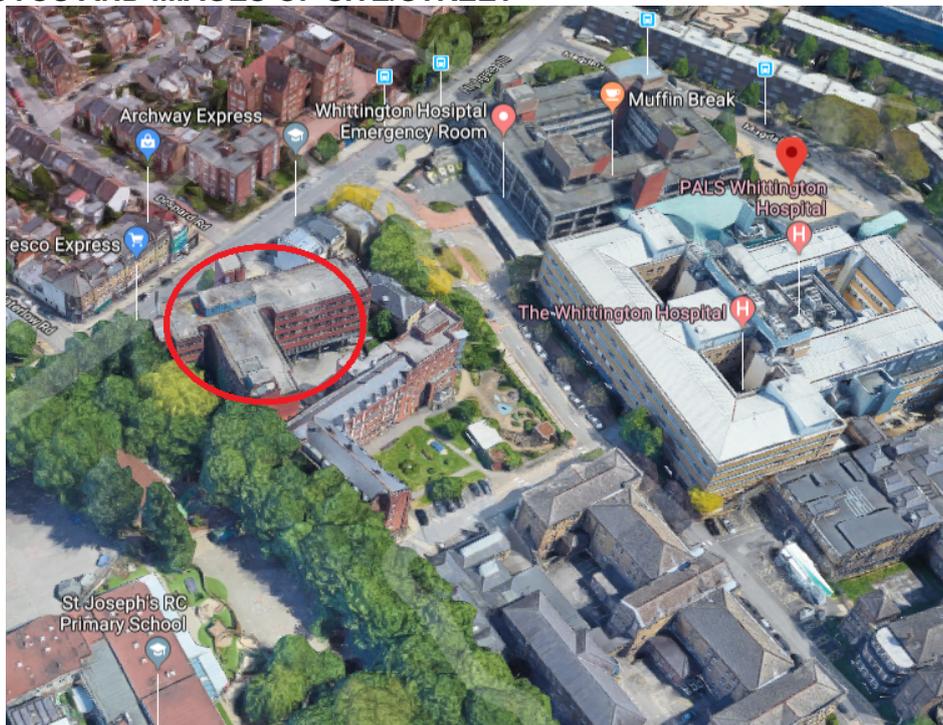


Fig. 2 Aerial view of site (in red)



Fig. 3 View north-west from Highgate Hill with the Waterlow building on the LHS



Fig. 4 The Waterlow building (centre) viewed south from Waterlow Road



Fig. 5 View south-east down Highgate Hill (application site on the RHS)



Fig. 6 Image illustrating the Waterlow building under-croft and car parking areas



Fig. 7 Illustrating the immediate site context (site on the RHS of the image)



Fig. 8 View north from the residential developments (Gordon Close)

4 SUMMARY

- 4.1 This application seeks planning permission for the proposed redevelopment of the former Waterlow Building and the construction of a replacement (temporary) building for medical education purposes (use class D1) with parking, landscaping and associated works.
- 4.2 The proposed replacement (temporary) building would measure three storeys in scale and is for use as the temporary education centre building (to replace the existing facility) and would include lecture spaces, meeting/teaching rooms, operating theatre simulation suite and ancillary accommodation

Fig. 9 below gives a computer generated image of the proposed development (as viewed north-west from Highgate Hill



- 4.3 Following the demolition of the existing Waterlow building, the footprint of the proposed new 'education centre' building would provide 1602sqm (gross internal area) of replacement medical education accommodation over three levels.
- 4.4 The proposal would be for a temporary (5-year) period, providing replacement medical education, demonstration and meeting spaces within a new purpose-built building that would meet the needs of the NHS in a more efficient way than the current (retro-fitted) Waterlow building.
- 4.5 In land use terms, it is considered that the proposal is consistent with policy DM4.12 Part A(i) relating to 'Social and strategic infrastructure and cultural facilities' given that the proposed temporary facility would constitute a 'replacement facility' by re-providing the medical educational facility at the nearby WEC building on the Whittington Hospital site.
- 4.6 The proposed temporary facility would represent a significant improvement in terms of efficiency and usability of space. The project is linked to the wider development

chain of “Project Oriel” facilitating wider NHS care and delivery improvements at Moorfield’s and St Pancras. The proposal is considered to meet the objectives of adopted planning policy in accordance with London Plan Policies 3.2, 3.17 as well as Islington Core Strategy Policy CS1 and Development Management policy DM4.12.

- 4.7 With regard to bulk, height and massing, the proposal is considered to be of a suitable height and appropriate scale given the reduced building height in comparison to the existing Waterlow building that it would replace. The resultant massing and bulk is indicated in figures 10 and 11. The re-orientated building footprint would also address Highgate Hill in a more logical manner than the existing building, aligning with the street frontage to make more efficient use of the land.
- 4.8 In terms of detailed design, despite being of a temporary nature, the proposed replacement building, would have well-articulated and composed façades. The resulting building is considered to offer a successful solution as a temporary replacement of the Waterlow building. The proposed use of ceramic panels is supported and would ensure that the movement joints would not be widely prominent. The articulation of the windows would represent a visual improvement in comparison to the existing Waterlow building.
- 4.9 As good quality materials are key to the success of the building, samples of materials would be required by condition in order to ensure that the development is built out to the highest quality. The proposed temporary building is considered to be well-designed, incorporating inclusive design principles, in accordance with policy 7.6 of the London Plan, Policy CS9 of Islington’s Core Strategy, and the aims and objectives of Development Management Policies DM2.1, DM2.2 and DM2.3.
- 4.10 Landscaping is proposed as part of the development, largely by way of new trees and shrub planting along the Highgate Hill boundary, with the introduction of further surface improvements to include permeable block paving and soft-landscaping. Some mature trees will also remain in situ along the site boundaries (within neighbouring gardens and street trees) and replacement street trees are proposed as part of the wider landscaping works, in accordance with Development Management policy DM6.5.
- 4.11 The proposal would not result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight or sunlight, increased overlooking, loss of privacy, sense of enclosure or in terms of safety and security due to the appropriate siting, height, massing and window placements as proposed.
- 4.12 Given the temporary nature and location of the proposed building it is not considered there would be any increased pressure on parking within the immediate vicinity and the loss of some of the existing car parking spaces is in line with policy CS10 (Sustainable development) and Development Management policy 8.5 (Vehicle parking). The retention of some of the existing off-street car parking provision can be justified owing to the temporary nature of the proposal and longer-term estate initiatives.
- 4.13 Given the above rationale and subject to the imposition of planning conditions and s106 legal agreement, the proposal is considered to be in compliance with relevant planning policies, acceptable in planning terms and is therefore recommended for approval.

5 SITE AND SURROUNDINGS

- 5.1 Whittington Hospital is a district and general teaching hospital that provides acute care including accident and emergency services, major trauma and intensive care alongside a large range of services including paediatrics, maternity services and oncology. Whittington Hospital occupies the core healthcare provision role for part of northern London and plays a significant role in the healthcare provision services of the Whittington Health NHS Trust. The wider Whittington Hospital site is considered to be within both Use Classes C1 (Residential Institution) and D1 (Non-Residential Institution) of the Town and Country Planning (Use Classes) Order 1987 (As amended).
- 5.2 The application site is located within the boundary of the Whittington Hospital at Magdala Avenue, Archway, with the application building located within the north-eastern part of the wider hospital site. The site is located on the western side of Highgate Hill and is situated north of Gordon Close. The site adjoins the Highgate Hill/Hornsey Conservation Area to the south and the Holborn Union Infirmary Conservation Area and also contains a Grade II Listed building (the Jenner building) and large scale hospital buildings to the west. St Joseph's RC Primary School is situated to the north of the wider site.
- 5.3 The site lies to the northwest of the district centre of Archway. The site has a PTAL rating of 6a, and is located within a 5minute walk (approx. 300m) of Archway London Underground station which provides direct connections to central London. The site lies opposite the former UCL Archway campus at the Holborn Union Infirmary.
- 5.4 Contextually, the surrounding area provides a varied amount of building form, styles, appearance and ages. The immediately surrounding area is predominantly residential in character with a number of shops, cafes and restaurants along Highgate Hill. The existing building ('Block J' known as the 'Waterlow' building) on the site is brick built, measuring between six to seven storeys in scale, with the frontage misaligned at an angle with Highgate Hill.
- 5.5 The site form part of the Whittington Hospital Ancillary Buildings (and is part of an adopted site allocation ref: ARCH2). The site operates from two existing access points, both providing access to and from Highgate Hill, whilst there is a pedestrian linkage to the east of the site from Dartmouth Park Hill.

6 PROPOSAL (IN DETAIL)

- 6.1 The proposal seeks the redevelopment of the former Waterlow building site to provide medical education facilities in a temporary building for a period of 5 years.
- 6.2 Prior approval for the demolition of the existing Waterlow building was granted on 4th July 2019 (Ref. P2019/1762/PRA). The proposal in this case relates to the erection of a three storey development, for use as a temporary education centre which would replace the existing Waterlow building facility.
- 6.3 The replacement building would provide lecture spaces, meeting rooms, a medical theatre simulation suite for the purpose of medical education and training with associated ancillary accommodation (i.e. toilets) over the three floors. The applicants have stated that the proposed building would create a purpose-built, compact and efficient footprint within the site, which would respond in a better way to the needs of users than the current Waterlow building could.

- 6.4 With regards to the internal layout, the proposed education centre accommodation would be arranged in a rectangular shaped plan form, around a central corridor accessed by two vertical circulation cores at either end. This central corridor is provided on all floors making it clearer for visitors to locate rooms. The southern core would provide the main access to the centre whereas the north core would facilitate an alternative escape route, a link between the upper floors and access to a small amount of ancillary plant.
- 6.5 The applicants have stated that flexibility has been incorporated in to the design to ensure the centre can respond to the needs of the end-users. In this respect, the large lecture spaces have folding partitions allowing the room to be subdivided when needed, the meeting rooms have been designed to allow for multiple room layouts and storage areas are located on all floors. Furthermore, the floor plans have been organised so that the most public spaces are largely located on the ground floor with the upper levels dedicated to internal and clinical staff.

How the proposal relates to the wider NHS estates health strategy

- 6.6 The Whittington Education Centre (the 'WEC') is a purpose-built education and training facility principally for the use of Whittington Health staff. The existing centre (the WEC building) is located on the western side of the hospital campus. The WEC is to be vacated and training moved into the temporary building proposed in this application.

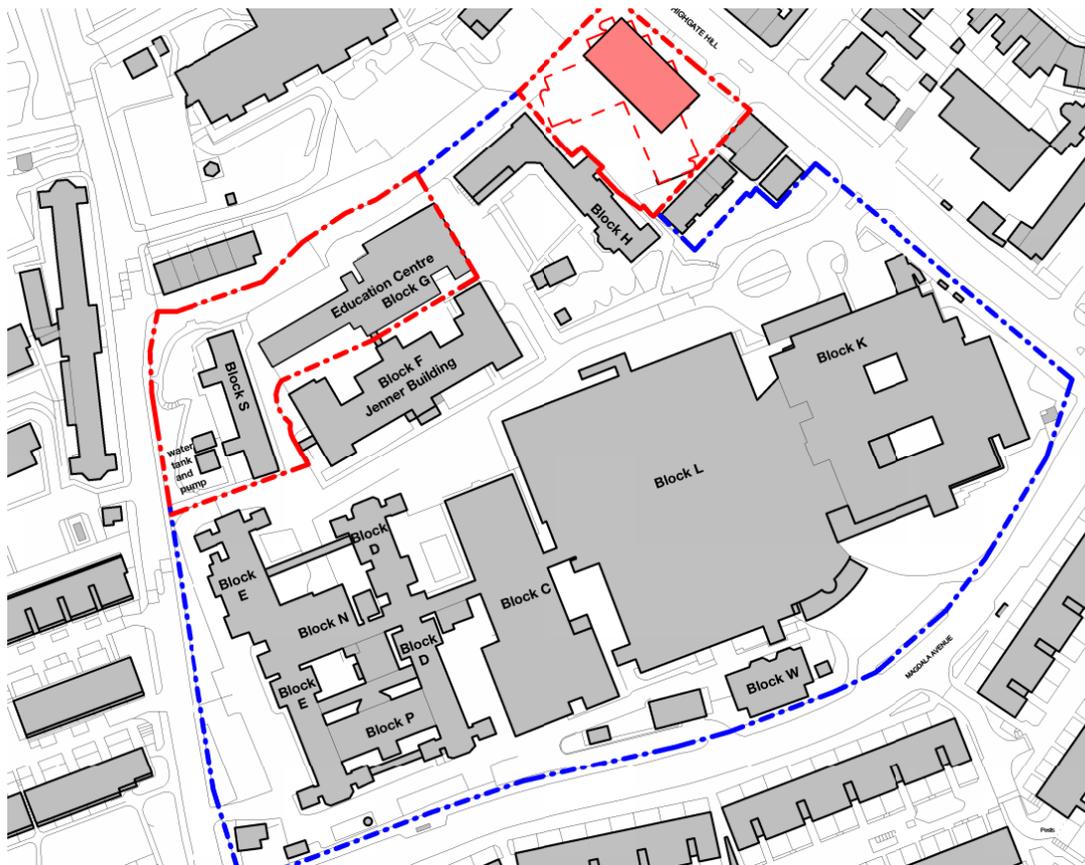


Fig. 10 above highlights the existing Blocks G and S (Block G is the WEC centre, Block S is the staff accommodation) and the site in the top right-hand corner is the Waterlow building – the site of the replacement WEC building).

6.7 By way of background, services will move out of the current Moorfields site to a new “integrated eye care, research and education facility” at St Pancras. As part of the same scheme, Camden and Islington NHS Foundation Trust has secured finance to demolish buildings in St Pancras and propose to move to the site of the existing WEC (Block G building).

6.8 Officers have requested advice as to why the existing Waterlow building is not being reused. The advice is below:

- The building was specifically designed for inpatient mental health services and therefore would have required significant investment for reconfiguration and refurbishment to reuse for acute health care.
- The building has been considered for re-use in a number of business cases but partly due to the above investment requirements has never been a preferred option

7 RELEVANT HISTORY:

7.1 PLANNING APPLICATIONS:

7.2 While the wider hospital site has a varied planning history, the application site has little relevant background. The one relevant planning record to note is the recently approved Prior Notification (Demolition) application: which was approved on 4th July 2019 for the method of demolition and any proposed restoration in respect of the following building(s): The Waterlow Building, Whittington Hospital, Magdala Avenue, Archway, London, N19 5NF.

8 PRE-APPLICATION ADVICE:

8.1 The proposal has been subject to ongoing pre-application discussions, and an advice note was issued (Ref. Q2019/0027/MIN). The points raised at pre-application stage have informed the design of the scheme being considered here. The following are the most important improvements that have arisen as a result of pre-application discussions:

- Improvements to the detailed design including materiality (including the use of concrete panels instead of brick-slips);
- Improvements to accessibility within the internal configuration of the building;
- Consideration to the energy demands of the building and how it would be sustainable in planning terms;
- Justification to the retention of some of the existing car parking spaces together with the wider landscaping and access improvements.

9 CONSULTATION:

9.1 Letters were sent to occupants of 489 properties in the vicinity of the site on the 11.06.2019. As well as neighbour letters, a press advert was published on 20.06.2019 and site notices dated 20.06.2019 were displayed.

9.2 The public consultation on the application therefore expired on 14.07.2019. However, it is the Council’s practice to continue to consider representations made up until the date of a decision.

9.3 At the time of writing of this report, a total of three objections have been received. The issues raised can be summarised as below [paragraph numbers of the report where these issues are addressed are given in brackets]:

- Concerned that the greenery outside of the kitchen window, used by birds, will be removed; [Officer response: refer to paragraphs 22.1 – 22.4 and conditions 17 and 18];
- Also queries why a new building is being erected whilst there is already one on site; [Officer response: refer to paragraphs 16.1 - 16.11]
- It is unclear from the proposed site plan if the area adjacent to the Highgate Hill elevation, that sits outside of the site boundary is to be replanted. At the moment, the strip of land is an eyesore and rarely cleared of rubbish and never maintained; [Officer response: The landscaping from the back of the footpath would be replanted as shown on the layout plans].
- A condition should be imposed to secure suitable replanting and on-going maintenance of the area as failure to do so would detract from the area in visual and environmental terms; [Officer response: refer to condition 18].

10 External Consultees

10.1 The following responses have been received from external consultees:

10.2 **Camden Council:** raised no objections noting that: The proposals would not result in any material impact on LB Camden properties. Furthermore, due to the siting and form of the proposal, there would be no adverse effects on the air quality, living conditions or amenity of any properties within LB Camden. It is also considered that the proposal would not result in any significant deterioration in highway conditions, undue congestion or loss of safety in LB Camden.

10.3 **Historic England:** have stated that they do not wish to offer any comments on the application.

10.4 **Thames Water:** No objections subject to the use of the use of a condition/informative.

10.5 **MET Police Designing out Crime Officer: No objections.**

10.6 **Islington Swifts** – Raise the following issues:

- As a temporary building it may be advisable to specify measures for swifts, despite their presence in the area, as they are long-lived and site faithful;
- It is suggested that integrated nest box bricks for house sparrows (a 'red-listed' species that is found in the area) are installed in the highest level of the brickwork. An ecological survey could identify the best location in the building, or alternatively manufacturer's instructions for the nesting bricks could be followed;
- Bat boxes and/or biodiverse living roofs would also be welcomed to enhance biodiversity.

10.7 **Historic England GLAAS:** On the basis of the information provided it is not necessary for this application to be notified to Historic England's Greater London Archaeological Advisory Service.

11 Internal Consultees

- 11.1 **LBI Access Officer:** No objections [Refer to Section 17 of the committee report].
- 11.2 **LBI Planning Policy:** No objection noting that assessing the application as proposed, it would likely be consistent with DM4.12 Part A (i) as the proposed temporary facility would constitute a replacement facility; there is a significant net loss, although the temporary facility would be a significant improvement in terms of efficiency of space.
- 11.3 **LBI Design and Conservation Officer:** No objections following receipt of revised plans relating to elevational amendments (explored within Section 16 of the report below).
- 11.4 **LBI Energy Officer:** No objections following receipt of revised documents and energy calculations. Updates are required to the draft GPP, although it would be acceptable for the applicant to make these changes at S106 stage.
- 11.5 **LBI Sustainability Officer:** The applicant has satisfied the volume of run-off (inclusion of 40% allowance confirmed) and the use of green infrastructure and permeable paving as the method of attenuation. It is noted that SUDS arrangements are not yet in place so it may be that this info is not yet available [Officer response: Refer to Condition 12].
- 11.6 **LBI Highways:** No objections noting that the only remaining issue with the Traffic Management Plan (TMP) is the route. The route via Votley Road and MacDonald Road is not suitable. Officers have suggested the applicants use Archway and Highgate Hill and condition 8 requires that further detail be submitted to secure the appropriate route during the demolition and construction phase.
- 11.7 **Tree Preservation / Landscape Officer:** No objections subject to the use of a tree protection condition. [Officer response: refer to condition 19].
- 11.8 **Biodiversity and Nature Conservation:** Notes that as there will be the loss of some scrub and rough grassland, Officers would be looking to see this replaced in terms of wildlife value. The ecological report makes reference to this in terms of new landscaping which should be wildlife friendly. The officer notes that further enhancement plans e.g. size of new area to be planted, species selected and bird boxes proposed should be provided. Swift boxes or bricks should also be incorporated into the new building if at all possible. [Officer response: Refer to Section 21 of the report and condition 22].
- 11.9 **Refuse and Recycling:** No objections noting having read through the documents it appears that the waste provision is suitable from a servicing perspective taking into account that hospital porters will be responsible for moving waste from the education centre area to the recycling/waste collection point, in time for any potential scheduled collection. In the details attached reference is made to emergency vehicles having access, It is assumed from this that there will be sufficient road way access for an RCV too, in order for the driver to safely enter and exit the site bearing in mind the vehicle that will be used is likely to be a 26t refuse collection vehicle. Officers were not able to establish from the drawings or the policy the dimensions of the road to be used and whether suitable for such large vehicles. However, studying the drawings further, if I've understand them correctly, that the waste recycling area is going to be in roughly the same place as it is now. Presuming that the vehicular access point would continue to be via Dartmouth Park Hill, existing onto Magdala avenue, and as

such Officers cannot foresee any issue with vehicle access and servicing bins at this point.

- 11.10 **Environmental Health, Public Protection:** No objections subject to the use of conditions requiring noise level verification report and a separate condition to secure desktop contaminated land reports. [Officer response: refer to condition 20].

12 ENVIRONMENTAL IMPACT ASSESSMENT (EIA)

- 12.1 No Environmental Impact Assessment (EIA) screening/scoping was requested by the applicant. Whilst the development does not fall within 'Schedule 1' and is not within a sensitive area (SSI, AONB, World Heritage Site) it does fall within 'Schedule 2' (being an urban development project on a site larger than the 0.5ha threshold – at 2 hectares).

- 12.2 Using the criteria and thresholds for Schedule 2 schemes (characteristics of development, location of development and characteristics of the potential impact), it is considered that the scheme would not constitute a 'major development' of more than local importance, be within an 'environmentally sensitive location' or 'create any unusual or hazardous effects' pursuant to the selection criteria of Schedule 3 of the EIA 2011 regulations.

13 RELEVANT POLICIES

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

National Guidance

- 13.2 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.)

- 13.3 The National Planning Policy Framework 2019 (NPPF) and the Planning Practice Guidance (PPG) are both important material considerations in planning decisions. Neither change the statutory status of the development plan as the starting point for decision making but policies of the development plan need to be considered and applied in terms of their degree of consistency with the NPPF. Consideration is given to whether the development would support the aims of securing economic growth and productivity, but also that this would be achieved in a sustainable way. Paragraph 80 states that planning policies and decisions should help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

13.4 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development which for decision taking this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

13.5 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.

13.6 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.

13.7 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.

13.8 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

13.9 The Development Plan for this site is comprised of the London Plan 2016 (as amended), Islington Core Strategy (2011) and Development Management Policies (2013). The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

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

Adjacent to the Highgate Hill and Hornsey Conservation Area;
Core Strategy Key Area – Archway;
Site Allocation - ARCH2;
Adjacent to locally listed 89 Highgate Hill.

Supplementary Planning Guidance (SPG) / Document (SPD)

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

14 ASSESSMENT

- 14.1 The main issues arising from this proposal relate to:

- Land use
- Design and appearance (including the heritage impact)
- Neighbouring amenity
- Inclusive design
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Other considerations (including CIL and S106)

15 Land Use

Loss of the existing use

- 15.1 The existing Waterlow building was previously used as a mental inpatient facility, this building has been empty for approximately 15 years. The applicants have also confirmed that it is not viable to refurbish the existing building due to the prohibitive costs. The intention therefore is to demolish the Waterlow Building and to erect a temporary medical education centre.
- 15.2 The existing building as part of the Whittington Hospital site would be classed as social infrastructure. Part A of Development Management Policy DM4.12 states that the council will not permit any loss or reduction in social infrastructure uses unless certain criteria are met including:
- i) a replacement facility is provided on site which would, in the council's view, meet the need of the local population for the specific use; or
- 15.3 The existing Waterlow building measures 5316sqm and it is noted that the mental health function ceased and was relocated over 15 years ago. The replacement building would provide 1483sqm of medical education and associated floor space. This represents a reduction of 3833sqm. However, the new building would, if permitted, provide an efficient, modern and fit-for-purpose facility that is clean, dry, asbestos free and safe for purpose as a medical education facility. It is also considered that the temporary facility would be a significant improvement in terms of efficiency of space. In this respect, assessing the application as proposed, it is consistent with the provisions of policy DM4.12 Part A (i) given that the proposed temporary facility would constitute a 'replacement medical facility' and the mental health function was moved 15 years ago.

Introduction of new uses

- 15.4 The council's emerging new site allocation (DOT 4) document looks to allocate the site for health uses with an element of residential development. With regard to the 'options for future use' the emerging site allocation notes the following:

'Western corner of site to be used for new mental health hospital (relocation from St. Pancras), remainder of site for health uses with some residential use possible.'

- 15.5 It is considered in this context that the planning policy landscape is evolving, and while it is accepted that the proposals do not sit neatly with the existing site allocation which infers that residential and medical uses should be promoted, subject to a logical justification being provided (as explored elsewhere within this report), the council would be able to accept the proposed land use given the existing site use and the relationship of this proposal with the wider NHS development.
- 15.6 The proposal would allow other existing buildings west of the site (currently used for medical education) to be vacated in accordance with the emerging site allocation. Those buildings would then be replaced by buildings that would be occupied for medical purposes (relocated from St Pancras). It is considered that this temporary solution in terms of re-provision of the education centre is appropriate in this instance, given that it would not prejudice a more robust future masterplan for the wider hospital site.
- 15.7 An example of improved internal efficiency and the proposed quality of accommodation, is in the form of way-finding; the rooms within the proposed replacement facility would be accessed off a central corridor to ensure wayfinding is easy, with circulation cores at each end of the floor. The applicants have also advised that lecture rooms are to include folding partitions to allow rooms to be subdivided when needed, and meeting rooms have been designed to allow for multiple room layouts indicating provision of a flexible layout. The floor plans have been organised so that the most public spaces are located largely on the ground floor, with the upper levels dedicated to internal and clinical staff which would also offer a more secure environment for all users.

16 Design and Heritage Impact

The policy context

- 16.1 The NPPF, 2019 in section 12 ("Achieving well designed places") 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.'
- 16.2 Planning policies and decisions should ensure that developments will function well and add to the overall quality of the area over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development and support local facilities

and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

- 16.3 A positive strategy under paragraph 185 of the NPPF is required for conservation and enjoyment of the historic environment and an assessment will need to be made of how the development proposals sustain and enhance the significance of heritage assets and the positive contribution that conservation of assets can make to sustainable communities as well as the need to make a positive contribution to local character and distinctiveness.
- 16.4 The effects of specific developments will need to be assessed having regard to the site characteristics, specific impacts and ability to successfully mitigate. The significance of any heritage assets affected will be considered including any contribution made by their setting. When considering the impact on the significance, great weight should be given to the asset's conservation and the more important the asset the greater the weight should be.
- 16.5 The London Plan (2016) policy 7.6 expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. This is supported by Islington's Core Strategy policy CS8 which states that the scale of new development will reflect the character of a surrounding area and policy CS9 which states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.
- 16.6 Islington's Development Management policy DM2.1 requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area. Policy DM2.3 encourages development to make a positive contribution to Islington's local character and distinctiveness whilst conserving and enhancing heritage assets in a manner appropriate to their significance.
- 16.7 Islington's Urban Design Guide (IUDG) provides detailed design principles and standards for development across the whole of the borough. The IUDG aims to influence how buildings look and fit with their setting; the layout and organisation of public spaces; and the appearance of street frontages.

The existing 'Waterlow' building and wider site context

- 16.8 The existing red brick 'Waterlow' building extends to six-storeys in height, benefiting from 29 off-street car parking spaces which are accessed from Highgate Hill, under the building at ground level, with the resultant appearance of a seven storey building due to the topography of the site which falls north to south. The existing building is of little design merit and is not considered to be a positive contributor to the street scene in urban design terms. It should be noted that 'Prior notification' for the demolition of the existing 'Waterlow' building was granted recently under (Ref. P2019/1762/PRA).
- 16.9 Given this site context, development at this location needs to integrate successfully into the surrounding streetscape, site topography whilst also being able to sit appropriately between the neighbouring properties and land uses. The proposal also needs to integrate into the aesthetics and character of the existing urban context whilst ensuring high quality design and architecture. These matters will be explored below.

- 16.10 There is also a statutory requirement for the planning authority to preserve or enhance the character or appearance of the conservation area (a designated heritage asset).

Siting and Layout

- 16.11 Section 11 of the NPPF requires that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land. Planning decisions should take into account the identified need for different types of housing and other development, local market conditions and viability, infrastructure requirements, maintaining the prevailing character and setting, promoting regeneration and securing well designed, attractive and healthy places. The existing Waterlow building is aligned at an angle with Highgate Hill, and the resultant building orientation does not address Highgate Hill in a satisfactory manner, nor does it make efficient use of the land. The existing building undercroft of the Waterlow is also unwelcoming and unsafe in crime prevention terms.
- 16.12 The proposed replacement building would be realigned in terms of its orientation, parallel with Highgate Hill, providing a stronger and more consistent presence from public vantage points along the frontage to Highgate Hill. Safe pedestrian routes are proposed from Highgate Hill and from the adjacent hospital site, enabling a more pedestrian focused environment to the building frontage which would be reinforced by planting and finishes. The temporary building location has also been sited further away from the residential properties to the south-east.
- 16.13 At the rear of the site, the car parking area would be retained, albeit in a revised layout (and reduced quantum of car parking) given the repositioned replacement building, with the car-parking area providing the minimum spaces required (14 spaces (of which 3 would benefit from electric charging points). Access to the car park would be facilitated via a barrier controlled system to increase security, whilst the no.2 accessible parking spaces would be provided as close to the main entrances as possible.
- 16.14 It is considered that the layout and reoriented building would successfully address the site context and its surroundings, in accordance with policy DM2.1 of the Development Management Policies document (2013).

Bulk, scale and massing

- 16.15 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".

- 16.16 Policy DM2.1 of Islington’s Development Management Policies document 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.
- 16.17 In terms of the site context, the surrounding buildings range from three storeys (along this stretch of Highgate Hill) to five storeys’ (Block H, within the wider hospital site) in terms of building height, whilst the topography of the site and immediate surrounding environment is sloped from a higher terrain to the north, adjacent to the boundary with St Joseph’s RC Primary School down towards the south of the site (this is evidenced in part by Fig.12 below),
- 16.18 The proposed building would measure 12.0m in height, rising to a maximum height of 14.7m at the top of the parapet. The proposed development has been developed in response to the site and its immediate environs, including the site topography due to the sloping nature of Highgate Hill. The applicants have also confirmed that the resultant building scale has also been informed by the modern standards/needs of the accommodation. As such, the proposed temporary building is of a lower height than the existing Waterlow building (see figures 12 and 13) below, with the red dotted outline representing the ‘existing’ Waterlow building).
- 16.19 The proposed three-storey building would have a continuous roof level (refer to figure 10 below) despite the sloping topography of the site. The continuous roof level has been incorporated into the design in order to enable the building to achieves a regular and consistent appearance.
- 16.20 The reduced scale and footprint of the proposed building (in comparison to the Waterlow building) is due to the use of the internal accommodation in a more efficient and contemporary method. The reduction in height would ensure that amenities of residential properties would not be comprised (this matter is explored further within the amenity section of this report) and would ensure that the replacement building would not be overly dominant from public views given the prominent position of the site in the wider street scene, especially from Highgate Hill.

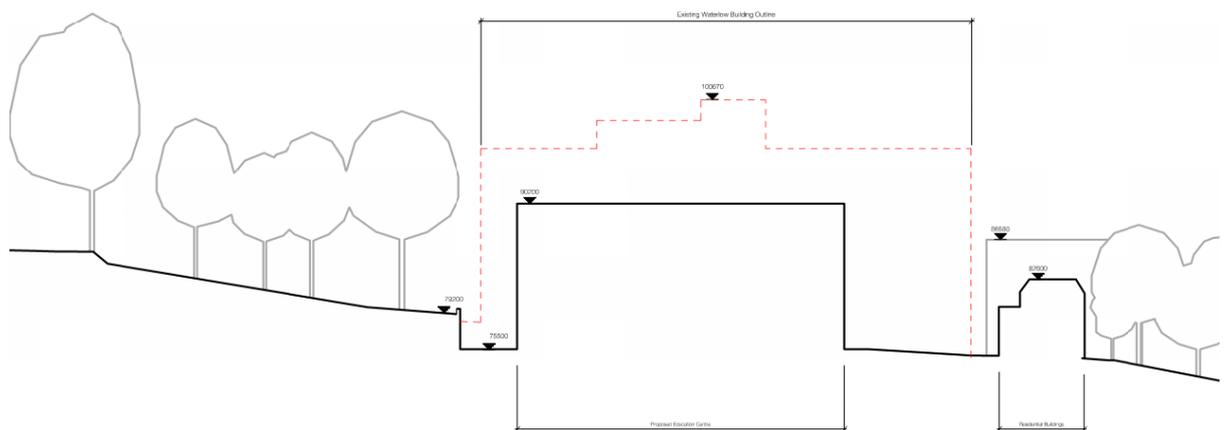


Fig. 12 Section illustrating the lower scale/height of the proposal (compared to the existing)

- 16.21 The re-orientation of the proposed replacement building towards Highgate Hill and its reduction in height over that of the Waterlow building are considered to offer improved amenity for local residents and a reduction in the visual impact of the building in comparison to the current Waterlow building, which is not considered to be

a positive contributor to the visual amenity of the area. In addition, the proposed scale and massing of the proposal is considered to be in keeping with the scale and massing of the surrounding area, in accordance with London Plan policies 7.4 and 7.6 and with the provisions of policy DM2.1 of Islington's Development Management Policies document.

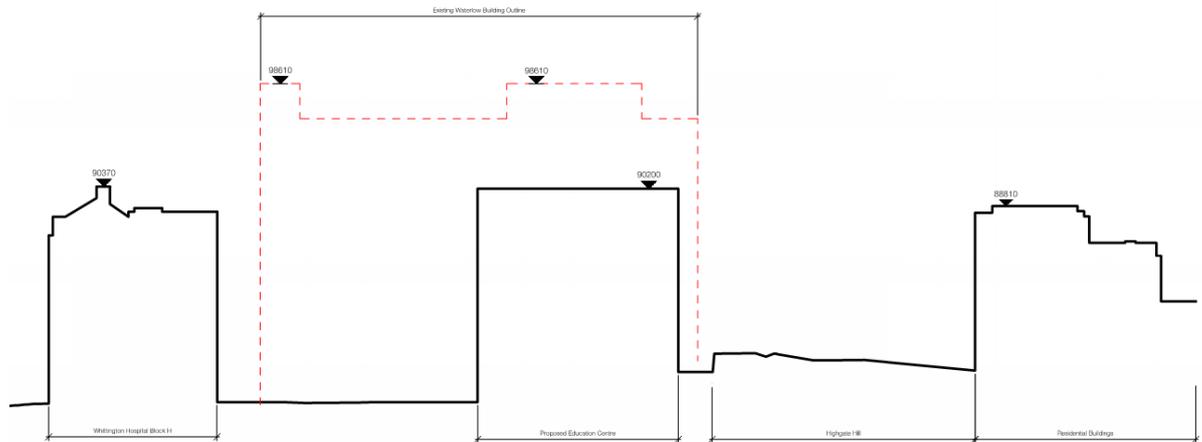


Fig. 13 Section illustrating the lower scale/height of the proposal (compared to the existing) and context with Block H (LHS) and the properties on the opposite (eastern) side of Highgate Hill (RHS).

Detailed design and materiality

- 16.22 The NPPF in section 12 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. Paragraph 130 of the NPPF states that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents.'
- 16.23 The surrounding area is predominantly residential, with commercial uses found at ground level on the opposing side of Highgate Hill and is of brown and buff brick. The applicants have proposed a ceramic rain screen plank panel system, designed to integrate the joints (required by the modular construction method). The colour and use of material as proposed would provide a modern complimentary response to the surrounding context, and is supported by officers.
- 16.24 With regard to the building facades, the ground and second floor windows have been reduced in height since the original submission with the first-floor level windows left as originally proposed. Separately, in the absence of an entrance fronting Highgate Hill, staircase windows have been introduced to provide additional animation and legibility. The revised fenestration was negotiated by officers for improved visual interest and to ensure that the articulation successfully references the historical neighbours along Highgate Hill. Furthermore, a 'string course' or 'projecting band' will also be introduced in order to "break up" the facades from Highgate Hill, whilst a 1100mm plinth has also been introduced at low level for this same purpose.
- 16.25 Condition 4 would be attached requiring physical samples to be submitted to ensure an appropriate quality of materials are used. In addition, details of the concrete panels, window materials and other materials would also be required by condition.

Landscaping

- 16.26 The existing site is primarily hard-standing, occupied by the Waterlow building and the associated car parking, meaning that it is largely impermeable. However, it is noted that a landscape zone of dense trees and shrubs bounds the northern edge of the site on top of the retaining wall. The proposed scheme would provide a green frontage to Highgate Hill and an attractive setting to the new development. The building floor level enables the existing retaining walls to be used, with additional shrub planting along each boundary of the site. Permeable paving is to be used in the car parking and for the pedestrian walkways, improving the water discharge runoff. The details are to be secured by condition 18.
- 16.27 Furthermore, surface water drainage proposals will be conditioned in accordance with Local Lead Flood Authority requirements, and LB Islington DM Policies DM6.5, DM6.6 and DM7.1 alongside London Plan and national policy requirements. This matter is explored in more detail elsewhere in this report (Refer to section 20).

Heritage Impact

- 16.28 The Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to preserve or enhance the significance of heritage assets through the planning process, according to the provisions of the act. The NPPF 2019 places strong emphasis on the desirability of sustaining and enhancing the significance of heritage assets, and affords great weight to the asset's conservation. The NPPF defines a "heritage asset" as: "A building, monument, site place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest".
- 16.29 The NPPF recognises the effect of an application on the significance of a heritage asset is a material planning consideration. Paragraph 193 states that there should be great weight given to the conservation of designated heritage assets; the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset, or development within its setting. Any harm or loss should require clear and convincing justification. Paragraph 189 extends this provision to non-designated heritage assets with an archaeological interest. Where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, paragraph 196 requires this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 16.30 In terms of the context and identification of the 'Heritage assets', the site is adjacent to the Highgate Hill/Hornsey Lane Conservation Area (20m to the north-east and to the immediate south-east) and is situated close to the Holborn Union Infirmary Conservation Area which is within 70m to the south-east. The wider Whittington Hospital site contains a Grade II listed building at F Block, also referred to as the 'Jenner' Building which is situated over 46m away to the south-west and screened by other buildings on the campus, whilst the site is within proximity to Highgate Cemetery, a Grade I registered park and garden, and Waterlow Park, a Grade II* registered park and garden. The Grade II listed Whittington Stone is situated to the south east of the site on Highgate Hill.
- 16.31 Paragraph 30.2 of the Highgate Hill /Hornsey lane Conservation Area Character Profile references the local character where it states that: 'Highgate Hill / Hornsey Lane is an area of special architectural and historic interest. The character of the

architecture within this area varies from the Romanesque style St Joseph's Church to the late Victorian red brick terraced houses with their traditional timber sash windows. The small groups of properties along Hornsey Lane have notably fine facades. The area also has a number of large mature trees.'

- 16.32 The existing Waterlow building itself is not listed nor is considered to make any significant or special contributions to the character of the area. The existing building is prominent in the street scene from a range of public vantage points along Highgate Hill. The proposed replacement building is not considered to have a negative impact on the adjacent conservation area, with the temporary building offering an improvement in the setting of the conservation area as a direct result of the improved building alignment with Highgate Hill, consistent roofline, improved boundary treatment, reduced building scale and removal of the poorly designed car parking undercroft element. As such, it is considered that the proposal would preserve the setting of the adjacent conservation areas.
- 16.33 Special attention has also been paid to the statutory test of preserving or enhancing the character or appearance of the conservation area under section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, which is accepted is a higher duty. It has been concluded that the development would preserve the character and appearance of the adjacent conservation areas, and so the proposal accords with section 72 of the Act and with the guidance contained within the NPPF.
- 16.34 The proposed massing and bulk has been sited appropriately to the patterns of development in the area, and it is considered that the design approach employed would not have a detrimental impact on the character and appearance of the adjacent conservation areas. The design of the building including its height, scale, appearance and relationship to street scene is considered to be 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.
- 16.35 The proposal is considered to preserve the character and appearance of the nearby conservation areas, preserving the setting of the locally listed buildings and results in a well-designed development in accordance with Policy 7.6 of the London Plan, Policy CS9 of Islington's Core Strategy, and the aims and objectives of Development Management policies DM2.1 and DM2.3.

17 Accessibility

- 17.1 Paragraph 108 of the NPPF (2019) is relevant to the current proposal in relation to inclusive design. London Plan Policy 7.2 relating to "An Inclusive Environment" requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime.
- 17.2 With regard to access and circulation, pedestrian access would be provided directly from Highgate Hill with a pedestrian route continuing through to link in with the wider hospital estate. In terms of vehicular access, the existing vehicle junctions are retained in their current location providing an access and exit route to the car park, which is located around the rear of the building, albeit the existing access control

barriers would be removed and repositioned within the site. The car park would provide 14 spaces which includes two disabled spaces (16 spaces in total) and three electronic charging points. The barrier system is to be provided in order to control access into the car park. The applicants have confirmed that this is set-back within the site to enable vehicles to loop around and exit should the car park be full.

- 17.3 In terms of accessible parking, the current WEC building has no disabled parking provision and the existing Waterlow building provides no disabled parking. The proposed development will provide two accessible car parking spaces for the principle use of the education centre. As such, the level of provision to be provided is a material improvement to the existing provision and is considered appropriate and reasonable to the scale of the development proposals. It is also important to note that the two accessible car parking spaces are operational, similar to the other car parking spaces on this part of the site, for use by the wider hospital.
- 17.4 The applicants have confirmed that the proposed building will be served by 40 members of staff, and, as such, the proposed level of disabled parking accommodates its associated staff demand requested (1 disabled space per 33 employees, so this is equivalent to 1.2 disabled spaces in this case). It is reiterated that those who attend the education centre are persons already based at the Whittington Campus. Staff will continue to travel to the Hospital as they do normally, and would only use the facilities at the WEC as part of their training requirements, simply requiring staff to travel to a different part of the site for the duration of the course. These training requirements support the operational need of the hospital. The relocation of the WEC (the education centre) would therefore not alter the way or the number of people who travel to the Whittington Hospital Campus and would not generate a demand for additional spaces. Given this rationale and the temporary nature of the proposed facility, Officers including inclusive design colleagues raise no objections to the quantum of accessible car parking as proposed.
- 17.5 The application has been revised since the original submission on the advice of officers in order to facilitate additional improvements in terms of inclusive access and design, which include the following:
- The proposal has been adapted to include storage/charging facilities for mobility scooters which would be within the reception area to ensure a secure location;
 - The entrance lobby is to the rear, although concealed from the approach road, would provide a more direct connection with the main part of the hospital campus;
 - A separate baby change unit is provided on the ground floor as it is recognised that the building is used by young families;
 - Each floor would have an ambulant W/C with layouts handed on alternate floors;
 - There is an accessible shower and W/C adjacent to the locker and changing room on the second floor which is for staff use only. In relation to accessibility the AWC's and Accessible Shower would also be fitted out;
 - All rooms and entrances are sized for reasonable wheelchair access. The education centre would facilitate seminar sessions for current outpatients and therefore extra attention has been given to the needs of these users including enlarging the corridors and doorways to allow for mobility scooters, particularly on the ground floor and storage space for speciality chairs for these classes;
 - The main entrance would incorporate automatic access doors and clear signage would direct people to the main reception area;
 - Large areas of glazing will have manifestation in line with building regulations;

- Acoustic treatments and separation will comply with relevant standards to ensure speech audibility in all spaces for the hearing impaired. Hearing loops and sound field systems would also be provided.

17.6 The proposed medical educational floor space in the revised form would comply with relevant planning policies and the relevant parts of the Inclusive Design in Islington SPD and is considered to be acceptable in relation to accessibility and inclusive design. The councils inclusive design officer raises no objections to the revised layouts and designs.

18 Neighbouring Amenity

18.1 The NPPF at paragraph 127 sets out guiding principles for the operation of the planning system. One of the principles set out is that authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

18.2 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 policies 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.

18.3 Moreover, London Plan policy 7.6 requires buildings in residential environments to pay particular attention to privacy, amenity and overshadowing. 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.

BRE Guidance - Daylight and Sunlight:

18.4 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.

18.5 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"*.

BRE Guidance – Daylight to existing buildings:

- 18.6 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).*
- 18.7 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 gloomier, and electric lighting will be needed more of the time.”
- 18.8 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall. At paragraph 2.2.8 the BRE Guidelines state: “Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.
- 18.9 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.

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

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

- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - *Receives less than 0.8 times its former sunlight hours during either period and*
 - *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours”.*
- 18.10 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.” 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.”

- 18.11 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’.*
- 18.12 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

- 18.13 The site fronts onto Highgate Hill (to the east/ north-east), whilst the southern site boundary adjoins the residential flatted development at No.1 Gordon Close (refer to Figure 12 below). The assessment therefore focuses on the impact on those surrounding properties. The applicants have provided a daylight/sunlight analysis report (27th June 2019) which notes that the following properties have been assessed:

No. 1 Gordon Close (Flats 1 – 8) which include the part two, part three storey flatted development to the immediate south of the existing Waterlow building;

Nos. 22, 24, 32, 34 and 36 Highgate Hill which include terraced three-storey properties (plus some with roof accommodation) that are situated to the north-east and east of the application site (refer to figure 12 below).

- 18.14 In terms of vertical sky component (VSC), as a target value, if the VSC with the new development in place is both, less than 27% and less than 0.8 times its former value, occupants of the existing building would notice the reduction in the amount of skylight. The maximum value obtainable at a flat window in a vertical wall is effectively 40%. The findings of the BRE assessment as submitted (refer to Figure 13 in the table below) conclude that all of the surrounding properties would meet the BRE VSC guidance and would be within acceptable tolerances in accordance with the guidance. Indeed, a majority of those properties tested would see improvements in VSC levels.
- 18.15 In terms of Daylight Distribution (DD), this has also been tested for the surrounding residential properties and there would be no transgressions from the BRE guidance. The BRE recommendation is that windows facing within 90° of South should have 25% of Annual Probable Sunlight Hours (APSH) with 5% in the winter months (from the autumn equinox to the spring equinox). Where reductions below the

recommended levels are contemplated, these should be target limited to one fifth or 0.2 times the present value (unless a reduction of sunlight received over the whole year is not greater than 4% of annual probable sunlight hours). The submitted BRE assessment notes that there would be no daylight distribution reductions, with improvements for the majority of properties tested (refer to Figure 15).

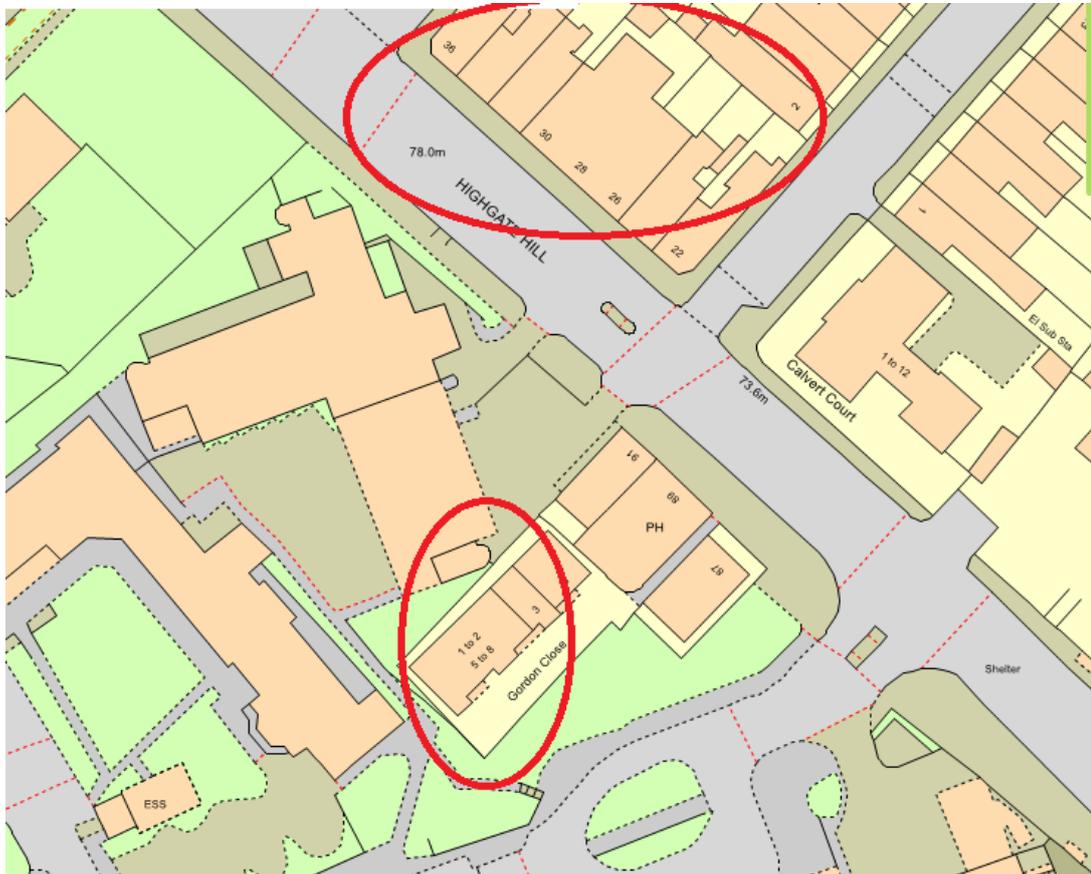


Fig.14 Indicating the ('VSC' assessed) flatted Gordon Close development to the south and the properties opposite on the eastern side of Highgate Hill.

- 18.16 In terms of sunlight, all the habitable rooms assessed (that face within 90° of South and notwithstanding whether they are living rooms / sun important rooms), where reductions are applicable, adhere to the BRE Guide target criteria in reference to both Annual Probable Sunlight Hours (APSH), particularly the ability to receive 2 hours of Sun on the Ground at the Equinox. In summary, the proposal does not result in any material reductions to sunlight in reference of the BRE Guide to these neighbouring properties.
- 18.17 Overshadowing diagrams have also been provided and the submitted data indicates that the rear gardens / amenity area appropriate for review, there are no reductions to the area which has the ability to receive 2 hours or more of sun on the ground at the Equinox; thus meeting the BRE Guide target guidance. This has been scrutinised by Officers who concur with the findings and conclusions. As such, there would be no adverse shadowing resulting from the proposal in consideration of the BRE Guide 2-hour test at the equinox.

Outlook

- 18.18 Outlook is the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces – can be

affected by the close siting of another building or structure, which – depending on its proximity, size and appearance – can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.

- 18.19 The existing brick-built Waterlow building extends to six storeys, benefiting from car parking including under-croft parking below the south wing. The proposal would decrease the height of the buildings on site, replacing the existing six storey building with a three storey replacement building. The reduced building height and massing and the new orientation of the building have resulted in the daylight/sunlight improvements noted elsewhere within this report (also refer to the drawings contained within Figures 12 and 13 above for a visual comparison). For these same reasons, specifically, the reduced building height; it is considered that there would be no harmful loss of outlook or increased sense of enclosure as a result of the proposed development.
- 18.20 With regard to those properties to the east of the site on the opposing side of Highgate Hill, any impact is considered to be minor in nature given the size and location of the proposed development, despite the reoriented building line. It should be noted that there would be a separation gap of between 24.8m and 27.3m between the north-eastern elevation of the proposed building and those properties on the opposing side of Highgate Hill, and this distance is considered adequate to safeguard against any perceived loss of outlook or increased sense of enclosure. The separation distance would provide an acceptable 'buffer' between the properties and the built form to ensure that the outlook from the opposing properties to the east is not adversely affected by the proposals.
- 18.21 The impact on the south of the site has also been considered, which includes the flatted development at No.1 Gordon Close. At present there is a separation gap of between 19.9 and 29.8m to the properties to the south, which would be reduced as a result of the proposal.
- 18.22 The new replacement building would be located 17.1m away from north-western façades of No.1 Gordon Close (which is located to the south – see Figure 14). However, it is considered that the reduced building height would ensure that the outlook from these neighbouring properties would not be compromised, particularly given that the separation distance of 17.1m would also mitigate any impacts, this is manifested in the daylight results which indicate a number of improvements from these adjoining properties. Resultantly, it is considered that there would be no harmful loss of outlook or increased sense of enclosure from the surrounding residential properties.

Overlooking / Privacy:

- 18.23 Paragraph 2.14 of Islington's Development Management Policies states that "to protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. Paragraph 2.3.30 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy. In the application of this policy, consideration has to be given also to the nature of views between habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.



Fig 16 (above) Illustrating the minimum separation distance (17.1m) between the proposal and No.1 Gordon close to the south-east.

18.24 The residential properties to the south at Gordon Close are those that would be closest to the proposed new building, and at 17.1m in distance. Subject to the use of planning condition 25 being imposed on any consent to ensure that any openings within the south-eastern building elevation of the proposed building would be obscured, the proposal would not give rise to unacceptable impacts in terms of harmful overlooking and loss of privacy to warrant the refusal of planning permission (figure 16 indicates the relationship described above).

Crime Prevention, safety and security:

18.25 Development Management policy DM2.1 requires developments to be safe and inclusive, enhance legibility with a clear distinction between public and private space and to include safety in design, such as access, materials and site management strategies. On all developments, it is vital to build safety and security into the design.

18.26 With regard to the existing situation, the applicants have noted that the current Waterlow building has been unoccupied for a number of years and as such the area has been targeted by anti-social behaviours including problems with squatting. It is anticipated that the proposed new replacement building, despite being of a temporary nature would help improve the security situation

18.27 In terms of the proposed crime prevention measures, the applicants have stated that the site would remain accessible to pedestrians at all times, but adequate lighting and CCTV will be provided throughout the site to ensure it remains secure. In addition, the car park will have barriers at both the entrance and exit points thereby creating a secure line when the building is not in use. The cycle parking has been relocated on the advice of the MET Police Designing out Crime Officer, to adjacent to the main lobby entrance to allow for active and passive surveillance, together with

the introduction of fences (with fire escape latches) which would be added to the Highgate Hill perimeter to prevent loitering and anti-social behaviours.

- 18.28 In addition, the internal configuration of the proposed building would also include crime prevention measures such as 'digilocking' bookable rooms with the first and second floors locked down in evenings via an access controlled system and fire escapes would be alarmed. The applicants have also confirmed that whilst there is a requirement for a drugs cabinet within the theatre simulation suite, this would be for demonstration purposes only and would not be used to store real controlled drugs and substances, and this would be on the upper (third) floor level and therefore not accessible to the wider general public.
- 18.29 The applicants have also provided a Security Strategy (Revision P2) for the Whittington education centre, which outlines the security aspects of the proposed new education centre. The document notes that there is already a full time 24hr security presence on the hospital site.
- 18.30 The Metropolitan Police's Designing Out Crime Officer (DOCO) has reviewed the proposal and has raised no objections in terms of safety and security. The details will be secured by condition 14.

Noise and Disturbance:

- 18.31 It is anticipated that the construction of the proposed development would cause some degree of noise and disruption affecting neighbouring residents. As such, the imposition of a Construction Management Plan (CMP) would be required by condition 8 to ensure there would be minimal disruption arising from the construction process. The Council's Acoustic Consultant has reviewed the scheme and raises no objections subject to the use of planning conditions 9 and 10 to ensure that noise levels from any nearby residential properties are within acceptable tolerances, and to safeguard neighbouring amenity.
- 18.32 The building would be accessed via the proposed main 'lobby' entrance to the south-western façade with further entrances including the two end stair-cores. It is considered that the level of pedestrian activity associated with the proposed use would not give rise to any discernible increase in the level of noise and disturbance at nearby properties, especially given the wider use of the existing hospital site and the commercial context opposite along Highgate Hill.

Conclusion of neighbouring amenity impact

- 18.33 It is acknowledged that there will be a visual impact as a result of the reoriented building line, however that is tempered by virtue of the reduced bulk and height, and is not deemed to be unacceptable nor unusual in this urban location.
- 18.34 In summary, the proposal is not considered to result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight/sunlight, increased overlooking, loss of privacy, sense of enclosure, noise and disturbance or safety and security.

19 Sustainability, Energy Efficiency and Renewable Energy

- 19.1 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Section 14 of the NPPF identifies the role that planning

plays in helping shape places to meet the challenge of climate change. Policy 5.3 of the London Plan states that development proposals should ensure that sustainable design standards are integral to the proposal.

- 19.2 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 19.3 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management
- 19.4 Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

Carbon dioxide emissions

- 19.5 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. With regard to the matter of carbon dioxide emissions, based on the SAP 2012 results presented by the applicants, the proposed development would achieve a saving of 38.4%, while using the SAP 10 factors, the saving is estimated at 51.6%. In both of these cases, the proposed development therefore exceeds the London Plan saving target of 35%.
- 19.6 Islington Council policy requires onsite total CO₂ reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to of 39% where connection to a decentralised energy network is possible, and 27% where not possible. Further details and corrections regarding unregulated energy have been provided since the original submission of the application. Based on these, the development is now anticipated to achieve a reduction of 29.1% under a Part L 2013 scenario and of 37.7% under a SAP10 carbon factors scenario. Therefore, in both cases, the proposed development would meet the council's carbon targets.
- 19.7 With regard to 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.". In order to mitigate against the remaining carbon emissions generated by the development in this case (12.8 tonnes), the Carbon Offset contribution of

£11,776 for the 12.8 tonnes of total CO₂ emissions is required. This is to be secured by way of a planning obligation and is set out below within section 25 of this report.

Sustainability

- 19.8 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.” Council policy states “developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy”.
- 19.9 Council policy DM 7.4 A states “Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding”. The council’s Environmental Design Guide states “Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.” It is currently predicted that the development will achieve a rating of ‘Excellent’, with an expected score of 73.97%. Whilst this is a modest margin of comfort over the 70% threshold for an ‘Excellent’ rating, it is above the acceptable threshold.
- 19.10 The proposed U-values for the development (walls, windows and door) have been found to be ‘good’ by the council’s energy officers. The proposed air permeability is 3m³/hr/m². As the development would predominantly be mechanically ventilated (with natural ventilation in a few areas) and is considered to be an appropriate value. The submitted energy statement indicates LED lighting would be used, which is also supported. The development is now predicted to achieve its carbon targets.

Energy demand reduction measures

- 19.11 In accordance with council policy applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed. Dynamic thermal modelling has been carried out for the development and the underlying assumptions within the modelling are all considered to be reasonable. This demonstrates that a number of areas within the development are prone to overheating, under a natural ventilation scenario. Active cooling is therefore proposed for the higher-occupancy areas, and those identified as prone to overheating. Council policy states “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”.
- 19.12 The submitted energy statement includes a limited discussion of the cooling hierarchy, highlighting measures such as internal shading, U-values, mechanical ventilation and g-values as means to limit overheating. It also makes the point that the temporary nature of the building places limits on some of the other measures which may be used to limit overheating, such as internal thermal mass which is inherently lower in a temporary building. In this case, it is proposed that heating and cooling will be provided via air source heat pumps, as part of a VRF system. Hot water is to be supplied via a storage cylinder, also heated via air source heat pumps.
- 19.13 With regard to the District heating and cooling networks, policy DM7.3B states ‘all major developments within 500 metres of an existing or planned DEN.... are required

to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.' The submitted energy statement notes that there is no existing or committed heat network within 500m of the development and therefore, does not propose an immediate connection. The Council's Energy department have provided feedback and have noted that the Archway area is earmarked for future heat network development. However, it is considered unlikely that the development (given its temporary nature) would be able to make a connection to any emerging network. In the longer term, it is anticipated that the Whittington Hospital site would connect to an Archway area network.

Green performance plan (GPP)

- 19.14 Policies: DM 7.1 D, Environmental Design SPD 8.0.12-8.0.18 and Appendix 3. Council policy states "applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO₂ emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy." The council's Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.
- 19.15 The developer has also submitted a Draft Green Performance Plan. This contains measurable targets for energy consumption, CO₂ emissions and water usage and has an outline for data collection, managing, monitoring and addressing performance, which will also be secured by way of the legal agreement.
- 19.16 In summary it is concluded that the proposed development would contribute to the achievement of sustainable development as per the provisions of the NPPF.

Flood risk and Sustainable Urban Drainage Systems (SuDs)

- 19.17 The NPPF at Paragraph 163 notes that when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment. Paragraph 165 notes that major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.
- 19.18 Policy DM6.6 of the Development Management Policies document also requires applications for major developments creating new floor space and major changes of use that are likely to result in an intensification of water use are required to include details to demonstrate that Sustainable Urban Drainage Systems (SUDS) have been incorporated and meet the relevant local standards.

The existing situation

- 19.19 The site has been identified as being in a low flood risk zone (Zone 1). In terms of the existing site characteristics, the site is primarily hard-standing, occupied by the Waterlow building and the associated car-park, meaning that it is largely impermeable. A landscape zone of dense trees and shrubs bounds the northern edge of the site on top of the retaining wall. The topology of the site is such that there is a fall from north to south across the wider hospital site.
- 19.20 The applicants have confirmed that the site and the existing Waterlow building currently discharges into a combined gravity drainage system which collects all foul and waste water from the various medical facilities, consultation rooms and staff welfare arrangements, together with the roof rainwater and external parking and

highway areas and conveys this to an outfall into the utility sewer within Highgate Hill to the east of the site.

- 19.21 The existing Waterlow building has a plan area of 615sqm with a total hard impermeable site area of 2341sqm. There is minimal permeable/landscaping on the site, which occupies 337sqm, this represents 15% of the application site area.

The proposals

- 19.22 The proposed new replacement education centre building represents a smaller development and would provide 1417sqm of permeable surfacing which represents 58% of the overall site area (an increase from the present situation of 15%). Additional shrub planting along each boundary of the site is proposed and the use of permeable paving is to be used in the car parking and for the pedestrian walkways, improving the water discharge runoff. Surface water drainage proposals would be installed in accordance with Local Lead Flood Authority requirements, and LB Islington DM Policies DM6.5, DM6.6 and DM7.1 alongside London Plan and national policy requirements and secured by the use of a planning condition.
- 19.23 The drainage proposals are welcomed, particularly the use of porous paving and raingardens to reduce surface water runoff rates. The Council's sustainability officer is also supportive and notes that the commitment to achieving a minimum 50% reduction in surface water discharge for a 1:100-year storm event, inclusive of a climate change allowance of 40% is also welcomed. Further detail has also been provided in connection with the existing and post-development run-off calculations, and the attenuation storage volume required to reduce the runoff rates. The volume of run-off that must be stored on site was calculated based on the a 1:100-year storm event plus climate change allowance for the worst storm duration, in accordance with policy DM6.6.
- 19.24 It is considered that the temporary proposal is acceptable in terms of flood risk and sustainable drainage, further details of the SuDS element of the proposal is required by planning condition 12.

20 Air Quality and Contamination

- 20.1 The whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 8). This would help ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality.
- 20.2 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. The council's Public Protection Officer has raised no objection to the proposal from an air pollution perspective. The control of environmental impacts such as dust and odours during demolition and construction phases will be secured through Condition 7 requiring the submission of demolition and construction management plan (CEMP).

21 Biodiversity and Ecology

- 21.1 Part A of policy DM6.5 of the Development Management Policies document relating to 'Landscaping, trees and biodiversity' states that:

'Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits, including through the incorporation of wildlife habitats that complement surrounding habitats and support the council's Biodiversity Action Plan.'

- 21.2 The site comprises the disused Waterlow building and the associated hard-standing car parking areas. As identified, there are also areas of amenity planting and a mosaic of scrub and trees which are present along the north, east and south boundaries of the site. The site is set in a largely urban landscape with a high density of residential and commercial development surrounding it.
- 21.3 The application has been accompanied by the submission of an Ecological Appraisal (dated March 2019). This document assessed the ecological interest of the site and the importance of the habitats within the site. The methodology utilised for the survey work can be split into three areas, namely desk study, habitat survey and faunal survey. The applicants noted that a habitat survey was carried out by Ecology Solutions in March 2019. The whole site was surveyed based around extended Phase 1 survey methodology as recommended by Natural England, whereby the habitat types present are identified and mapped, together with an assessment of the species composition of each respective habitat.
- 21.4 The Council's Nature Conservation Manager has reviewed this planning submission and has noted that since there will be the loss of some scrub and rough grassland, this should be replaced in terms of wildlife value. The ecological report makes reference to this in terms of new landscaping which should be wildlife friendly. The applicants have since submitted additional plans indicating the size of new area to be planted, species selected and bird boxes proposed. Swift boxes or bricks would also be incorporated into the new building. It is considered that these can also be conditioned (Condition 22) to ensure that the development supports biodiversity and ecology in accordance with policy.

22 Landscaping and Trees

- 22.1 Islington's Core Strategy Policy CS15 on open space and green infrastructure states that the council will provide inclusive spaces for residents and visitors and create a greener borough by protecting all existing local spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens.
- 22.2 Policy DM6.5 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Developments are required to maximise provision of soft landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.

Loss of trees

- 22.3 The council's arboriculture officer has reviewed the application and noted that trees within the site boundary are not protected by planning legislation although a group of trees located beyond the northern site boundary with St Joseph's Primary School are

protected by a Tree Preservation Order (ref: TPO 414/2009). The footprint of the proposed temporary replacement building (as reoriented) is further away from these identified trees than the existing building and although a slightly larger gas cabinet would be constructed near (Tree G5). However, this is unlikely to have an impact on the roots of these trees given that the new building would be constructed using a technique comprising a no-dig, poured concrete slab.

- 22.4 The submitted arboricultural submission demonstrates that the impacts of the proposed development, subject to tree protection measures, would have not have any long-term detrimental impact on tree health or the contribution of trees to character in the wider setting. It is acknowledged that the proposal would result in the loss of a small number of trees, however, these identified are all low category because of their poor condition or small size.
- 22.5 In addition, it is noted that several off-site trees (T1-T3) appear to be located outside the application site and within the public footway of Highgate Hill, however, to ensure that these trees are adequately protected, tree stems and root protection areas will need to be protected and prior agreement will need to be made with Islington Council Highways Section, therefore subject to a tree protection condition 19, no objections are raised and the proposals would adhere with the provisions of policy DM6.5.

Landscape strategy

- 22.6 In terms of the context, most of the existing site is hard surfaced and positively drained through gullies and down pipes. The applicants have illustrated that the area of green infrastructure on the site would be greatly increased from the existing situation providing an increase in habitat opportunities, enhanced biodiversity, reducing the local heat island effect, and improving natural air filtration for the wider area whilst also improved the visual amenity of the immediate environment. In this respect, a site area analysis has been provided which indicates that the total amount of hard-surfacing would be reduced from 2,063sqm to 1,218sqm whilst the soft-landscaped areas would increase from 337sqm to 594sqm in total area.
- 22.7 The proposed scheme would implement a porous paving system to the car park, and the use of rain gardens within the soft landscaping to reduce water run-off from the site reducing the risk of local flooding (this is also referenced within the Flood Risk section of this report).
- 22.8 At the site frontage the existing street trees to Highgate Hill are to be retained and protected during the works, except for the small Rowan tree which would be replaced with four street trees. Shrub planting to this frontage would provide evergreen structure, seasonal colour, scent and will be robust and low maintenance to ensure longevity and high quality. The applicants have also noted that with regard to the proposed use of rainwater gardens, trees will be selected as suitable for their location within a rain garden, form and size.
- 22.9 In terms of the site boundary treatment, 1.2m high black railings are proposed to the top of the wall and fronting onto Highgate Hill, at the northern corner of the site to control access to the planted embankment. The neighbouring residential boundary would be enclosed with a 1.8m close boarded timber fencing.
- 22.10 Overall the proposed landscaping works are considered to continue to respond well to the context of the site and its surroundings. The development would provide high a good standard of landscaping to provide an environment which is likely to be well used by visitors and residents of the site for the temporary period as proposed.

23 Highways and Transportation

- 23.1 Policies relevant to highways and transportation are set out in section 9 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies. In broader terms, it is necessary to consider whether these developments are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised, taking account of the policies in the NPPF.
- 23.2 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. The promotion of sustainable transport is an objective of the NPPF and patterns of growth should be actively managed to make the fullest possible use of public transport, walking and cycling and to focus significant development in locations which are or can be made sustainable.
- 23.3 The site has a PTAL rating of 6a (with 6b being the best rating achievable) and is therefore considered to have a 'Very good' level of public transport accessibility. In terms of the context, the site is within 420m of Archway London Underground station to the south, whilst Upper Holloway station serving the main line is within 772m to the south of the Whittington hospital site. Highgate London Underground station is situated within 950m to the north. There are also a number of bus routes in the immediate area (including the following services: 4, 17, 41, 43, 134, 143, 210, 263, 271, 390, C11 and W5) which are in close proximity to the site, serving the hospital from Highgate Hill to the west, Dartmouth Park Hill to the east and Magdala Avenue to the south. It should also be noted that there are also walking and cycling routes near the site.

Trip generation

- 23.4 In terms of the projected trips the applicants have confirmed that the WEC is used to accommodate training for staff who are already based at the Whittington Hospital, and not by external parties. The increase in users is associated with the new building being 'fit-for-purpose' which the existing building is not and, as such, more staff are able to receive training. The staff that attend the training events are already based at the Whittington Hospital Campus and therefore, the relocation of the existing WEC to the new facility on the site of the Waterlow building would not alter the way or the number of people who travel to the Whittington Hospital Campus.
- 23.5 Taking into consideration that all trips to the proposed development are to originate from the existing Hospital on site, and given the temporary nature of the proposed development, it is not considered that the trips would compromise the surrounding highways network. Furthermore, TfL and the councils Highways Officer have not raised any objections in relation to this aspect of the proposal, in accordance with the provisions of policy DM8.2 of the Council's Development Management Policies document (2013).

Pedestrian / cycle Improvements and access

- 23.6 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. Cycle parking requirements apply for any new residential/commercial units, and extensions of 100 square metres or more. Policy DM8.4 relating to Walking and cycling (part c) is relevant and states that:

'Major developments, minor developments creating new residential and/or commercial units, and extensions of 100m² or greater, are required to provide cycle parking in accordance with the minimum standards set out in Appendix 6. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible. Cycle parking shall include an adequate element of parking suitable for accessible bicycles and tricycles.'

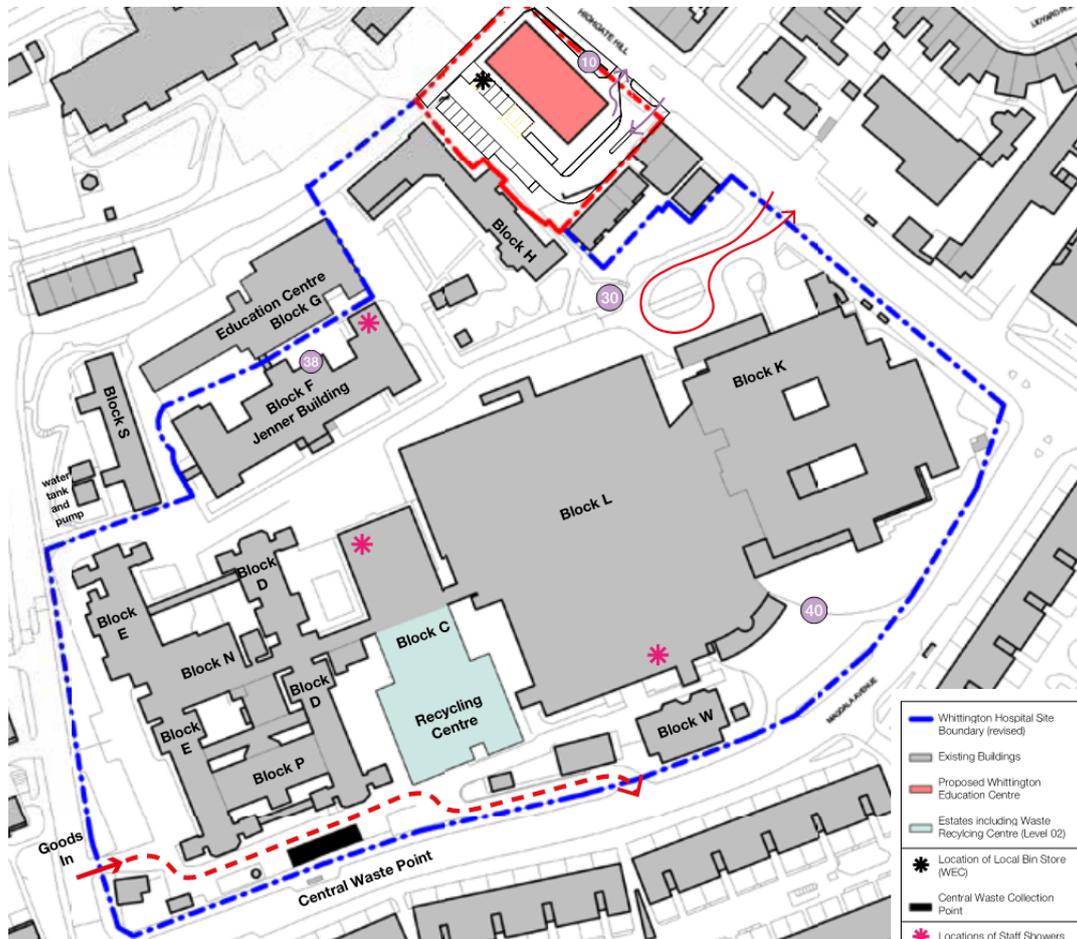


Fig 17 Indicating the wider availability of existing cycle parking provision

23.7 Appendix 6 of the Council's Development Management Policies document requests that 1 cycle space per 3 employees (for staff and visitors) should be provided for hospitals. In this case, with 40 staff proposed, a total of 13 spaces should be provided. A total of 10 cycle spaces (within five 'Sheffield' type stands") would be provided and secured by Condition 6. In this respect, a cycle shelter is provided to the front of the building 'lobby'. Whilst this quantum of cycle storage would be shortfall against the standards, the shortfall in 3 spaces is minor and the applicants have also indicated that the proposed cycle provision would be supplemented by the other cycle stands already available across the wider hospital. Furthermore, to justify this minor shortfall it is also important to note the context in that the proposed replacement building would effectively be a "re-provision" of an existing facility (the WEC). The existing Waterlow building benefits from only 4 cycle parking spaces and the existing WEC building to be demolished does not have any provision at all.

23.8 TfL have provided feedback on this matter and have noted that 'an increase in cycle parking provision at this site is welcomed. The draft London Plan and the Mayor's

Transport Strategy include a strategic target for 80 per cent of all journeys within London to be made by sustainable and active modes of travel. To support achieving this objective, the applicant is therefore strongly encouraged to increase the amount of cycle parking provision they have at this site. However, it is noted that the Trust will continue to review the number of cycle parking spaces, and increase provision should demand arise'. Officers consider that given the temporary nature of the proposal, the minor shortfall in provision and the fact that the offer of cycle spaces would increase beyond what the existing facilities currently provide, that the proposal would provide adequate sustainable transport methods to the site and would not compromise the policy objectives given the above rationale.

- 23.9 With regard to pedestrian and vehicular access, this would be provided directly from Highgate Hill with a pedestrian route continuing through to link in with the wider hospital estate. The existing vehicle junctions are retained in their current location providing an access and exit route to the car park, which is located around the rear of the building. The car park provides 16 spaces which includes two disabled spaces and three electronic charging points. A barrier system is to be provided to control access into the car park. This is set back within the site to enable vehicles to loop around and exit should the car park be full. The proposed alterations to the access continue to conform current policy and guidance.

Servicing, deliveries and refuse collection

- 23.10 Part A of policy DM8.6 relating to 'Delivery and servicing for new developments' is relevant and states that: *Provision for delivery and servicing should be provided off-street, particularly for commercial developments over 200m² gross floor area. In order to ensure proposed delivery and servicing arrangements are acceptable:*
- *It must be demonstrated that servicing and delivery vehicles can enter and exit the site in forward gear.*
 - *Details shall be submitted to establish the delivery and servicing needs of developments.*
 - *Delivery and servicing bays are required to be strictly controlled, clearly signed and only used for the specific agreed purpose.*
- 23.11 The applicants have provided a Delivery and Servicing Plan (DSP) to accompany the application. The DSP notes that all servicing and waste collection will continue to occur in accordance with the current management arrangement, which is coordinated and managed by site staff from a central location within the hospital site. Activity would continue to occur within the main hospital site, with no requirement for any vehicles to undertake any deliveries from the public highway. This would be in accordance with Part A of policy DM8.6. In this respect, the DSP notes that all deliveries would continue to be handled at the Hospital's central "Goods in" facility. Site management would deliver and receive goods to/from the WEC building, in accordance with the current management arrangements. Refuse would be collected from the proposed building by site management who would transfer it to its central refuse store located within the wider hospital campus. The applicants have confirmed that all waste will be collected and stored in accordance with the Hospital's Waste Management Plan (WMP).
- 23.12 The submitted DSP demonstrates that the likelihood of conflicts with pedestrians and other users would be minimised and that the servicing of the site would not affect the free flow or environmental condition of the public highway or result in a higher

likelihood of pedestrian/vehicle conflict. It should be noted that the council's Highways team and TfL have not objected to the delivery and servicing aspect of the proposal, which is also supported by officers.

Vehicle parking

- 23.13 Core Strategy Policy CS10 (Sustainable development), Part H, requires 'car-free' development. Development Management Policy DM8.5 (Vehicle parking), Part B (Non-residential parking) states:

i) Parking will only be allowed for non-residential developments where this is essential for operational requirements and therefore integral to the nature of the business or service (e.g. car hire, Use Class B8 storage and distribution uses). In such cases, parking will only be permitted where an essential need has been demonstrated to the satisfaction of the council and where the provision of parking would not conflict with other council policies. Normal staff parking will not be considered essential and will not be permitted.

ii) Any permitted parking is required to be off-street and located to be accessible and convenient in relation to the development and to provide an accessible route from the parking space to the development. Where on-street drop-off, wheelchair accessible parking or other essential parking is proposed details must be submitted to demonstrate the need for on-street provision and to show that arrangements will be safe and will not cause a traffic obstruction or nuisance.

- 23.14 The Waterlow building is currently served by 29 car parking spaces, and the proposal would provide only 16 spaces (this includes two disabled spaces) of which 3 of the parking spaces would benefit from electric charging points, therefore the application would in effect result in the removal of just under half of the existing parking spaces on the site.

- 23.15 The applicants have sought to further justify the quantum of car parking and have stated that:

"The wider Hospital campus only has a limited supply of car parking at present which is necessary to accommodate its day-to-day operational requirements. As such, it is necessary to continue to provide an element of car parking on the site, particularly during the transition phase across the temporary lifespan of the proposed building.

The proposed development allows a progressive change in the number of parking spaces across the Hospital Campus, enabling a reduction over time to complement the wider strategic plan for the campus, including its development aspirations. The future aspirations of the Whittington Campus will seek to provide and construct modern, and fit-for-purpose facilities which accord with prevailing planning policy; however, to be able to realise the vision of the campus, it will be necessary to accommodate temporary buildings in some instances (such as the current proposal) which allows a gentler transition into the future"

- 23.16 TfL have been consulted and observed that the retention of the car parking spaces would represent a 'departure'; from planning policy (the planning application has since been advertised as a departure from the Local Plan to reflect this observation), with TfL noting that:

"The Transport Statement (TS) identifies that there are 29 car parking spaces at the existing site. It is proposed that the redevelopment would provide 16 car parking

spaces, of which a total of 2 will be for disabled users. The site has a high PTAL (6a), and in-line with draft London Plan policy should be 'car-free'.

- 23.17 The applicants have since provided a 'TfL response note' to address TfL's initial observations and have indicated that some of the parking on site would be for 'operational' use for the main hospital. The applicants have also acknowledged that as a consequence of the accessibility of the site to public transport, the proposed development should be "car-free" in accordance with current and emerging London Plan policy stipulations. However, all car parking on the proposed temporary WEC site is proposed to be operational car parking, with the exception of the two disabled parking spaces. The 14 standard parking spaces would not be for the use of the (replacement) WEC and would instead provide parking the operational spaces for the wider hospital campus, as per the existing situation.
- 23.18 TfL have since responded to state that they note that the car parking spaces that are to be provided on the temporary WEC site are to be 'operational' car parking.
- 23.19 Officers accept the justification that it would not be practical to completely remove the operational parking immediately, and instead reduce the availability of parking over time to allow a progressive change in the operational demands of the existing hospital with an aspiration to remove as much parking as is possible (at this time) without affecting its operational demands.
- 23.20 Given the reduction in car parking from the existing situation, the temporary nature of the proposal and the fact that a wider site masterplan would present an opportunity for the more efficient use of the site and removal of the remaining car parking provision at this location, it is considered that the applicants have provided sufficient evidence to support the requirement for 14 operational car parking spaces (and two disabled spaces) at this site. As noted above, wheelchair accessible parking (two spaces) would be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking).

Construction Traffic

- 23.21 In the event that planning permission is granted, the permission would be subject to a condition 7 requiring the details of construction management to be submitted and approved in writing to the local planning authority in the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development.

24 Planning Obligations, Community Infrastructure Levy and local finance considerations

- 24.1 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development.
- 24.2 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

24.3 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: **1**. 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 (£9.75 as at 01/04/17). If these placements are not provided, LBI will request a fee of: **£5,000**.
- Compliance with the Code of Local Procurement.
- Submission of a Green Performance Plan.
- Compliance with the Code of Construction Practice, including a monitoring fee of: **£2,292** 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.
- 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: **£11,776**.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.

25 SUMMARY AND CONCLUSION

Summary

25.1 The application is part of a wider development chain forming part of a wider NHS estate initiative facilitating the move of Moorfields Eye Hospital onto a new site at St Pancras Hospital. The project ("Project Oriel"), will see services move out of the current Moorfields site to a new "integrated eye care, research and education facility" run in partnership with University College London. As part of the same scheme, Camden and Islington NHS Foundation Trust has secured finance to demolish buildings in St Pancras and move inpatient beds to the current site of the existing

WEC (Block G) building, with that WEC facility moving into the replacement building that is proposed to be facilitated through this application.

- 25.2 The proposal would be for a temporary (5-year) period, providing replacement medical education, demonstration and meeting spaces within a new purpose-built building that would meet the needs of the NHS in a more efficient way than the current (retro-fitted) Waterlow building, which would be demolished to facilitate the replacement medical education centre. In land use terms, the proposal is considered to meet the objectives of planning policy in accordance with London Plan policies 2.9, 3.1, 3.2, 3.16 and 3.17 as well as Islington Core Strategy policy CS1 and Development Management policies DM4.12 and DM6.1

Benefits of the proposal

- 25.3 The benefits of the scheme are social, environmental and economic and include the following:

Social

- Facilitating the delivery of Project Oriel, a major (£100m) health infrastructure project
- Removal of a derelict building that has sat empty for 15 years playing no part in the delivery of health and the subsequent provision of new community infrastructure and better health facility that is fit for modern day purpose.
- Erection of a temporary building will ensure that a comprehensive masterplan can be delivered in the future delivering a both modern health care provision and much needed homes within the Borough.

Environmental

- Making more efficient use of a brownfield site within a sustainable location with good transport links
- Commitment to environmental sustainability through achieving BREEAM Excellent.
- Improved street scene and landscaped public realm within the site.
- Pedestrian links to wider parts of the Whittington Hospital site

Economic

- Construction benefits expected to support local employment and to generate economic output directly alongside wider multiplier benefits;
- Localised employment generation and retention, through the re-provision of the education centre;
- Redevelopment of the vacant and redundant hospital site inclusive of reinvestment into the health economy including services and facilities.
- Section 106 payments

- 25.4 As such, the proposal is considered to adhere with the aims and objectives of London Plan and Islington Core Strategy Policies and relevant guidance. The proposal is considered to meet the objectives of adopted planning policy in accordance with London Plan policies 2.9, 3.1, 3.2, 3.16 and 3.17 as well as Islington

Core Strategy policy CS1 and Development Management policies DM4.12 and DM6.1, and is therefore acceptable in land-use terms.

- 25.5 With regard to design, despite being of a temporary nature, the proposed building would have well-articulated and composed façades, whilst the building would be re-aligned with Highgate Hill and reduced in height in comparison with the existing Waterlow building, which are both positive urban design responses to the site and local context. Given the temporary nature, detailed samples of materials will be required by condition(s) in order to ensure that the development is built out to the highest quality. The proposal is considered to be well-designed, incorporating inclusive design principles, and is in accordance with Policy 7.6 of the London Plan, Policy CS9 of Islington's Core Strategy, and the aims and objectives of Development Management Policy DM2.1 and DM2.3.
- 25.6 The proposal incorporates a generous amount of landscaped space and details of tree protection will be required by condition. As such the proposal is considered to provide substantial enhancements to the overall ecological value of the site and is in accordance with Core Strategy Policy CS15 and Development Management Policy DM6.3.
- 25.7 In highways terms, given the reduction in car parking from the existing situation, the temporary nature of the proposal and the fact that a wider site masterplan would present an opportunity for the more efficient use of the site and removal of the remaining car parking provision at this location, it is considered that the applicants have provided sufficient evidence to support the requirement for fourteen operational car parking spaces (and two disabled spaces) at this site, this is without prejudice to the removal of the spaces following cessation of the temporary building to allow for a wider masterplan to be brought forward for the site, and the future reduction of the remaining car parking spaces.
- 25.8 In terms of energy and sustainability, despite the temporary nature and modular form, the proposed development would contribute to the achievement of sustainable development as per the provisions of the NPPF.
- 25.9 Finally, the proposal is not considered to result in an unacceptable impact on neighbouring residential amenity in terms of loss of daylight or sunlight, increased overlooking, loss of privacy, sense of enclosure or safety or security concerns.
- 25.10 Finally, the application has been considered with regard to the Development Plan and National Planning Policy Framework (2019) and the PPG, including the presumption in favour of sustainable development. Furthermore, the comments made by residents have been considered, as have the responses from consultee bodies.

26 Conclusion

- 26.1 It is recommended that planning permission be granted subject to conditions and s106 legal agreement securing the heads of terms as set out in **Appendix 1 – RECOMMENDATIONS**.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: **1**. 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 (£9.75 as at 01/04/17). If these placements are not provided, LBI will request a fee of: **£5,000**.
- Compliance with the Code of Local Procurement.
- Submission of a Green Performance Plan.
- Compliance with the Code of Construction Practice, including a monitoring fee of: **£2,292** 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.
- 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: **£11,776**.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council’s legal fees in preparing the S106 and officer’s fees for the preparation, monitoring and implementation of the S106.

RECOMMENDATION B

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

List of Conditions:

1	Commencement for temporary period (Compliance)
	The development to which this permission relates must be begun no later than 18 months from the date of this decision notice. Reason: Given the temporary nature of the building it is appropriate to revisit the acceptability of the scheme should it not be begun within 18 months.

2	<p>Temporary operational development</p> <p>The temporary building hereby approved shall be removed and the land restored to its former condition within 5 years from the date of practical completion of the development. The works for restoration shall be carried out in accordance with a scheme of work submitted to and approved in writing by the local planning authority.</p> <p>Reason: For the purposes of this condition, Practical Completion means the date on which the development is properly certified as practically complete by the Owner's relevant professional under contract for the construction of the development.</p>
3	<p>Approved plans list (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p><u>Existing</u></p> <p>WHMP-RYD-EC-ZZ-DR-A-0101 (Location Plan Existing) Rev P2; WHMP-RYD-EC-ZZ-DR-A-0201 (Existing Site Sections) Rev P3; WHMP-RYD-EC-XX-DR-A-0301 (Existing Shadow Studies) Rev P2; WHMP-RYD-EC-ZZ-DR-A-0402 (Existing Site Plan) Rev P4; WHMP-RYD-EC-00-DR-A-0901 (Existing Ground Floor Plan) Rev P1; WHMP-RYD-EC-01-DR-A-0902 (Existing First Floor Plan) Rev P1; WHMP-RYD-EC-02-DR-A-0903 (Existing Second Floor Plan) Rev P1; WHMP-RYD-EC-03-DR-A-0904 (Existing Third Floor Plan) Rev P1; WHMP-RYD-EC-04-DR-A-0905 (Existing Fourth Floor Plan) Rev P1; WHMP-RYD-EC-05-DR-A-0906 (Existing Fifth Floor Plan) Rev P1; WHMP-RYD-EC-06-DR-A-0907 (Existing Roof Plan) Rev P1.</p> <p><u>Proposed</u></p> <p>WHMP-RYD-EC-XX-DR-A-1301 (Proposed Shadow Studies) Rev P2; WHMP-RYD-00-ZZ-DR-L-2000 (Site Layout After Demolition) Rev P2; WHMP RYD 00 XX DR L 2001 (Proposed Site Plan) P7; 20 EC XX DR A 2002 (Location Plan Proposed) Rev P1; 24 EC XX DR A 2401 (Site Access and Servicing Plan) Rev P1; WHMP-RYD-EC-ZZ-DR-A-2701 (Proposed Site Sections) Rev P7; WHMP RYD EC 00 DR A 3000 (GA Floor Plan - Level 00) Rev P12; WHMP RYD EC 01 DR A 3001 (GA Floor Plan - Level 01) Rev P12; WHMP RYD EC 02 DR A 3002 (GA Floor Plan - Level 02) Rev P11; WHMP RYD EC ZZ DR A 3600 (GA Elevations) Rev P11; WHMP-RYD-EC-ZZ-DR-A-3800 (GA Sections) Rev P5; (Design and Access Statement) Rev P4; GL Hearn Cover Letter (dated 20th September 2019); WHMP RYD EC 00 DR A 5600 (Room Loaded Information - Level 00) Rev P6; WHMP RYD EC 02 DR A 5602 (Room Loaded Information - Level 02) Rev P5; GL Hearn Cover Letter (dated 18th September 2019); Delivery and Servicing Plan (June 2019); Security Strategy Rev P2 dated 23 July 2019; Security Strategy (marked on Site plan) dated 15/07/2019; Construction Management Plan Proforma V2 (received 09/09/2019 from GL Hearn); Life Cycle Carbon Assessment Report (by CarbonPlan, dated May 2019 and received 06/09/2019); Green Performance Plan Rev A dated June 2019; Sustainability Strategy dated June 2019; Flood Risk Assessment dated August 2019; Daylight and Sunlight Amenity report dated 15/08/2019; Arboriculture Assessment and Method Statement dated 12th June 2019; Tree Protection Plan (Barrell Plan Ref:19160-BT1); Manual for Managing trees on Development Sites (unnumbered); TFL Response Note (August 2019); Swept Path Analysis (using a Fire Tender) TR001 (1 of 3); Swept Path Analysis (using a 7.5T Box Van) TR001 (2 of 3); Swept Path Analysis (using a 10m Rigid Vehicle) TR001 (3 of 3); Energy and CO2 Reduction Strategy Rev B, dated 17/07/2019, prepared by CarbonPlan Engineering; TM54 Evaluation, dated 21/06/2019, prepared by CarbonPlan Engineering; TM52 Thermal Comfort report dated 03/06/2019; GL Hearn Covering Letter dated</p>

	<p>04/06/2019; Design and Access Statement Rev P4; Planning Statement by GL Hearn (June 2019); Planning Balance Statement (05/06/2019); Ventilation Statement for Planning dated 04/06/2019; Whittington Health Waste Management Policy (unnumbered); WHMP-RYD-EC-XX-SC-A-8901 (Gross Internal and External Area schedules) Rev P1; WHMP RYD EC ZZ DR A 8900 (GIA and Schedule of Accommodation) Rev P5; Draft Travel Plan dated June 2019; Drainage Strategy Briefing Note (Ramboll); Construction Management Plan dated 03/06/2019; Noise Survey Report dated June 2019; Transport Statement dated June 2019; Ecological Appraisal (March 2019); Geoenvironmental and Geotechnical Desk Study dated March 2019; Historical Mapping (unnumbered); BREEAM Pre-Assessment Summary dated 03/06/2019 and Sustainability Strategy dated June 2019.</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning</p>
4	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 superstructure work of the relevant phase commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Façade cladding (ceramic tile) b) Window and doors details c) Roofing materials d) Boundary treatments e) Green procurement plan; and f) Any other materials to be used on the exterior of the development. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard in accordance with policies 5.3, 7.4, 7.5, 7.6, 7.8 and 7.9 of the London Plan 2016, policies CS9 and CS10 of Islington's Core Strategy 2011, and policies DM2.1, DM2.3 and DM7.4 of Islington's Development Management Policies 2013.</p>
5	Roof-level structures (Details)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding street scene or the character and appearance of the area in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>

6	External pipes, cables etc. (Compliance and Details)
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes or foul pipes or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved. Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard, and to ensure that the development is in accordance with policies 3.5, 7.4 and 7.6 of the London Plan 2016, policy CS9 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
7	Cycle parking (Compliance)
	<p>CONDITION: The secure cycle parking provision as shown on drawing: WHMP-RYD-00-XX-DR-L-2001 (Proposed Site Plan) Rev P7 hereby approved, shall be installed as indicated, prior to first occupation of the development hereby approved.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport in accordance with policy 6.9 of the London Plan 2016, policy CS10 of Islington's Core Strategy 2011, and policy DM8.4 of Islington's Development Management Policies 2013.</p>
8	Construction Environmental Management Plan (CEMP)
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The CEMP shall include details and arrangements regarding:</p> <ol style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the

	<p>neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <ul style="list-style-type: none"> k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception) l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles; m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area. o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. <p>The report shall assess the impacts during the preparation, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
9	<p>Delivery and Servicing Management Plan and Waste Management Plan (Details)</p>
	<p>CONDITION: Notwithstanding the details hereby approved, an updated Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste and any clinical waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be carried out strictly in accordance with the DSMP so approved.</p> <p>REASON: In the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development in accordance with policies 5.16, 6.3 and 6.14 of the London Plan 2016, policy CS11 of Islington's Core Strategy 2011, and policies DM2.1 and DM8.6 of Islington's Development Management Policies 2013.</p>
10	<p>Plant noise (Compliance and Details)</p>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level Laeq Tr 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 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>A report to demonstrate compliance with the above requirements and prepared by an appropriately experienced and qualified professional shall be submitted to and approved by the Local Planning Authority prior to occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the scheme and report so approved prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations in accordance with policy in accordance with policy 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
11	Noise - Verification report
	<p>A report is to be commissioned by the applicant, using an appropriately experienced and competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 10 within 3 months after installation. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter."</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations in accordance with policy in accordance with policy 7.15 of the London Plan 2016, policy CS12 of Islington's Core Strategy 2011, and policy DM2.1 of Islington's Development Management Policies 2013.</p>
12	Drainage and SUDS (Compliance/Details) PRE COMMENCEMENT
	<p>CONDITION: No development shall take place unless and until a detailed Sustainable Urban Drainage System (SUDS) scheme inclusive of detailed implementation and a maintenance and management plan of the SUDS scheme has been submitted to and approved in writing by the Local Planning Authority. Those details shall include:</p> <ul style="list-style-type: none"> II. a timetable for its implementation, and II. 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. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a 50% water run-off rate reduction.</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>

13	Energy Efficiency – CO2 Reduction (Compliance/Details)
	<p>CONDITION: The energy efficiency measures as outlined within the approved Energy and CO2 Reduction Strategy Rev B, dated 17/07/2019, prepared by CarbonPlan and Engineering TM54 Evaluation, dated 21/06/2019, prepared by CarbonPlan Engineering which shall provide for no less than a 29.1% on-site total CO2 reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, the following should be submitted and approved:</p> <p>The final agreed scheme shall be installed and in operation prior to the first occupation of the relevant phase.</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>
14	Secured by Design (SBD) Standards
	<p>CONDITION: Full details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority, prior to the occupation of the development hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
15	BREEAM
	<p>CONDITION: All floor space within the development hereby approved shall achieve the most relevant BREEAM rating of no less than “Excellent”.</p> <p>REASON: In the interests of sustainable development and addressing climate change in accordance with policies 5.2 and 5.3 of the London Plan 2016, Policy CS10 of Islington’s Core Strategy 2011 and policy DM7.4 of Islington’s Development Management Policies 2013.</p>
16	Lighting Plan (Details)
	<p>CONDITON: Full details of the lighting across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the relevant phase of the development hereby approved.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps, floodlights, support structures, hours of operation and technical details on how impacts on bat foraging will be minimised. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>

17	Landscaping details – general (Details)
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the following details:</p> <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 trees, grass and turf areas, shrub and herbaceous areas; c) enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; d) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; e) biodiversity value of the proposed landscaping; f) inclusive design principles adopted in the landscaped features; g) phasing of landscaping and planting; h) 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.</p> <p>The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, play space and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
18	Tree Protection (details)
	<p>Condition: The arboriculture appraisal and method statement report for Block J, Whittington Hospital (ref: 19160-AA-AS) and the tree protection plan (TPP ref: 19160-BRI) submitted from Barrell Tree Consultancy in support of the application shall be adhered to in full. Particular reference should be made to the Tree Protection Plan TPP (ref: TPP 20274).</p> <p>Reason: Required to safeguard and enhance the character and amenity of the site and locality and to avoid any irreversible damage to retained trees pursuant to section 197 of the Town and Country Planning Act 1990 in accordance with Policy DM 6.5, policies 7.19 and 7.21 of the London Plan.</p>
19	Refuse/Recycling Provided (Compliance)
	<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> <ul style="list-style-type: none"> a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosure(s);

	<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>
20	Desktop contaminated land report
	<p>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 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: 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>
21	Obscured windows to the south-east building elevation (facing Gordon Close)
	<p>CONDITION: Notwithstanding the plans hereby approved, the south-east facing window of building hereby approved (i.e. facing towards Gordon Close) shall prior to the first occupation of the building, be treated to prevent the overlooking of the neighbouring habitable room windows at Gordon Close.</p> <p>The details of how the windows shall be treated to prevent overlooking shall be submitted to and approved in writing by the Local Planning Authority prior to the windows being installed.</p> <p>The agreed alteration/treatment shall be provided/installed prior first occupation of the development hereby approved and the development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
22	Nesting boxes (Details)
	Condition: 3 bird and/or bat nesting boxes/bricks (including those suitable for swifts)

	shall be provided on site prior to the first occupation of the building and shall be maintained as such thereafter.
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	Reason: To ensure the development provides the maximum possible provision towards creation of habitats and value areas for biodiversity.
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List of Informatives:

1	Planning Obligations Agreement
	You are advised that this permission has been granted subject to the completion of a s106 legal agreement (of the Town and Country Planning Act 1990) to secure agreed planning obligations.
2	Superstructure
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Wildlife and Countryside Act
	The applicants are hereby notified that there is a legal requirement to have due consideration of nesting birds, and it is against the Wildlife and Countryside Act to destroy a birds' nest. The Council's standing advice is that the applicants should have an ecologist on site immediately prior to demolition in order to ensure compliance in relation to these matters and adhere with the relevant legislative requirements.
4	Community Infrastructure Levy (CIL) (Granting Consent)
	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. 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
5	Groundwater
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .
6	Surface Water Drainage
	With regard to surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant ensures that storm flows are attenuated or regulated into the receiving public network through on and off site storage.
7	Materials
	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.
8	Construction Management
	<p>INFORMATIVE: You are advised that condition 8 covers transport and environmental health issues and should include the following information:</p> <ol style="list-style-type: none"> 1. identification of construction vehicle routes; 2. how construction related traffic would turn into and exit the site; 3. details of banksmen to be used during construction works; 4. the method of demolition and removal of material from the site; 5. the parking of vehicles of site operatives and visitors; 6. loading and unloading of plant and materials; 7. storage of plant and materials used in constructing the development; 8. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; 9. wheel washing facilities; 10. measures to control the emission of dust and dirt during construction; 11. a scheme for recycling/disposing of waste resulting from demolition and construction works; 12 noise; 12 air quality including dust, smoke and odour; 13 vibration; and 14 TV reception.
9	Roof top plant
	The applicants are hereby advised that any additional roof top plant not shown on the approved plans will require a separate planning application
10	Construction works
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00hours Monday to Friday and 08.00 to 13.00hrs on Saturdays and not at any time on Sundays, Bank Holidays and Public Holidays. You are advised to contact the councils Pollution Control team by phone: 020 7527 2000 or by email: pollution@islington.gov.uk
11	<p>In relation to condition 18, you are advised that several off-site trees (T1-T3) appear to be located outside the site and within the public footway of Highgate Hill, too ensure that these trees are adequately protected, tree stems and RPA will need to be protected in line with recommendations contained within Barrell SGN 2 (Fencing Protected Trees). As these trees appear to be located on land belonging to Islington Council prior agreement will need to be made with Islington Council Highways Section using the following email address streetworks@islington.gov.uk</p> <p>Particular attention should be made for the requirement of arboricultural input / supervision contained within section 2.4 of the Arboricultural method statement.</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future

generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2016 as amended - 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 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.5 Quality and design of housing developments

Policy 3.16 Social Infrastructure

Policy 3.17 Health and social care facilities

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.6 Decentralised energy

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

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 Cross rail and other strategically important transport infrastructure

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

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

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS1 Archway

Policy CS8 (Enhancing Islington's Character)

Policy CS15 (Open Space and Green Infrastructure)

Strategic Policies

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

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

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

Shops, cultures and services

Policy DM4.12 Social and strategic infrastructure and cultural facilities

Health and open space

Policy DM6.1 Healthy development
Policy DM6.3 Protecting open space
Policy DM6.5 Landscaping, trees and biodiversity
Policy DM6.6 Flood prevention

Energy and Environmental Standards

Policy DM7.1 Sustainable design and construction statements
Policy DM7.1 Sustainable design and construction statements
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
Policy DM7.3 Decentralised energy networks
Policy DM7.4 Sustainable design standards
Policy DM7.5 Heating and cooling

Transport

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

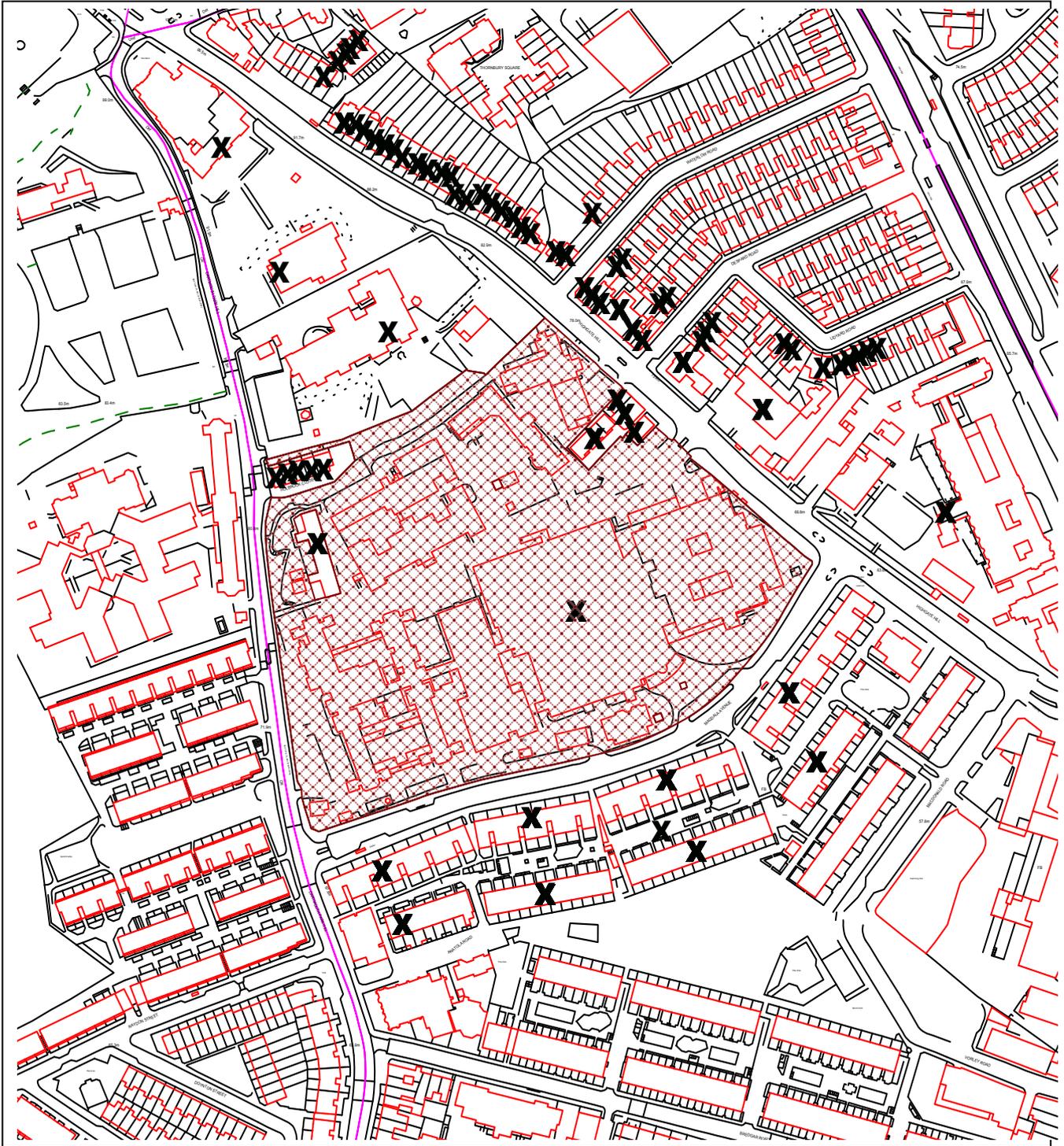
Infrastructure

Policy DM9.1 Infrastructure
Policy DM9.2 Planning obligations
Policy DM9.3 Implementation

D) Site Allocations June 2013

The application site is adjacent to site allocation ARCH2 (Whittington Hospital Ancillary Buildings) which is the northern part of the hospital site.

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