



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

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on, **30 September 2021 at 7.30 pm.**

Enquiries to : Zoe Lewis
Tel : 020 7527 3486
E-mail : democracy@islington.gov.uk
Despatched : 22 September 2021

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 Poyser (Chair)	- Hillrise;	Councillor Chowdhury	- Barnsbury;
Councillor Picknell (Vice-Chair)	- St Mary's;	Councillor Clarke	- St George's;
Councillor Convery	- Caledonian;	Councillor Hyde	- Caledonian;
Councillor Ibrahim	- Highbury West;	Councillor Jackson	- Holloway;
Councillor North	- St Peter's;	Councillor Kay	- Mildmay;
		Councillor Khondoker	- Highbury West;
		Councillor Khurana	- Tollington;
		Councillor Klute	- St Peter's;
		Councillor Nathan	- Clerkenwell;
		Councillor Wayne	- Canonbury;
		Councillor Williamson	- Tollington;
		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.

5. Order of Business
6. Minutes of Previous Meeting

B.	Consideration of Planning Applications	Page
1.	Cornwallis Adventure Playground, 17 Cornwallis Road, London, N19 4LP	7 - 36
2.	224-232 St John Street, London, EC1V 4QR	37 - 84

C. Consideration of other planning matters

D. Urgent non-exempt items

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

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 Sub Committee B, 18 November 2021

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

WEBCASTING NOTICE

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If you participate in the meeting you will be deemed by the Council to have consented to being filmed. By entering the Council Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured you should sit in the public gallery area, overlooking the Chamber.

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PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

Each Planning Sub-Committee consists of five locally elected members of the council who will decide on the applications for planning permission.

Order of Agenda

The Chair of the Planning Sub-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 Sub-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 Sub-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 Sub-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 Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Jackie Tunstall on 020 7527 3068. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

London Borough of Islington

Planning Sub Committee B - 14 June 2021

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 14 June 2021 at 7.30 pm.

Present: **Councillors:** Poyser (Chair), Convery, Ibrahim, North and Picknell

Councillor Dave Poyser in the Chair

65 **INTRODUCTIONS (Item A1)**

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

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

There were no apologies for absence.

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

There were no declarations of substitute members.

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

There were no declarations of interest.

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

The order of business would be as per the agenda.

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

RESOLVED:

That the minutes of the meeting held on 23 February 2021 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

71 **COLLINGWOOD HOUSE, MERCERS ROAD, LONDON, N19 4PJ (Item B1)**

Retention of existing air conditioning units with base slab, all associated pipework within existing acoustic enclosures, and proposed installation of canopy over enclosures alongside the South West elevation of Collingwood House and new gates to the street frontage to Mercers Road.

(Planning application number: P2021/0587/FUL)

In the discussion the following points were made:

- The planning officer advised that three further objections had been received. One of these was a new objection and the other two provided additional comments to objections that had previously been submitted. The new objection related to the description of the relocation of plant equipment in paragraph 4.1 of the officer report. The planning officer advised that the application followed an enforcement investigation and the approved drawings in the report and presentation showed the location of the plant.
- A member queried the purpose of the alleyway and the planning officer advised that the area was currently used as a bin store. Under the proposal, the bins would be relocated. The applicant stated that the alleyway had been put in in accordance with policy to reduce noise. The proposed canopy was also part of the mitigation strategy.
- A member stated that it was unusual to have air-conditioning at ground floor level. The planning officer advised that the gym was at ground floor and first floor levels with residential units above. An assessment had to be made on whether the proposal was acceptable.
- In response to a member's question about whether the 2019 permission permitted the plant equipment at ground floor level, the planning officer advised that it did not.
- A member raised concern about the need for an enforcement investigation and the lack of compliance and asked for reassurances that the applicants would fulfil conditions. The applicants stated that they had engaged with local residents throughout the process and any conditions imposed would be fulfilled in collaboration with neighbours. A planning officer stated that the conditions were tightly worded and action would be taken if necessary.
- In response to a member's question, the applicant confirmed that the hours of operation were 7am-11pm Monday to Friday and 9am-9pm at weekends. There were no plans to extend these hours.
- A member raised concern about the tests being conducted in winter and not on a hot day when more cooling was required. The applicant stated that the tests were conducted prior to opening and tested acoustics with normal gym usage and high usage. Since opening no impact on residents had been observed and this was with classes taking place.
- A member asked why the applicant implemented the previous planning permission and then installed the plant in a different location. The applicant stated that the permitted location was not suitable for the size of the equipment and the works were undertaken to tight timescales during lockdown. There was no intent to override the planning process. The applicants stated the works were undertaken from July 2020 and a planning application was submitted in November 2020. The planning officer stated that this planning application was withdrawn in January 2021 and the current planning application was received in February 2021.
- The legal adviser stated that the fact the application was for retrospective planning permission was not a material consideration.
- In response to a question from a member as to whether the maintenance of the green roof and the acoustic levels could be conditioned, the officer replied that the requirement for the green roof to be maintained could be included in the management plan and in relation to acoustic levels, Condition

4 could be amended to require a test to ensure the plant was running appropriately.

- A member expressed disappointment that the plant had been installed prior to obtaining planning permission and requested that in future the applicants apply for planning permission where necessary, prior to undertaking further work.
- A member raised concern about the approach of the applicants and the solution identified by the applicant to the location of the plant. A planning officer advised that the Sub-Committee had to determine the application before them and to move the plant would require a new planning application to be submitted.
- A member stated that two of the conditions were time limited and requested that officers monitor this to ensure compliance.

Councillor Picknell proposed a motion to amend Condition 4 to require a test for acoustic levels and a motion that the management plan be amended to require the maintenance of the green roof. These were seconded by Councillor North 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 and informatives set out in Appendix 1 of the officer report, subject to the amendment of Condition 4 and the management plan being amended as above.

72

100 TOLLINGTON PARK, LONDON, N4 3RB (Item B2)

Conversion of an existing garage/store to create a one bedroom flat and the erection of a rear ground floor extension, plus private amenity space, refuse and cycle parking.

(Planning application number: P2020/0917/FUL)

In the discussion the following points were made:

- The type of hedge to be planted was discussed. In response to questions from members, a planning officer stated that a 1.8m pre-grown hedge was an available product and that semi-evergreen meant some leaves would be retained in winter months. A member stated that a hornbeam hedge did not lose leaves in winter but they turned brown.
- A member commented that the plans showed the hedge ending at a point where there were not any windows which meant there was a continual barrier.
- In response to a member's question, the planning officer advised that the windows on the flank elevation were obscurely glazed and the sky light would be clear glazed. The member raised concerns for the future occupants as the obscure glazing meant they had no outlook on one side. The planning officer advised that the 2018 planning application had been dismissed at

appeal on the grounds that the living conditions would be unsatisfactory for future occupants. Since then changes had been made to improve light and outlook. Light and outlook were compromised at the front of the flat due to the constraints of the site including the historical doors.

- In response to a question from a member, the legal adviser stated that the Sub-Committee should consider the inspectors comments and could also consider the S106 agreement.

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 and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Unilateral Undertaking 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.

- 73 **HIGHBURY FIELDS, Highbury Terrace, London, N5 1UP (Item B3)**
Installation of replacement low level LED floodlighting to 3x existing outdoor tennis courts.

(Planning application number: P2021/0563/FUL)

In the discussion the following points were made:

- It was noted that the light impacts on bats would be reduced.
- A member asked whether the football pitch was not currently illuminated. The applicant advised that all the sports areas were illuminated but if planning permission was granted, the lighting of the football pitch would be replaced with LED lighting. It was hoped that the floodlighting of the other sports areas would also be replaced with LED lighting in the future.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein) and the presentation to the Sub-Committee, planning permission be granted subject to the conditions set out in Appendix 1 of the officer report.

The meeting ended at 9.20 pm

CHAIR

COMMITTEE AGENDA

1 17 Cornwallis Road

London
N19 4LP

2 224-232 St John Street

London
EC1V 4QR

1 17 Cornwallis Road

London
N19 4LP

Application Number: P2021/1874/FUL

Ward: Tollington

Proposed Development: Demolition of existing building and erection of a replacement building for use in connection with the adventure playground and other community uses; erection of refuse facilities and associated works.

Application Type: Full Planning Application

Case Officer: Samir Benmbarek

Name of Applicant: C/O Agent

Recommendation:

2 224-232 St John Street

London
EC1V 4QR

Application Number: P2020/3542/FUL

Ward: Bunhill

Proposed Development: Proposed infill extensions to the existing building at first, second and third floors, creation of a fourth floor, creation of external terraces at fourth floor, erection of acoustic screening for external plant area above new fourth floor level, refurbishment and recladding of the existing building and associated works.

Application Type: Full Planning Application

Case Officer: Jake Shiels

Name of Applicant: PALOMA 11 (OFFICE 1) UNIT TRUST

Recommendation:

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PLANNING COMMITTEE REPORT



PLANNING SUB-COMMITTEE B		
Date:	30 th September 2021	

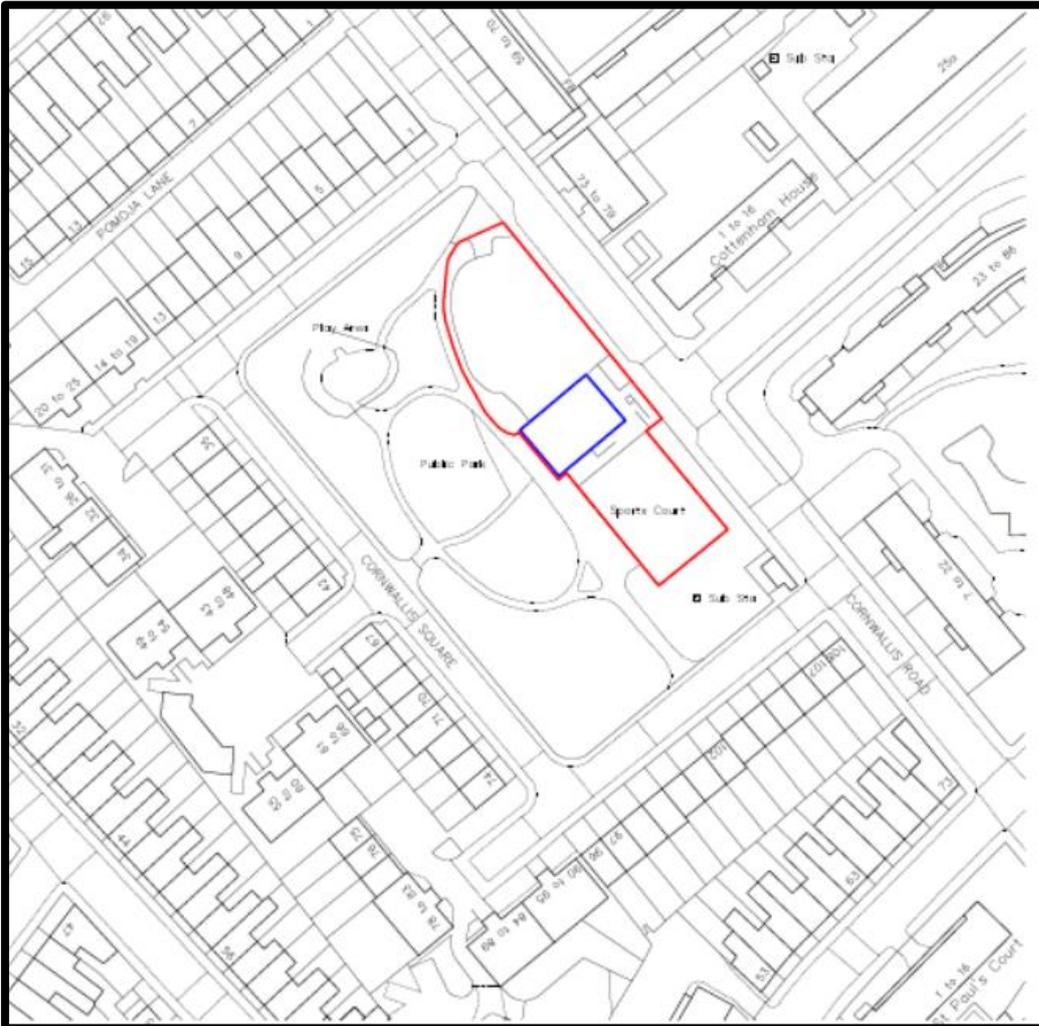
Application number	P2021/1874/FUL (Council own development)
Application type	Full Planning Application
Ward	Tollington
Listed building	No
Conservation area	N/A
Development Plan Context	AP3 Adventure Playground OS43 Cornwallis Open Space Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	Cornwallis Adventure Playground, 17 Cornwallis Road, London, N19 4LP
Proposal	Demolition of existing building and erection of a replacement building for use in connection with the adventure playground and other community uses; erection of refuse facilities and associated works.

Case Officer	Samir Benmbarek
Applicant	Islington Council
Agent	DMH Stallard

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view of site looking north.



Image 2: Aerial view of site looking south.



Image 3: Front elevation of existing building.

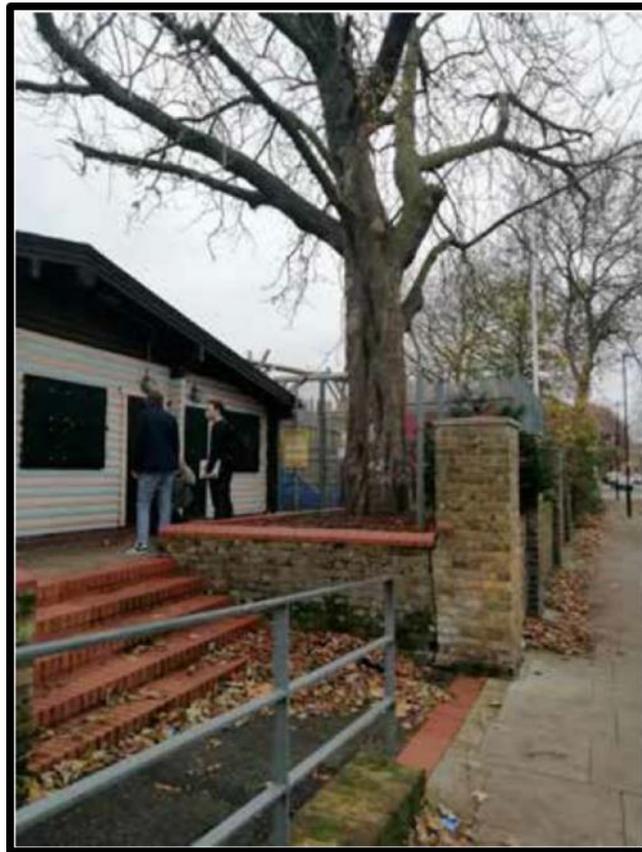


Image 4: Existing ramp and tree.



Image 5: Rear elevation of existing building.



Image 6: Interior of existing building.

4. SUMMARY

- 4.1 The application proposes the demolition of the existing building on the site with an external footprint (205sqm) erection of a single storey building in association with the use of the children's adventure playground. The building would be constructed of corrugated metal cladding walls, aluminium framed windows and doors, and fibre cement fascia banding around the eaves. The building would be of an external footprint of 234sqm and associated metal fencing and gates would also be proposed.
- 4.2 The proposed building would be used to support the existing children's adventure playground, but will also be used for wider community uses for the local area. The internal layout of the building includes a large main function space, and office, kitchen and storage space.
- 4.3 The proposed building (234sqm) would replace an existing building (205sqm) located within the similar location. Whilst there would be a slight increase (29sqm) in external floorspace within the adventure playground, the building is proposed to directly support the main recreational function of the open space and adventure playground and in this regard, the proposed erection of the new building and minimal loss of adventure playground area is considered acceptable in land use terms particularly when considering the value of community engagement the replacement facility would continue to provide.
- 4.4 The design of the new building is considered to be acceptable and would positively contribute to the character of the local street scene.
- 4.5 The proposed development is considered to not unduly impact the residential amenity of neighbouring properties in terms of loss of daylight and sunlight, overshadowing, reduction in outlook and increased sense of enclosure, loss of privacy and overlooking. The proposed development is also considered to not cause undue impact in respect to noise and disturbance subject to conditions. The proposal therefore accords with policy DM2.1 of the Islington Development Management Policies 2013.
- 4.6 The proposal is therefore considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 4.7 The application is referred to committee as it is a Council own development.

5. SITE AND SURROUNDINGS

- 5.1 The application site is a children's adventure playground located along the south-western side of Cornwallis Road, within Cornwallis Park. The adventure playground and existing building is accessed by a ramp leading up from Cornwallis Road. The adventure playground consists of hard and soft landscaping and play equipment.
- 5.2 The adventure playground has an existing timber framed construction and clad, pitched roof building with a GIA of 190sqm. It is in poor condition owing to wood rot. This building is to be demolished to make way for the proposed development.
- 5.3 The site is designated as an Adventure Playground (AP3) and sits adjacent to Public Open space (OS43) under the Islington Core Strategy 2011 and the Islington Development Management Policies 2013.
- 5.4 The adventure playground building is neither statutorily nor locally listed. The site is not located within a designated conservation area; however, it is located within close proximity to the St Mary Magdalene Conservation Area.
- 5.5 The character and use of Cornwallis Adventure Playground and the wider Cornwallis Park is open space with sports, leisure and general use and enjoyment. The adventure playground and park is a focal point of an overall residential character with a mix of typical terraced housing, post-war purpose built blocks and modern residential developments within the adjoining streets.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes the erection of a single storey building in association with the use of the children's adventure playground. The building would be constructed of corrugated metal cladding walls, aluminium framed windows and doors, and fibre cement fascia banding around the eaves. The building would have a floor area measuring 234sqm. The building would be set back from the public highway (Cornwallis Road) by 3m.
- 6.2 The proposed building would be used to facilitate the use of the existing children's adventure playground, but will also be used for wider community uses for the local area. The internal layout of the building includes a large main function space, and office, kitchen and storage. The existing building is being demolished and replaced as the as it is in poor condition mainly due to wood rot and the building has been heavily dilapidated due to its intense and regular use. The erection of a new building would be less financial cost than prolonging the lifespan of the existing building and the new build can efficiently facilitate more events and meetings for the local community such as councillor's surgeries.
- 6.3 The building would replace the existing timber clad building with a footprint of 205qm. The resulting increase in floorspace would be 29sqm (approximately 14%).
- 6.4 The new building would also have lettering on its fascia at roof level, reading 'CORNWALLIS ADVENTURE PLAYGROUND'. The colour of palette of the proposed development would be green, grey and teal.
- 6.5 Other associated developments include the relocation and provision of an improved ramp up to the building, widened front entrance steps, removal of the existing tree by the front entrance, and the provision of a separate refuse storage area by the north east corner of the site.
- 6.6 Minor revisions were sought during the course of the application which were alterations to the front fenestration (windows) to provide more presence and interaction to the street, the lowering of the lettering onto the fascia for maintenance purposes and confirmation of measurements and minor internal revisions for accessibility needs.

7. RELEVANT HISTORY:

Application Site

- 7.1 881269- Cornwallis Road Open Space including adventure playground kickabout area and toddlers playspace and erection of a 'log cabin' of 204sq.m. **Approved with conditions 17/11/1988.**
- 7.2 P060301- Modification of the retaining wall adjacent to pavement along Cornwallis Road, erection of new fencing around adventure playground and replacement of fencing around sport court. **Approved with conditions 07/04/2006.**
- 7.3 P070443- Removal of infill railings at sports area, addition of new infill railings; Removal of planter and front steps and extension of steps. Addition of hand rail and entrance ramp. **Approved with conditions 18/05/2007.**
- 7.4 Advised that a contextual analysis of the area was required to inform the material palette for the building.
- 7.5 The applicant also undertook public consultation with the local community and Cornwallis Adventure Playground users. The overall responses encouraged the provision of a new building that can meet many functions and events used by the local community as well as the everyday use of the adventure playground. Comments were also made regarding the design and appearance of the building.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 248 adjoining and nearby properties at Cornwallis Road, Cornwallis Square, Bavaria Road and Sussex Close and a site notice was displayed on the 15/07/2021. The public consultation of the application therefore expired on 08/08/2021; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report, three responses had been received from the public with regard to the application. Two letters of objection and one letter of support was also received. The issues raised in the objections can be summarised as follows (with the paragraph that provides responses to each issue indicated in brackets):

Design

- Quality and appearance of proposed materials are not considered to be of high enough quality (paragraph 10.33);
- Fenestration of the building to address surveillance to the street (the view that there should be more fenestration to better address the street) (paragraph 10.30).

Trees

- Objection to removal of the horse chestnut tree (paragraphs 10.70 – 10.75).

Support

- Support for the inclusion if the biodiverse roof.

Internal Consultees

- 8.3 **Design & Conservation:** There is no objection to the design of the proposed development. It is recommended to lower the lettering so that it is on the fascia rather than on top of the building for easier maintenance.
- 8.4 **Environmental Health:** No objection subject to condition regarding details of construction process.
- 8.5 **Tree Officer:** Objection to the removal of the horse chestnut tree.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

National Guidance

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

- 9.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee B must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

Development Plan

- 9.9 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and the Islington Development Management Policies 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.10 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:
- AP3: Adventure Playground
 - OS43: Open Space

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan 2019

9.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination consultation on pre-hearing modifications took place between is taking place from 19 March to and 9 May 2021. The Matters and Issues have now been published with hearings currently taking place (13 September to 5 October).

9.13 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.14 Emerging policies relevant to this application are set out below:

- Policy H1- Thriving communities
- Policy R1- Retail, leisure and services, culture and visitor accommodation
- Policy G1- Green Infrastructure
- Policy G2- Protecting open space
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy T2- Sustainable transport choices
- Policy T5- Delivery, servicing and construction
- Policy DH1- Fostering innovation while protecting heritage

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Neighbouring Amenity
- Transport
- Sustainability
- Trees
- Other Matters

LAND USE

10.2 The site is a designated adventure playground, providing dedicated play space. Whilst not designated Open Space, the site immediately abuts and provides facilities to complement the designated Open Space at Cornwallis Open Space. The map image below outlines the designation between the Open Space and Adventure Playground (green denotes Open Space, purple denotes Adventure Playground). Policy CS15 of the Core Strategy states that the Council will provide inclusive spaces for residents and visitors, and create a greener borough by protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens.

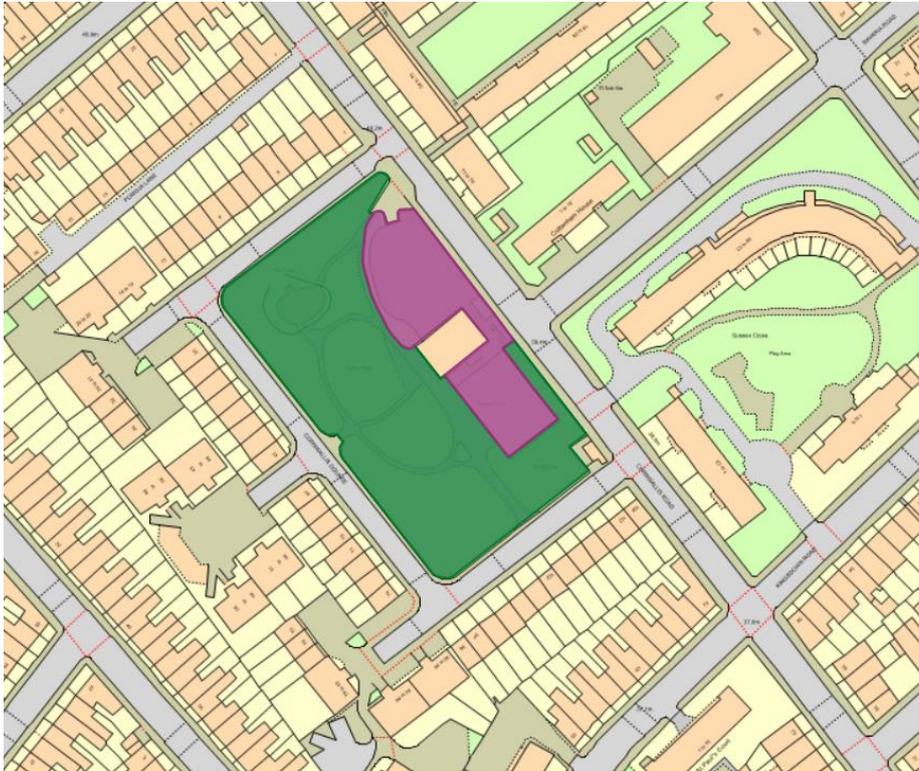


Image 7: Open Space and Adventure Playground designation taken from the Islington Council GIS map.

- 10.3 Policy CS16 of the Core Strategy relates to the borough’s play spaces and states that opportunities for play in Islington will be maximised through improving the quality and function of existing play spaces so that they can provide more play opportunities for different age groups and disabled children, particularly in those areas where opportunities for play are currently limited.
- 10.4 Part F of policy DM6.3 reads that the Council will protect existing play space across the borough by resisting their loss, unless:
- I. *a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. Where this is not possible development will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal, and the capacity of other local play spaces shall be increased through a financial contribution to pay for expanded and improved provision that is adequate to meet the needs that the space lost was capable of meeting, plus the needs associated with any uplift or intensification proposed; or*
 - II. *it can be demonstrated robustly that they are no longer required and that their loss would not lead to a shortfall in overall play provision in the local area.*
- 10.5 Part G of the policy states that all of the borough’s adventure playgrounds will be protected.
- 10.6 Supporting text within paragraph 6.30 of the Development Management Policies details that given the valuable role of the borough’s adventure playgrounds in providing play opportunities, their protection against change is important. The existing amount of formal play provision per child should therefore be maintained.
- 10.7 Whilst policy DM6.3 provides a general protection to all open space, such protection is qualified according to particular designation. In this case, the site is not designated as public open space so whilst recognised as having value, part F of the policy specifies that development on such space can be accepted where replacement space is provided of the equivalent size and functionality to meet the needs of the local population. Where re-provision of the same size and functionality is not possible, this will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal.

10.8 The proposed development would result in a replacement building with an additional 29sqm of external floorspace. This would be technically more than the equal floorspace as expected by policy and a further build within the adventure playground; however, the new building would better facilitate the use of the adventure playground, complement the existing uses and provide internal play/education space, which would result in an improved facility at the site and more opportunities for children and young adults. The introduction of a high quality building would to support the use of the site would be in accordance with the above noted policies.



Image 8: Existing and proposed building.

10.9 The footprint of the proposed building is 234sqm, which is an increase of the built form from the existing building by 29sqm; however the additional floorspace would be located at the existing front entrance area of the site and not within the existing core play area. There would be no loss of play equipment as a result of the proposed development, which is the key function of the designated adventure playground. The existing use would still function and would be further supported as a result of the development.

10.10 The existing timber building has been in existence since the late 1980s and has been known to have been used by the wider community. As well as being used in conjunction with the external equipment for children's play, the building accommodated meetings and workshops by various youth groups as well as space for occasional events by the local community. Such uses would return to the new building which is considered a public benefit overall. The slightly increased building's floorspace with dedicated spaces would also would efficiently accommodate such events in a modern building designed for such purposes.

10.11 In summary, the proposed building would also provide wider uses beyond those of the adventure playground and would benefit the community. The building can be used for internal play and recreational spaces, as well as flexible meeting spaces. This would provide accommodation for the local community and welfare groups that used the previous building as discussed above. The building would also contribute to enhanced and improved children's play and development.

10.12 The proposal would result in the loss of the existing building at the site, which provides a social infrastructure use. Part A of policy DM4.12 of the Islington Development Management Policies specifies that the Council will not permit any loss or reduction in social infrastructure uses unless:

- i) a replacement facility is provided on site which meets the need of the local population; or
- ii) the specific use is no longer required on site.

10.13 Part C of policy DM4.12 states:

"New social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities, must

- *i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling, and public transport.*
- *ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;*
- *iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and*
- *iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.”*

10.14 As evidenced by the existing building at the site and its known uses by the community, it is considered that the proposed building would be within a convenient location for the community. Cornwallis Open Space is a focal point of the surrounding residential area. The proposed internal space configuration of the single storey building would help users with accessible needs whilst the proposed development also includes a reconfigured ramp from the public highway to the building. A further analysis on transport accessibility is discussed further on in this report.

10.15 When considering the existing building at the site, the proposed development would result in the marginal loss of external open space (designated as Adventure Playground) due to its extension towards the street. However, as noted above, the proposal would provide a new social infrastructure facility at the site that would further support the adventure playground use and community use offer of the site, would provide an appropriate replacement for the demolished building and would support improved access and facilitation of use of play space and open space, particularly in an area of open space deprivation. The quality and functionality of the adventure playground and wider open space would be greatly improved as a result of the development and more accessible to users, which are considered significant benefits of the scheme.

10.16 On balance, the proposed development would result in an overall improvement to the quality of play provision at Cornwallis Adventure Playground, which is considered to weigh in favour of the proposal and therefore is supported by officers. The proposal would improve the function of the adventure playground in accordance with policy CS16 of the Islington Core Strategy 2011.

10.17 Given that the proposed building would improve play, children's development and community uses and functions, it is considered the proposed development is considered to comply with the broad aims of policies and CS16 of the Islington Core Strategy 2011 and policies DM4.12, DM6.1, and DM6.3 of the Islington Development Management Policies 2013. Whilst the proposed development would comply with the aims of policy CS15, the wider community benefits and enhancement of the user experience of the adventure playground and adjoining public open space are considered to be of a particular and sufficient public benefit to weigh against the minor loss of adventure playground space. Furthermore, the minor loss of space would be located to the frontage of the building.

10.18 Overall, the proposed development is considered acceptable in regards to land use; however, overall acceptability is subject to the other considerations within this report.

DESIGN

10.19 The National Planning Policy Framework (NPPF) 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 and should contribute positively to making places better for people.

10.20 Paragraph 131 of the NPPF (2021) states that in determining planning applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 10.21 Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 of the Core Strategy and policy DM2.1 of the Islington Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development
- 10.22 Paragraph 5.68 of the Islington Urban Design Guide (IUDG) reads "*The relationship between the height of building and the street/space they flank is of critical importance. A balance must be found between the need for enclosure. Surveillance and definition and the risk of creating overbearing development that starves the street of light and air.*"
- 10.23 The IUDG states further on in paragraphs 5.76 and 5.77 "*In addition to its height, the scale of a building is also determined by its bulk, width and the manner in which the façade is articulated...Vertical proportions are expressed both in the overall dimensions of a building and in its individual elements, particularly the fenestration, and the manner in which they are composed within the frontage.*"
- 10.24 For new development, the IUDG summarises what is being sought in paragraph 5.78, by reading "*High quality contemporary designs will normally be sought that are skilfully woven into their context and that respect the rhythm, scale and proportions of the existing street frontage. Where the predominant building form in the surrounding area is characterised by narrow plot widths, designs should reflect this.*"
- 10.25 Within the surrounding area, it is observed that whilst there are Victorian terraced housing (with narrow plot widths) towards the northwest; the majority of plots are spacious with wide four storey mid and post-war housing stock as well as larger late 20th/early 21st century purpose built residential developments. Whilst the existing building is part of its own context as part of the wider Cornwallis Open Space, it can also be considered that the existing building and its plot is akin to and reflects the larger neighbouring housing developments. Whilst a larger development can be accommodated within the adventure playground site, any building should still be of an appropriate and subservient scale to (whilst facilitating) the use of the site as open adventure playground.
- 10.26 The maximum height of the existing building is 3.8m (4.7m when measured from street level) at the roof pitch, lowering to 2.2m at eaves level (3.4m from street level). The building is set back from the perimeter with the public highway by 6.25m.
- 10.27 The proposed building would be single storey at a maximum height of 3.85m (5m when measured from street level) and would occupy a marginally larger area than the existing building in the same location of the adventure playground. In comparison to the existing building, the proposed new build would be brought forward towards the street by 3m, but yet still set 3m back from the highway. The proposed building is considered appropriate as it would maintain a similar impact of bulk as the existing building within the streetscene of Cornwallis Road and longer views down Bavaria Road.



Image 9: Visual of proposed building along Cornwallis Road.

- 10.28 Furthermore, the proposal maintains the open character within the street scene characterised by the neighbouring block-like buildings within spacious open plots. Therefore, in reference to paragraph 5.68 of the IUDG, it is considered that the proposed development provides a balanced relationship within the street by through its slightly increased scale and design.
- 10.29 Another factor to consider would be the relationship of the proposed development with the open space that it would flank. The footprint of the new building would be 234sqm which is a minor increase from the existing with the additional bulk not facing the open space. This in conjunction with its single-storey height is considered to be an appropriately scaled building within the adventure playground and adjacent to Cornwallis open space. When seen from within the adventure playground and wider open space, the building would not appear as overbearing, nor enclosing and the need for enclosure (which is acknowledged as of high importance given the nature of the site) is already addressed by the existing boundary wall of the site leading from the building to the outdoor play equipment. The building is an appropriate scale and would remain subservient to the open nature and scale of the adventure playground, reflecting that the prime use of the site remains outdoor children's play and development.
- 10.30 The proposed fenestration at the front elevation facing Cornwallis Road is considered to provide an active presence to the street in combination with the front elevation being moved closer to the street. A full-height door and glazed panelling is proposed at the entrance to the building on top of the modified entrance steps. The new location of the entrance door would align with Bavaria Road in which its presence can be seen within longer views down the street. Whilst protected by metal perforated privacy cladding, the 3x proposed windows on the front elevation also provide activity and surveillance along Cornwallis Road as well as forming an appropriate fenestration design for the building. This is considered an overall improvement from the existing building which appears as a blank front elevation with boarded up windows and doors providing no active frontage or surveillance to the street.
- 10.31 The northwest elevation which faces the adventure playground comprises of majority corrugated metal cladding with full-height doors which is considered acceptable as it would provide open views from the building to the playground providing a safe presence, whilst being of a sympathetic design. This elevation would not be visible from the adjoining street as it would be obscured by the high boundary metal fencing and play equipment with some views from within the wider open space.
- 10.32 The proposed fenestration is considered to reflect vertical proportions of the building in relation to its single storey height. Full windows and doors on the northern elevation would face onto the open

space. Whilst also providing an expression of its vertical proportions, the fenestration would also provide an open relationship between the main internal area of the building and the adventure playground space outside. The same considerations also apply to the fenestration facing the football pitch. The elevation facing the open space would be blank; however, there is the opportunity to use the blank façade for some form of creativity further on as evidenced with the existing elevation through the painting of murals and drawings by the adventure playground users.

- 10.33 The proposed materials for the building are coloured corrugated metal cladding, aluminium framed doors, windows and glazing, perforated privacy cladding (to be placed on the windows), and fibre cement roof fascia. The proposed material choice is considered appropriate as given their durability and additionally can be found in other elements across Cornwallis Adventure Playground and Open Space.

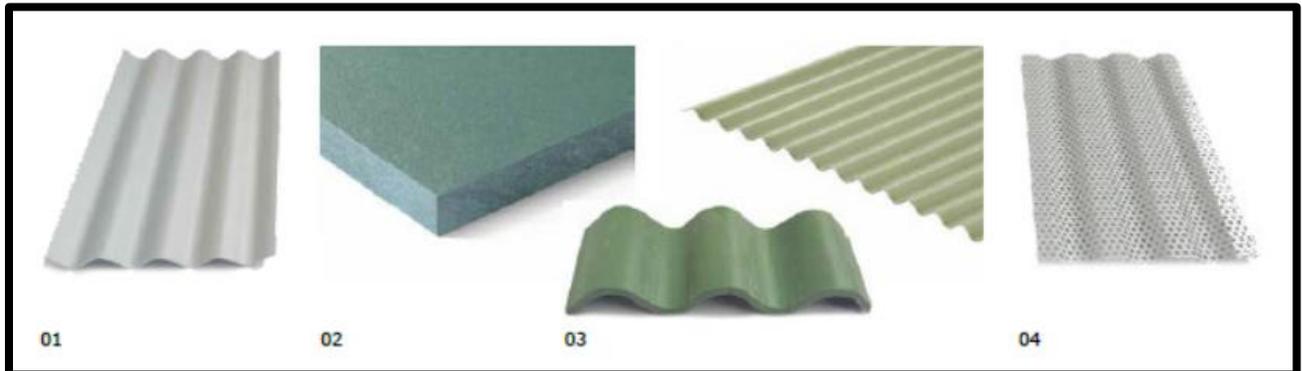


Image 10: Proposed materials.

- 10.34 Lettering is proposed on the roof fascia of the building on its north-eastern elevation that would read 'CORNWALLIS ADVENTURE PLAYGROUND. There is no objection the design of the lettering and this considered an appropriate form of signage which would also be used on similar developments within the borough and as such, would bring a common noticeable identity.
- 10.35 In association with the new build, the front entrance area is to be redeveloped in order to provide better accessibility from the public highway along with a new reclaimed low level brick boundary wall. A metal balustrade is also proposed along the ramp and on either side of the entrance steps. Overall, the redevelopment of the front of the site is considered a significant improvement in regards to design (as well as accessibility as discussed further in this report) and to result in a more finished and welcoming appearance in comparison to the existing.
- 10.36 New metal secure fencing and gates are proposed by the football pitch which are not objected to as they are within the context of existing metal fencing.
- 10.37 The proposed development would provide a suitably high standard of design to the local area using appropriate materials in a contemporary design. The proposal is considered to relate well to the context of Cornwallis Adventure Playground and Cornwallis Open Space whilst providing an active presence along the street scene of Cornwallis Road.
- 10.38 Therefore, the proposed development complies with the National Planning Policy Framework 2021, policy D4 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Development Management Policies 2013.
- 10.39 Whilst the proposed materials are considered to be appropriate, to ensure that they are of a high quality appearance and finish, a condition will be attached upon approval for details of all facing materials within the proposed development.

INCLUSIVE DESIGN

- 10.40 Policies D5 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in policy DM2.2 of the Islington Development Management Policies 2013,

which requires developments to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone.

- 10.41 The proposed development would result in a step-free access from the pavement to the building by way of a replacement and reconfigured ramp. The entrance steps would also be altered and improved. The new access ramp would have a gradient of 1:15, with a width of 1.5m. Whilst this would not accommodate two wheelchairs to pass each other in opposite directions, it would facilitate step free-access to the new building, the play area and the football pitch. The Council's Inclusive Design Officer has reviewed the proposed development who raises no objection. The adaptations of the new building and front entrance are welcomed.
- 10.42 The internals and layout of the replacement building are also considered to be easier to navigate through and use in comparison to the existing building. New adaptations can be installed within the building for accessibility needs when such needs arise.
- 10.43 Given the constraints of the site and the approaches taken to improve accessibility for all users, the proposed development is considered to comply with policy DM2.2 of the Islington Development Management Policies 2013. Furthermore, the proposed development would be considered to overall comply with Part B of policy H4 of the Draft Local Plan which has the same aims as current policy DM2.2.

NEIGHBOURING AMENITY

- 10.44 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.45 Given the location of the tennis courts and the extent of the development, it is considered that the identified neighbouring properties with the potential to be impacted by the development is Cottenham House. This building is located on the opposite side of the street to the site at the corner of Cornwallis Road and Bavaria Road. The distance measured between this neighbouring building and the proposed development is approximately 40m.

Daylight, Sunlight and Overshadowing

- 10.46 It is considered by reason of its scale and location within the adventure playground, the proposed building would not adversely impact upon the daylight and sunlight of adjoining neighbouring occupiers. Given the 40m separation distance, the proposed building would not intersect a 20-degree angle taken from the habitable windows of Cottenham House.

Outlook

- 10.47 Whilst there would be a change in the outlook from neighbouring properties as the form of the building would have altered and its position within the site moved further forward towards the road, however it is considered that the proposed development would not unacceptably impact upon the outlook from neighbouring occupiers. The open outlook along Cornwallis Road would still be maintained as the development would be contained within the site with outlook into the open space already disrupted by the various play and sports equipment erected.

Privacy

- 10.48 The proposed development would not impact upon the privacy of neighbouring occupiers. Views from the building would be of the adventure playground, Cornwallis Road and longer views down Bavaria Road. There would be no direct views into neighbouring properties given the considerable separation distance of 40m.

Noise and Disturbance

- 10.49 Given the existing use of the site, it is expected that during the daytime hours there would be an expected (but considered negligible) level of noise generated from its use and due to the building providing a slightly greater floor area than the previous building at the site, the proposal would not exacerbate this. It is considered that the proposed building would not result in an adverse increase in noise and disturbance to neighbouring occupiers.
- 10.50 The proposed development would result in a flat roof to accommodate a biodiverse roof. Whilst it would be unlikely that the flat roof would be used as an amenity terrace given the green roof, a condition would be secured upon approval to ensure that the flat roof is only used for the longevity of the green roof and maintenance purposes of the building and not for use as an amenity terrace. This is to ensure no noise and disturbance is caused at first floor level and to ensure privacy is maintained to nearby residential occupiers.

Opening Hours

- 10.51 The opening hours for the proposed building are: 08:00-22:00hrs Monday to Fridays; 09:00-22:00hrs Saturdays; and 10:00-20:00hrs Sundays and bank holidays. This includes the main adventure playground use which would operate 08:00-19:00hrs weekdays and 09:00-18:00hrs weekdays and bank holidays. These hours would be the same as the existing opening hours.
- 10.52 The proposed opening hours (no change from the existing) are considered acceptable given the considerable distance away from neighbouring properties and as noise is emitted externally from the activity of the site is an existing situation with the proposed building considered to not exacerbate such issues.
- 10.53 The continued evening hours for community events and meetings are considered to be acceptable. The activity would be considered less intense than that of children's play and therefore suitable to take place during the evening period. Such events are an occasional use and the end hours of 22:00hrs weekdays and Saturdays and 20:00hrs on Sundays and bank holidays are considered a respectful time. The opening hours continued would also be in line with other adventure playground buildings within the borough.
- 10.54 No hours of use restrictions were provided within previous planning permission at this site. A condition is recommended restricting the hours to those noted above. Given the established use of the site as an adventure playground and the hours of use proposed, it is considered that an operational management plan would not be required.

Light Pollution

- 10.55 Due to the external design of the replacement building, it is considered that the proposed development would not impact neighbouring occupiers in respect to light pollution. The building would not operate into the late-night period and nearby residents would not be impacted by the internal light during the winter months as it would not be at high levels of illuminance.

Safety and Security

- 10.56 Given the existing (and continued) nature of the site, safety and security to the users is of importance. The existing boundary fencing and gates provide physical security to the site and proposed building whilst children's safeguarding is confirmed as provided by the existing operators (Awesome Adventure Play). Brining the building closer to the street (by 3m) and introducing windows to overlook the street would also help to reduce anti-social activity when the site is not in use. As such, it is considered that further details on safety and security is not required in this instance as the same arrangements would continue.
- 10.57 Overall, the proposed development would not cause harm to the residential amenities enjoyed by the occupiers of neighbouring properties and is in accordance with policy DM2.1 (Design) of the Development Management Policies 2013.

TRANSPORT

- 10.58 The site has average access to public transport and the Public Transport Accessibility Level is 3.
- 10.59 The site is equidistant between Holloway Road to the west and Hornsey Road to east. Bus routes 17, 43, 263 and 271 serve Holloway Road whilst bus route 91 serves Hornsey Road.
- 10.60 Bus route 153 serves MacKenzie Road to the north of Paradise Park, whilst bus routes 43, 263, 271 and 393 serve nearby Holloway Road to the east of the site. The site is a 5 minute walk from Upper Holloway station which is served by the London Overground (Gospel Oak to Barking).
- 10.61 In accordance with Appendix 6 of the Islington Development Management Policies 2013, 1x cycle space per 275sqm of leisure/sports floorspace should be provided. No details of cycle parking spaces are provided and upon approval, a condition would be attached to secure details of at least 1x cycle parking space. It is considered the site can accommodate such and would also help encourage and promote a sustainable form of transport, particularly with younger people.

REFUSE AND RECYLING

- 10.62 The proposed development would provide a dedicated refuse store along the northern perimeter, concealed by the existing boundary wall along Cornwallis Road near the north-eastern entrance to Cornwallis Park. The proposed arrangement is considered acceptable and as demonstrated within the proposed plans would not interrupt the use of the building or adjoining park whilst the removal of the refuse would be considered not a hindrance to staff given the new gates proposed for refuse collection.

ENERGY, SUSTAINABLE DESIGN AND CONSTRUCTION, AND BIODIVERSITY

- 10.63 Policy DM7.1 of the Islington Development Management Policies states that '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'. In particular, Part C reads "*Major developments, minor developments creating new residential and/or commercial units, and extensions of 100m² or greater, shall be accompanied by a Sustainable Design and Construction Statement (SDCS), including where relevant an Energy Statement. The SDCS shall clearly set out how the application complies with relevant sustainable design and construction policies and guidance.*"
- 10.64 The applicant has submitted a Sustainable Design & Construction Statement (SDCS) outlining methods in which the new build would help promote sustainable design standards. The SDCS outlines that the new build would be a high thermal performing and airtight structure which would create an envelope which would minimise the building's operational energy requirements. This is as the building would considerably address heat loss. In turn, this would require less energy to operate the building as energy isn't consumed to replace already lost heat and energy.
- 10.65 Heating and energy would be provided to the building through the incorporation of air source heat pumps and solar PV panels. Fittings are also proposed to be installed within the finishes of the building internally to address energy usage and the borough's targets to become a net-zero borough by 2030. These measures are light fitting that are capable of only acceptable low energy light bulbs, energy labelled white goods that are A+ rated and light fittings that are efficiently greater than 40 lumens per watt. Externally, energy efficient light and security lights with controlled motion sensors are proposed.
- 10.66 The materials for the construction will be locally sourced where possible to minimise adverse environmental impacts through the types of materials as well as the shorter distance supply chain. The longevity and durability of the chosen materials would ensure that the use of additional materials would be lessened during the building's lifetime, thereby lessening harmful environmental impacts from its production and sourcing. All proposed timber for the internal structures and partitions would be specified from PEFC or FSC certified sources.

- 10.67 The development also proposes measures for water management in the form of sustainable drainage systems (SUDS). Forms of SUDS proposed for the new build are the biodiverse roof, bio retention planters, water butts and the use of permeable surfaces. Some of these SUDS also promote biodiversity values such as the biodiverse roof and planters.
- 10.68 The proposed biodiverse green roof would cover an area of approximately 195sqm. Whilst the provision of a bio-diverse green roof is supported, further details are recommended to be submitted to ensure that the proposed roof meets the council's biodiverse values and to secure its longevity. This includes details of plant species, substrate depth, and maintenance.
- 10.69 The proposed development therefore is considered to comply with policies DM6.5, DM7.1 and DM7.2 of the Islington Development Management Policies 2013. A condition is recommended that would ensure that the development is implemented in accordance with the Sustainable Design and Construction Statement to ensure the building's sustainability.

TREES AND LANDSCAPING

- 10.70 The site contains a horse chestnut tree within the front external area which is proposed to be removed to accommodate the accessibility improvements to the new building entrance, including an accessibility compliant ramp. The applicant has submitted an arboricultural report which details that the horse chestnut has been pruned and otherwise damaged and decayed with a limited life expectancy.
- 10.71 The tree has been designated as a category C2 tree and whilst the loss of this tree is regrettable, the loss of the low value tree would accommodate improved accessible access to the development. This in turn would result in all users and members of the community being able to access the new building without any limitations.
- 10.72 Mitigation has been proposed to account for the loss of the horse chestnut tree which includes the planting of either a Silver maple, Italian alder or Sweet gum. These tree species have been chosen as they can attain the same larger mature height as the existing tree and canopy cover, thereby in turn maintaining the same arboricultural character of this part of the site and street.
- 10.73 The Council's Tree Officer has been consulted and has raised an objection to the principle loss of the larger mature horse chestnut. Whilst this objection is noted the loss of the tree has been balanced against the accessibility improvement that the site would deliver with the tree removed. The quality of the existing tree and its limited life expectancy has also been considered in which it is considered that the tree would inevitably have to be removed regardless of the scheme in the future due to its decay.
- 10.74 In order to demonstrate the requirement for the loss of tree to facilitate the accessible works, the applicant has submitted drawings showing different ways in which proposed ramp and stairs and ramp can be facilitated whilst also maintaining the horse chestnut tree. Each option would result in either the stairs, the ramp, or both, not meeting compliance with building regulations or other accessibility requirements. The option with the tree removed would result in a compliant entrance steps and ramp that fits comfortably within its context. Furthermore siting the building closer to the road, brings safety and security improvements and the slight increase to the building footprint could not be set further back into the site or would result in loss of public open space. Taking all these considerations into account, the proposal resulting in the loss of the Category C Horse Chestnut tree is considered on-balance to be acceptable.
- 10.75 Having regard to the considerations as discussed above, the proposed development is acceptable with regard to landscaping and trees and is in accordance with policies DM2.1, DM2.2 and DM6.5 of the Islington Development Management Policies 2013.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The principle of the proposed development is considered to be acceptable and would provide a new facility supporting the adventure playground use as well as providing space for community uses. The scale and design of the development would not appear out of character within either the street scene or the wider open space setting.
- 11.2 Whilst 29sqm adventure playground designated space would be lost, this would be at the front of the site between the existing building and the street (which would in itself bring improved safety and security to the street). The replacement building would provide for enhanced community, play and youth facilities directly supporting the adventure playground designation of the site. This would not result in a technical loss of open space and the development would bring public benefits including enhanced accessibility and safety and security.
- 11.3 Whilst the proposal would result in the loss of a horse chestnut tree to the front of the site (large mature tree) it is a category C tree and a suitable replacement species, able to reach a comparable size as the existing tree on maturing is proposed. On-balance having regard to the improved facility including accessible entrance to ensure the building and adventure playground would be accessible to all, improved safety and security and sustainability are considered to balance in favour of approval of this application.
- 11.4 It is considered that the proposal would improve the appearance of the site and would not result in detrimental harm to the amenity of surrounding occupiers, subject to appropriate conditions. The proposal accords with policies CS8 and CS9 of the Islington Core Strategy 2011, policies DM2.1 of the Islington Development Management Policies 2013, and the Urban Design Guide 2013.
- 11.5 In accordance with the above assessment, it is considered that the proposed development is, on-balance acceptable and consistent with the policies of the London Plan, the Islington Core Strategy and the Islington Development Management Policies, and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.6 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the grant of planning permission be subject to **conditions** to secure the following, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

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>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>PHP COR 00: 100 P1; 101. PHP COR 01: 100 P1; 101 P1; 200 P1; 300 P1; 302 P1; 303 P1. PHP COR 02: 101 P2; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1. PHP COR 07: 100; 200 P1.</p> <p>Redevelopment of Cornwallis Adventure Playground [by Paper House Project]: Design & Access Statement dated June 2021; Engagement Statement dated June 2021; Proposed Accessibility Options- Configurations A-F dated September 2021; Sustainable Design & Construction Statement dated September 2021 by Paper House Project dated September 2021.</p> <p>Arboricultural Report by Tim Moya Associated dated June 2021 (Ref. 200934-pd-11).</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 (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 commencing on site. The details and samples shall include:</p> <p>a) Corrugated sheeting and cement fibre b) window treatment (including sections and reveals); c) roofing materials; and d) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Hours of Operation (Compliance)
	<p>CONDITION : The development hereby approved shall not operate outside the hours of:</p>

	<p>08:00- 22:00hrs Monday- Fridays 09:00- 20:00hrs Saturdays 10:00- 20:00hrs Sundays and Bank Holidays</p> <p>The development hereby approved shall not be used in association with the existing adventure playground outside the hours of:</p> <p>08:00- 19:00hrs Monday- Fridays 08:00- 18:00hrs Saturdays, Sundays and Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
5	Construction Method Statement (Details)
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
6	Cycle Parking (Details)
	<p>CONDITION: Details of the design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than the 1x cycle spaces proposed.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
7	Sustainable Design and Construction (Compliance)
	<p>CONDITION: The hereby approved development shall be carried out in accordance with the approved Sustainable Design & Construction Statement by Paper House Project dated September 2021.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>

8	Green/Brown Biodiversity Roofs (Details)
	<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 any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be</p> <p>d) biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>e) laid out in accordance with plan PHP COR 02 101 P2 hereby approved; and</p> <p>f) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <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 roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
9	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. PHP MLK 02 100 P1 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
10	For Replacement Trees not Covered by TPO (Compliance)
	<p>CONDITION: If the replacement tree dies, fails to establish, is removed, destroyed, uprooted or becomes seriously damaged or diseased within five years of the date of this consent, it must be replaced with another tree of the same size and species, and in the same location within one year of dying.</p> <p>REASON: To ensure the continued amenity provided by the tree and the planting of an appropriate species.</p>

List of Informatives:

1	Construction Works
	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	Highway Requirements
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works</p>

	<p>commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
3	<p>Community Infrastructure Levy (CIL)</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 London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 **National Guidance**

The National Planning Policy Framework 2021 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.

- National Planning Policy Framework 2021

2. **Development Plan**

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2021 – The Spatial Development Strategy for Greater London

- Policy GC3- Creating a healthy city
- Policy D4- Delivering good design
- Policy S5- Sports and recreation facilities
- Policy HC1- Heritage conservation and growth
- PolicyG3- Metropolitan Open Land
- Policy G4- Open space
- Policy G6- Biodiversity and access to nature

B) Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS15- Open space and green infrastructure
- Policy CS17- Sports and recreation provision
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

- Policy DM2.1- Design
- Policy DM2.3- Heritage

Shops, culture and services

- Policy DM4.12- Social and strategic infrastructure and cultural facilities

Health and open space

- Policy DM6.3- Protecting open space
- Policy DM6.4- Sport and recreation
- Policy DM6.5- Landscaping, trees and biodiversity

Energy and environmental standards

- Policy DM7.1- Sustainable design and construction
- Policy DM7.2- Energy efficiency and carbon reduction in minor schemes

Transport

- Policy DM8.4- Walking and cycling
- Policy DM8.6- Delivery and servicing for new developments

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

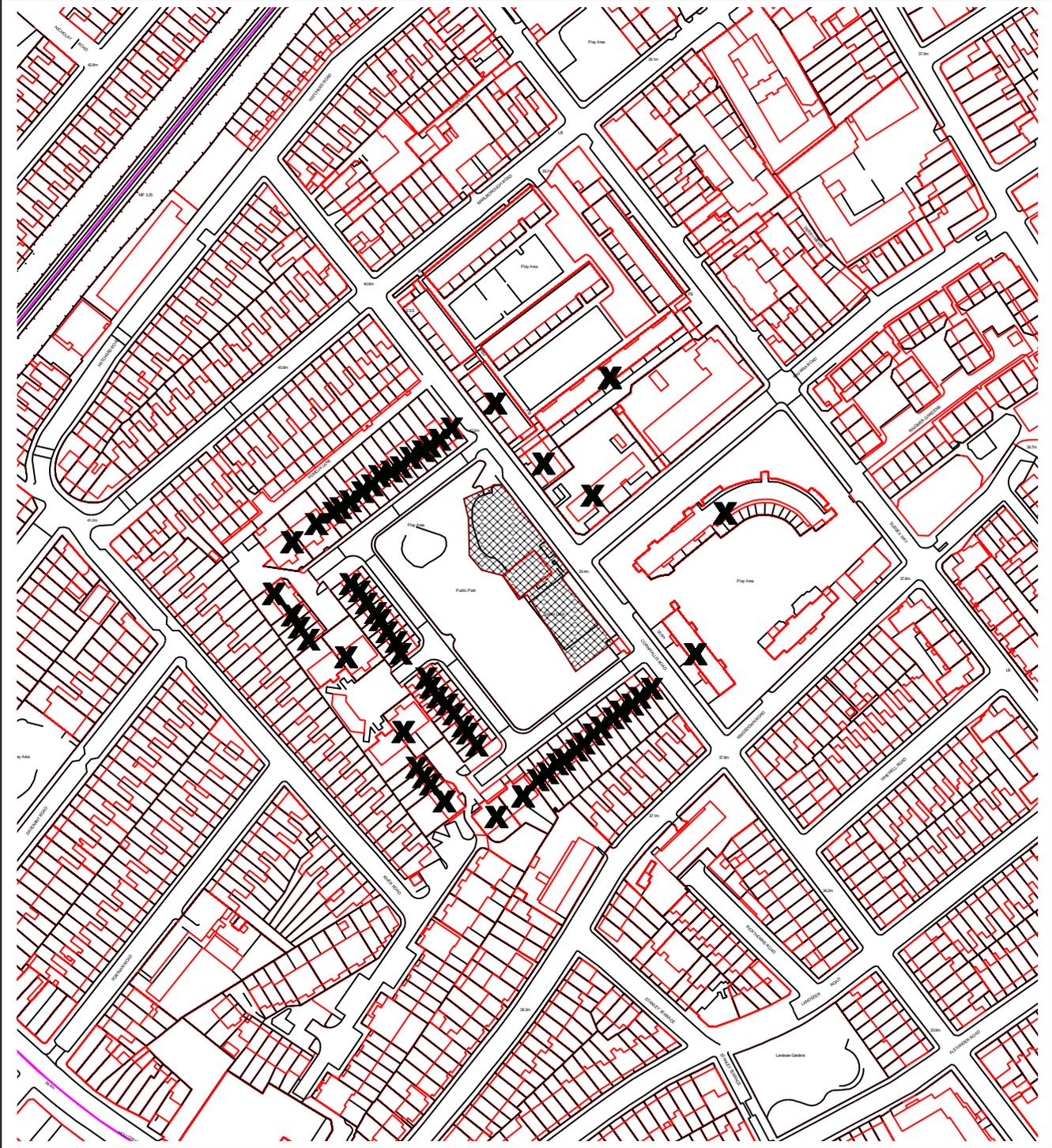
The following SPGs and/or SPDs are relevant:

Islington SPG/SPD

- Urban Design Guide 2019
- Environmental Design SPD

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Islington SE GIS Print Template



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P2021/1874/FUL

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Community Wealth Building

PLANNING SUB-COMMITTEE B	
Date:	30 th September 2021

Application number	P2020/3542/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	Clerkenwell Green
Development Plan Context	Core Strategy Key Areas (Bunhill & Clerkenwell) Central Activities Zone (CAZ) Conservation Areas (Clerkenwell Green) Finsbury Local Plan Area (Bunhill & Clerkenwell) Local View from Angel (LV3) Local View from Archway Road (LV4) Local View from Archway Bridge (LV5) Mayor's Protected Vista - Alexandra Palace viewing terrace to St Paul's Cathedral (VC1) Major Cycle Route Within 50m of Hat and Feathers Conservation Area
Licensing Implications	None
Site Address	224-232 St John Street, EC1V 4QR
Proposal	Proposed infill extensions to the existing building at first, second and third floors, creation of a fourth floor, creation of external terraces at fourth floor, erection of acoustic screening for external plant area above new fourth floor level, refurbishment and recladding of the existing building and associated works.

Case Officer	Mr Jake Shiels
Applicant	C/o Agent
Agent	Mr Anthony Brogan (Montagu Evans)

1. RECCOMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

2. SITE PLAN (site highlighted in red)



Image 1: Location Plan

3. PHOTOS OF SITE

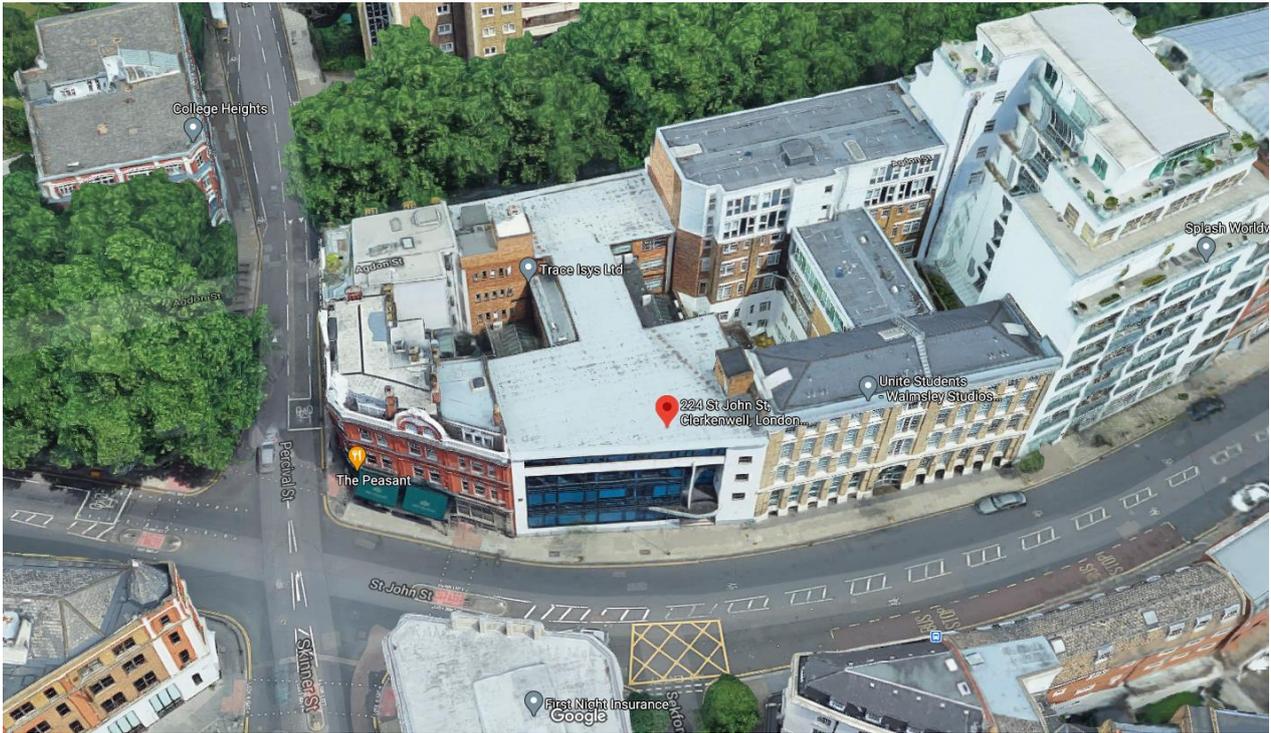


Image 2: Aerial view of site



Image 3: Existing front elevation



Image 4: Existing rear elevation

4. SUMMARY

- 4.1 The proposal seeks planning permission for infill extensions to the existing building at first, second and third floors, and creation of fourth floors, creation of external terraces at floor, erection of acoustic screening for external plant area above fourth floor level, refurbishment and recladding of the existing building and associated works for continued office use (Class E(g)).
- 4.2 The office use (Class E(g)) of the site is established, with the proposal increasing the net floor space within this building by approximately 697 square metres. The proposal is considered to be acceptable, and would provide improved, more accessible and additional office space within the Central Activities Zone and Employment Priority Area.
- 4.3 The proposed extensions in regards to massing, scale and detailed design are considered to enhance the character and appearance of the host building and the wider conservation area bearing in mind the existing built form on site.
- 4.4 The proposed infill extensions, and fourth floor extension are not considered to result in demonstrable harm to neighbour amenity nor introduce a quantum of floorspace that would adversely impact the public highway.

- 4.5 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character nor appearance of the Conservation Area, the setting of the adjacent Peasant Public House (Grade II listed building), nor adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011, policies BC4, BC7 and also BC8 of the Finsbury Local Plan (2013) and the Clerkenwell Green Conservation Area Design Guidelines (2002) as well as the NPPF (2021).
- 4.6 The application is referred to the Planning Sub-committee because it is recommended for approval and it involves the creation of more than 250sqm (but less than 999sqm) of new office floorspace where relevant planning objections have been received by the proper officer.

5. SITE AND SURROUNDING

- 5.1 The application site is formed of a four storey building (including partial basement level) and is located on the east side of St John Street. The ground and upper floors are occupied by offices (Class E(g)) and the basement serves as an associated plant area. The first, second and third floors are arranged around an H-shaped floorplate, with the central element largely serving as a link between the main front (west) and rear (east) sections of the building. The building has a flat roof with two lift overruns and several stair well light structures.
- 5.2 The building dates from the 1950s and retains the largely original rear façade. The St John Street frontage was renovated in the late 1980s and comprises full height blue tinted glazing panels with surrounding banding. The main entrance is located on St John Street in an off-set position towards the south of the frontage and is accessed from pavement level by a short entrance staircase.
- 5.3 Immediately to the north and adjoining part of the site is the Grade II listed Peasant Public House, noted for its ornate frontage which wraps around the junction of St John Street and Percival Street. The pub and its associated kitchen occupy the majority of the four-storey building with residential accommodation located on the top floor. Also adjoining the site to the north is the five storey premises at 242-244 Agdon Street which has a commercial unit at ground floor level and residential units above.
- 5.4 Immediately to the south of the site is Liberty House which provides student accommodation. Liberty House is a non-designated heritage asset, which adopts a similar H-shaped footprint to 224-232 St John Street. The building comprises a four-storey frontage section to St John Street, rising in a stepped arrangement to a six storey section at the rear of the building facing onto Agdon Street. Further to the south and adjoining Liberty House is the eight-storey Paramount Building.
- 5.5 To the west of the site on the opposite side of St John Street is the junction with Sekforde Street and just beyond at 19-23 Sekforde Street are three and four storey Grade II listed early nineteenth-century terrace houses. Alongside the Sekforde Street junction is Pattern House, 223-227 St John Street, an elegant 1930s former watch making factory, comprising four floors which have now been converted to residential flats, and 221 St John Street which forms the end property in a uniformed row of four storey office buildings that line the curvature of western side of the road.
- 5.6 The site is located within the Clerkenwell Green Conservation Area and a number of local views including a Mayors protected view of St Pauls Cathedral. The site is also located within the Central Activities Zone (CAZ) and an Employment Priority Area (General).

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks full planning permission for infill extensions to the existing building at first, second and third floors, creation of fourth floor, creation of external terraces at fourth floor, erection of acoustic screening for external plant area above the new fourth floor level, refurbishment and recladding of the existing building and associated works for continued office use (Class E(g)).
- 6.2 The infill at 1st and 2nd floor would extend towards the south elevation of the building and around the existing lightwell extending out to either side of the lightwell by 3.1m in width. A small 0.3m intrusion extends horizontally behind the lightwell for a depth of 13.2m.
- 6.3 The infill at 3rd floor would extend towards the north elevation of the building by 2.4m for a width of 13m with the existing atrium beyond this. A further infill at this level is proposed to the south elevation and around the existing lightwell extending out to either side of the lightwell by 3m in width. A 3.5m extension extends horizontally behind the lightwell for a depth of 13m.
- 6.4 The fourth floor extension spans 32m in width, with varying depths around the atrium and lightwell. The extension would have a height of 3.25m, with parapet projecting 0.3m above. The extension following the receipt of amended plans has been setback from the north elevation and atrium area by 3.1m and for a length of 12.4m. A plant area is proposed above the east section of the extension to the north east part of the roof, set back from the roof edge by 5.3m. It would be enclosed by an acoustic louvred screen with a height of 2.2m, spanning 13.1m in length and 3.8m in depth. It would enclose a new lift shaft, air handling unit and 15 condenser units to serve the office space. Terrace spaces are located upon the fourth floor, facing St John Street and Agdon Street and would be enclosed by black metal balustrades.
- 6.5 The extensions would be bricked, whilst the front (glazed) and rear (white rendered) facades would be replaced also in brick. The brick would be a light red multi brick with white reconstituted stone parapet to each elevation. New windows are proposed which would be slim line aluminium crittall-type windows. A new stair core is proposed from St John Street which would provide a new step free access to the ground floor of the building.
- 6.6 Internally, services would be improved involving a re-configured ground level for showers and cycle facilities at the Agdon Street entrance.

Amendments during the application

- 6.7 During the application process, amendments were sought to the 4th floor extension following officer concern on impacts on loss of daylight and sunlight. As detailed in paragraph 6.4 a cutback of the extension took place and a revised daylight and sunlight assessment was carried out. The Design and Conservation Officer also raised minor concerns on the overall architectural treatment of the building with glass balustrades for the terraces proposed whilst the circulation core on St John Street was considered to benefit from greater articulation to the façade. More traditional balustrades were since introduced and the stair core was amended to consist of a white stone to reinvigorate the elevation further.

7. RELEVANT HISTORY:

Recent applications

- 7.1 890921: Retention of front elevation.

Approved with no conditions on 11/12/1989.

- 7.2 P2020/3543/FUL: Proposed infill extensions to the existing building at first, second and third floors, creation of fourth and fifth floors, creation of external terraces at fourth and fifth floors,

erection of acoustic screening for external plant area to the new fifth floor level, refurbishment and recladding of the existing building and associated works.

Refused on 03/03/2021 for the following reasons:

REASON: The development by reason of its height, scale and massing would have a detrimental impact on the setting of the identified listed building, and the prominent scale and massing would adversely affect the special character and appearance of the Clerkenwell Green Conservation Area. The development would, therefore cause harm to the significance of the designated heritage assets contrary to paragraph 196 of Chapter 16 (conserving and enhancing the historic environment) of the National Planning Policy Framework 2019, Policies D3 and HC1 of The London Plan 2021, policy CS9 of Islington's Core Strategy 2011 and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013, guidance contained within Islington's Conservation Area Design Guidelines 2002 and Islington's Urban Design Guide 2017.

REASON: The development by reason of its height, bulk and mass and siting in close proximity to neighbouring properties at 240 and 242-244 St John Street would have a detrimental impact on outlook, causing a sense of enclosure, and loss of daylight and sunlight contrary to Policy DM2.1 of the Development Management Policies 2013 as well as BRE 'Site layout planning for daylight and sunlight: a guide to good practice' (Second Edition 2011).

Pre-application

7.3 Q2020/1001/MIN: Pre-application: Refurbishment and recladding of the existing building, creation of 982 sqm GIA additional office floorspace through, Infill extensions at first, second and third floor levels, creation of additional fourth and fifth floors, creation of external terraces at fourth and fifth floors and creation of external plant areas at fifth floor level and roof level. **Completed** on 06/08/2020. Summary of response:

- The proposed 4th floor and 5th floor roof extension and (any future) associated plant and terrace above the existing level of built form upon the roof of the application site would cause harm to the character and appearance of the Clerkenwell Green Conservation Area by virtue of their scale and bulk. The proposed development would disrupt the characteristic rhythm/unity of the street and introducing height, bulk and mass that fail to respect the scale, form, and character of the host building, the street and conservation area.
- The proposed built form rising behind the important roofline of the Grade II listed pub detracts from its visual prominence in these views and so detrimentally impacts upon the setting of the building. It is therefore considered that the two storey extension would impede upon and compromise the pub's roofline and townscape setting to an unacceptable degree, contrary to policies and guidance concerning the conservation and enhancement of heritage assets.
- Any increase in height and massing at the site is likely to be overbearing when viewed from neighbouring windows to the north and there may also be detrimental impacts upon the amount of daylight received, especially given the orientation of the proposed development in relation to these residential properties. Satisfactory measures to minimise overlooking, loss of daylight and sunlight to immediately adjacent dwellings (including submission of Daylight & Sunlight Assessment for officer review) will be required.

CONSULTATION

Public Consultation

- 7.4 Letters were sent to occupants of **597** adjoining and nearby properties on St John Street, Agdon Street, Malta Street, Percival Street, Sekforde Street, Skinner Street, Woodbridge Street on 20/01/21. A site and press notice also advertised the proposed development.
- 7.5 A total of **11** objections were received.
- 7.6 Following the submission of amended plans, additional letters were sent to occupants of adjoining and nearby properties on 09/08/21, a total of 5 objections were received from the latest round of consultation, **0** of these are new objectors to the proposal. Therefore, at the time of the writing of this report a total of **11** objections have been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets).

OBJECTIONS

Design and appearance

- Overdevelopment
- Application does not address pre-application advice
- Proposal fails to address the fact that the extensive refurbishment to the elevations would amount to demolition of the building instead of simply cladding
- The proposed development would result in an overbearing, dominant and incongruous extension of built form which significantly affects, to the detriment of the adjacent listed building and its setting
- The proposed development would result in an overbearing, dominant and incongruous extension of built form which significantly affects to protected views
- Would spoil the unique low rise characteristic of Clerkenwell
- If the final height could follow the two adjoining buildings, resident would be happy to support
- Concern with design of plant.
- The development may involve more than demolition of just the front facades.

(paragraphs 9.6-9.44)

Neighbouring amenity

Outlook, enclosure and privacy

- The proposed development would result in an overbearing, dominant and incongruous extension of built form which significantly affects neighbouring amenity
- Loss of privacy from extensions.

(paragraphs 9.47-9.55)

Daylight and sunlight

- Loss of daylight
- Loss of sunlight
- Overshadowing
- Loss of daylight and sunlight to bedroom space is a serious matter despite comments within assessment

- Living rooms at 242-244 St John Street are not dual aspect as stated within the assessment and are only lit to the frontage.
- There are 2 bedrooms to the rear 242-244 St John Street instead of 1 as stated within the assessment.

Officer comment: A revised daylight and sunlight assessment to include the 2 bedroom windows instead of 1 as originally assessed was received to consider this along with the 4th floor cutback. Lounge/kitchen/dining rooms face away towards Agdon Street.

- Existing property at Grimthorpe House does not receive lots of light
- Development of either 1 or 2 storeys would be imposing towards office studio space
- Amended proposal would still show significant losses of daylight.

(paragraphs 9.56-9.75)

Noise and disturbance

- Concern with noise from acoustic plant
- Noise assessment inadequate
- The assessment has not adequately considered nearby residential noise receptors and quadrangle to the rear of the St John Apartments
- Impact from airborne noise and vibration not considered
- Concern with noise and dust from construction
- Impact of scaffolding and building work on nearby commercial premises
- Concern with asbestos within building
- Impact on mental health and wellbeing.

(paragraphs 9.76-9.81)

Highways

- Concern with highways impact and congestion
- Construction hours and management measures questioned
- Lack of adequate parking for size of building.

(paragraphs 9.88-9.90)

Other

- Request has been made to speak with the developers but this has not been forthcoming
- Dissatisfaction with council consultation and reach to residents with lack of English and understanding of bureaucratic procedures.

Officer comment: In regards to making the application process accessible for all. The consultation letters includes an option to the bottom of the letter which states that 'if you would like this document in large print or Braille, audiotape or in another language, please telephone 020 7527 2000'. We would encourage all residents to take up this to ensure there is a way of consultation letters being translated.

Islington is dedicated to ensure its processes can be understood by all its residents. The below links provide further details.

<https://www.islington.gov.uk/accessibility/translation-services>

<https://www.islington.gov.uk/social-care-and-health/coronavirus-covid-19/translations-and-bsl>

Internal Consultees

- 7.7 **Design and Conservation:** No objection raised. Recommendation is for approval subject to conditions. This is detailed within the Design assessment of this report.
- 7.8 **Highways Officer:** No objection raised. Full comments detailed within the Highways assessment of this report.
- 7.9 **Inclusive Design Officer:** A number of comments were received to ensure the development secures an accessible WC and shower, accessible sanitary products and accessible cycle storage.
- 7.10 **Noise Acoustics Officer (Public Protection):** No objection raised subject to conditions. The application includes a noise report which predicts compliance with Islington's plant noise criterion. Terrace areas shall not operate outside of working hours Monday to Friday. Full comments detailed within the Noise assessment of this report.
- 7.11 **Sustainability Officer:** A number of comments in relation to the energy and sustainable design and construction statement were made by the officer, detailing the following:
- The proposed reductions in carbon emissions and the use of SAP10 are welcomed, as is the use of Air Source Heat Pumps
 - As mechanical ventilation with heat recovery will be used in a number of the areas an air permeability rate of 3.0 m³/h/m² should be targeted
 - The proposed green roof is welcomed. This should meet the requirements of the standard green roof condition in respect of substrate depth and planting.
 - Bat and bird boxes should be installed as appropriate, under the advice of an ecologist. The officer recommends that swift bricks are also incorporated to external walls above a height of 5 metres. These should be installed just below roof level
 - Vertical greening/green walls should also be considered to provide further biodiversity benefits
 - Consideration should be given to the use of blue roofs, which can be combined with green roofs, to provide rainwater attenuation, in accordance the drainage hierarchy in the new London Plan
 - Construction waste should be minimised and the building should be made from components and materials that can be re-used or recycled where possible
 - A minimum 10% of the total value of materials used in the construction should derive from recycled and re-used content in the products and materials selected.
- 7.12 **Tree Officer:** The Tree Protection Plan and Arboricultural Method Statement, contained within the submitted Arb report, are adequate to protect the highways trees located to the rear and front of the building during all development works.

External Consultees

- 7.13 **London Fire Brigade:** No comments received.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 8.1 Islington Council (Planning Sub 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).
 - To determine the application in accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paying special attention to the desirability of preserving or enhancing the character and appearance of the Conservation Area.
 - To determine the application in accordance with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, paying special attention to the desirability of preserving the Grade II Listed Building.
- 8.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 8.3 The National Planning Policy Framework 2021 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.
- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of 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.

8.9 The Development Plan is comprised of the London Plan 2021, 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.

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

Emerging Policies

Draft Islington Local Plan 2019

8.11 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination consultation on pre-hearing modifications took place between is taking place from 19 March to and 9 May 2021. The Matters and Issues have now been published with hearings currently taking place (13 September to 5 October).

8.12 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.14 Emerging policies relevant to this application are set out below:

Policy SP1 Bunhill and Clerkenwell
Policy B1 Delivering business floorspace
Policy B2 New business floorspace
Policy G1 Green Infrastructure
Policy G5 Green Roofs
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy T3 Car Free Development Parking
Policy T2 Sustainable Transport Choices
Policy T5 Delivery, Servicing and Construction
Policy DH2 Heritage Assets
Policy DH3 Building heights
Policy ST2 Waste

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation

- Impact on heritage assets
- Impact on the amenity of neighbouring residents
- Accessibility
- Highways
- Sustainability
- Trees
- CIL.

Land Use

- 9.2 The London Plan (2021) highlights that The CAZ is an internationally and nationally significant office location, complemented by the Northern Isle of Dogs and Tech City. Given their strategic importance, as a general principle, offices and other CAZ strategic functions are given greater weight relative to new residential development in the Zone (with exceptions set out in policy). The principle of greater weight is designed to ensure that the agglomerations of offices and other CAZ strategic functions are not compromised by new residential development.
- 9.3 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including through a proportion of small, micro and/or affordable workspace or affordable retail space.
- 9.4 The office use (Class E) of the site is established, with the proposal increasing the net floor space within this building by approximately 697 square metres. It is understood that the resultant building would continue to be in office use.
- 9.5 No objection is raised in regards to the principle of the use to improve and extend the existing office (Class E(g)) space given the site is within the Central Activities Zone (CAZ). A condition will be placed upon the permission to ensure the development provides Class E(g) floorspace.

Design and Conservation

- 9.6 The National Planning Policy Framework (NPPF) 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 and should create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that in determining applications, great weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.7 Paragraph 195 of the NPPF (2021) requires Local Authorities to identify and assess the particular significance of any heritage asset that may be affected by a proposal.
- 9.8 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area. The businesses and shops which provide the mixed use character of Islington will be maintained through employment, retail and design policies.
- 9.9 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need

to be based on coherent street frontages and new buildings need to fit into the existing context of facades.

- 9.10 Development Management Policies DM2.1 requires all forms of development 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.
- 9.11 Development Management Policies DM2.3 states that development that makes a positive contribution to Islington's local character and distinctiveness will be encouraged. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Substantial harm to the significance of a conservation area will be strongly resisted. It is worth noting that the council will have to paid special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 9.12 In addition to these borough-wide policies, the host property sits within the Finsbury Local Plan area. Policy BC7 Historic Clerkenwell of the Finsbury Local Plan supports heritage-led development that provides 'New buildings of high architectural quality and local distinctiveness, of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height.' The policy requires that new development should reflect long established building lines, street frontages and plot widths. Roof extensions, plant rooms and lift overruns should conform to prevailing building heights and should not harm the character and appearance of the existing building as seen from streets and public open spaces.
- 9.13 The site falls within the Clerkenwell Green Conservation Area and it is considered that the proposed development would have an impact towards the character and setting of the Conservation area
- 9.14 The Islington Core Strategy (adopted 2011) identifies this site as being located within the Bunhill and Clerkenwell key area. As such, policy BC7 applies, and also BC4 and BC8 of the Finsbury Local Plan.
- 9.15 The Council's Design and Conservation Team has been consulted as part of the application and their comments have been included as part of this assessment below.

Heritage assets

- 9.16 The site is also within the setting of a number of designated and non-designated heritage assets.
- 9.17 Immediately to the north and adjoining part of the site is the GII listed Peasant Public House at 240 St John Street, noted for its ornate frontage which wraps around the junction of St John Street and Percival Street. Also adjoining the site to the north is 238 St John Street which whilst always having been in separate ownership falls within the scope of the listing of the pub. The list entry calls it 'integral part of the design' and makes clear that it is included principally on the grounds of external architectural interest.
- 9.18 To the west of the site on the opposite side of St John Street is the junction with Sekforde Street and just beyond at 19-23 Sekforde Street are three and four storey GII listed early nineteenth-century terrace houses. Alongside the Sekforde Street junction is 221 St John Street which is included on the Register of Locally Listed Buildings and Shopfronts (non-designated heritage asset).

- 9.19 The site is within the policy area called 'Historic Clerkenwell' in the Finsbury Local Plan, and within the Clerkenwell Green Conservation Area. The area is designated for its special character and appearance and its importance to Islington and London as a whole. The area has the longest history of any part of the Borough and its significance is derived in this history, the unique pattern of development of the area, its architectural development over time and its great variety of uses including specialist manufacturing, workshops, wholesaling and retailing activities. The juxtaposition of different activities and architecture, cheek by jowl, sets Clerkenwell apart from more homogenous business and residential areas of the Borough and London as a whole.



Image 5: Existing view from junction of Skinner Street, Percival Street and St John Street

Previous assessments

- 9.20 It is important to note that officers had, at pre-application stage (Q2020/1001/MIN), considered a two storey extension fronting both elevations. As detailed at paragraph 7.3 of this report, the massing and scale of the development was considered unacceptable, having an adverse impact on the Conservation Area by virtue of the scale and bulk proposed. It was also considered to disrupt the characteristic rhythm/unity of the street and introduce height, bulk and mass that would fail to respect the scale, form, and character of the host building, the street and conservation area. The proposed built form rising behind the important roofline of the Grade II listed pub was also considered to detract from its visual prominence in these views and so would detrimentally impact upon the setting of the building. It was therefore considered that the two storey extension would impede upon and compromise the pub's roofline and townscape setting to an unacceptable degree, contrary to policies and guidance concerning the conservation and enhancement of heritage assets.
- 9.21 Application reference (P2020/3543/FUL) was submitted simultaneously with this application and proposed the addition of 2 storeys as detailed at pre-application stage. This was refused on 3rd March 2021 based on similar issues and concerns highlighted by officers at pre-application stage.

Proposal

- 9.22 It is proposed to retain and redevelop the existing building by replacing the front elevation onto St John Street, infilling with extension areas of the H-shaped plan, and extending the existing building upwards by one floor. A number of objections and concerns have been raised from the public consultation on the impact on the Conservation Area and general streetscene.

Principle of roof extension

- 9.23 The proposed roof extension to create a fourth floor would be set back from the St John Street elevation but almost contiguous to the retained Agdon Street elevation.



Image 6: Existing view south on St John Street

- 9.24 The host property is located in a prominent position on St John Street, adjacent to the GII listed pub (The Peasant) which sits on the junction of Percival Street, Skinner Street and St John Street. The property is visible from a number of viewpoints on each of the streets forming the junction as well as from Sekeforde Street which shares a junction with St John Street. Therefore, whilst the host building is not statutorily or locally listed, it is a visually prominent building with views possible from a number of vantage points.

- 9.25 The host property, is subject to a number of guidelines regarding roof extensions and design.

- 9.26 The **Clerkenwell Green Conservation Area Design Guidelines (2002)** contains special policies regarding roof extensions in the conservation area, stating the following:

1.20 New buildings and roof extensions to existing buildings should conform to the height of existing development in the immediate area

1.21 Most buildings in the area are between three and five storeys high. There are very few buildings over five storeys and most of these detract from the appearance of the area. Normally no new building or extension will be permitted above five storeys (about 18 metres above

ground level). All plant rooms and lift overruns should be located so as to be invisible from the street including long views from adjacent streets. On many sites new buildings may need to be lower, perhaps three or four storeys high, in order to fit into the existing scale of the street, to conform with prevailing parapet heights and to respect their neighbours.

1.22 Roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building.

1.23 Strong parapet lines and hidden roofs are characteristic of many properties in the area. These include terraces of Georgian houses in Sekforde Street, Woodbridge Street and Compton Street, but also Victorian and Edwardian or early 20th century commercial buildings throughout the area. It is considered that visible roof extensions can be detrimental to the simple verticality of these buildings and should be resisted. In these situations, applicants will need to demonstrate that set-back extensions are not visible from public spaces and streets.

Roof terraces can be a way of achieving private amenity space, but should only be allowed where they are not visible from the street and do not cause problems of overlooking of neighbours.

1.24 New development should conform to the scale of existing buildings in the area.

- 9.27 The **Islington Urban Design Guide (2017)** provides advice in relation to acceptable forms of design of development within the Borough. In relation to roof extensions within conservation areas, **paragraph 5.150** states that the roofline is often an important feature contributing to the character of an area and therefore proposals for roof extensions anywhere along an unaltered roofline within a conservation area will not generally be acceptable. Where the roofline is broken, the scope for roof extensions will normally be dependent on...the number of existing extensions and the extent to which the unity and consistency of the roofline has already been compromised.
- 9.28 The above guidance (produced to help inform correct application of policy) makes it clear that the relationship between the height of buildings and the street/space they flank is of critical importance and the roofline is an important factor contributing to the rhythm and uniformity of a street. The prevailing building height of the buildings on the junction of St John Street/Skinner Street/Percival Street is four storeys with the exception of the Paramount Building at 206-212 St John Street, which accords with the pattern of development in historic Clerkenwell. In order to be successful, the proposals should be both sympathetic to the host building and harmonise with this predominant height and strong roofline.
- 9.29 The proposed one storey extension would create a five storey (fourth floor) building on the site. It is considered that a fifth storey extension is acceptable in principle as this would be in keeping with the character and prevailing building heights of the conservation area, subject to its impact on the setting of heritage assets and the townscape. The acceptability of the fifth storey will be dependent on the impact of the development on the setting of the GII listed building as well as on the conservation area and streetscape.

Height, bulk and mass

- 9.30 The submission provides a number of photomontage-views taken from local vantage points that show the existing site and proposed development where it is most visible. The indicative images from Skinner Street and Perceval Street provide two of the most notable views and it is clear that the fifth storey would be visible from this location. However, the extension on the Agdon St elevation when seen from Perceval Street does not appear to be visible in the street scene in summer views due to the natural screening of the mature trees. In winter months there would be some visibility, but this would be in the context of the Paramount building (206-212) which is higher to the rear of the site. The resultant height and massing, would in officers' opinions be at the maximum of what can be accepted without harm to the townscape, and is nonetheless relatively proportionate to the building heights of the immediate context and does not exceed the five storey maximum height identified as characteristic of the area in the CADG.

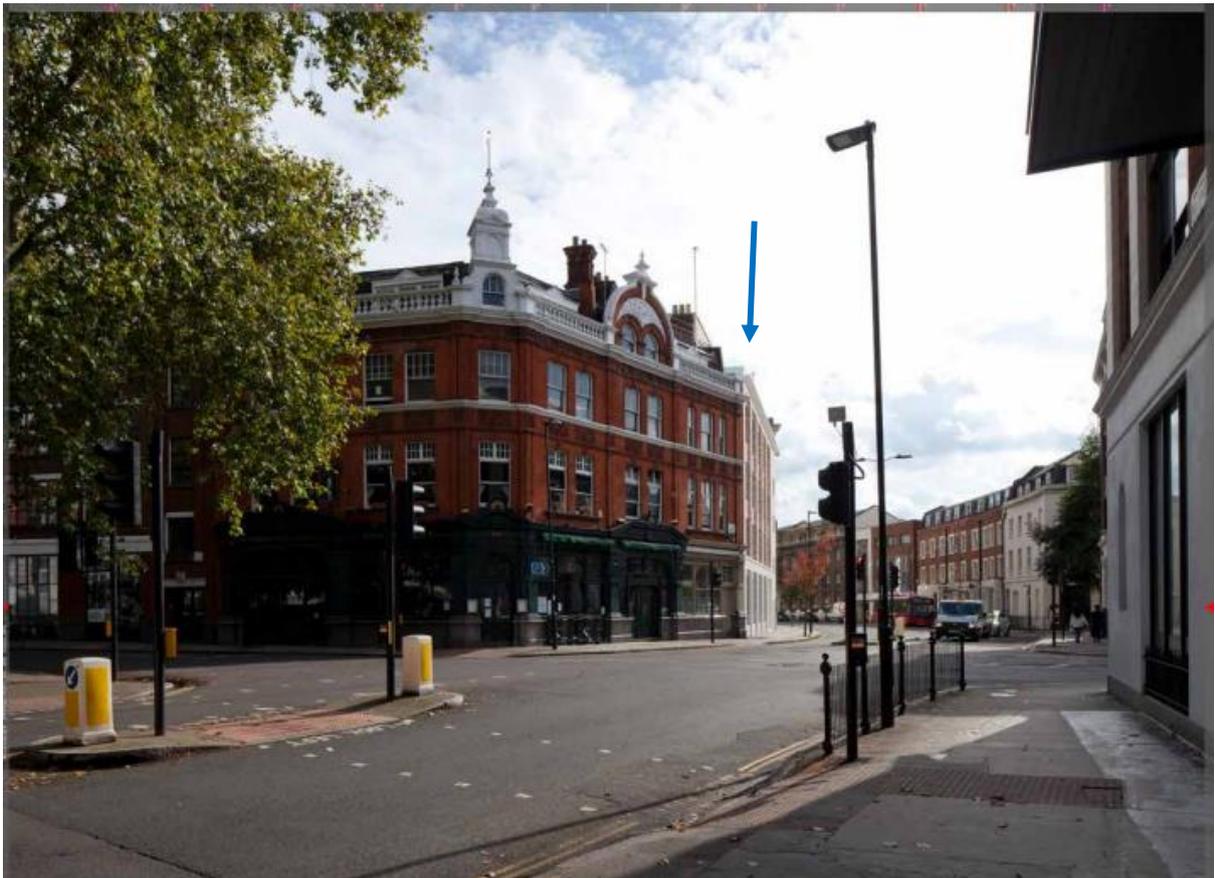


Image 7: Proposed view from junction of Skinner Street, Percival Street and St John Street



Image 8 & 9: Proposed view (Summer and Winter) from junction of Percival Street and Agdon Street



- 9.31 Due to the constraint of the H-shaped plan of the host building, the mass of the extension is concentrated on the southern portion of the site. The submitted views make it clear that the fifth storey of the proposed roof extension would be visible from the public realm on St John Street directly outside the application site and on Agdon Street. Generally, a stepped massing is not desirable, unless it means that the visibility of the upper floors is wholly eliminated from views from the public realm, whilst consideration should also be given to private views too. However, as detailed in the Design and Conservation officers observations the additional storey has been articulated in the same language and proportions as the retained facade on Agdon Street and the re-faced façade on St John Street adheres to the overall geometry and proportions of each façade. It reads as an ordered and composed set-back storey rather than as roof-level infill and is therefore considered acceptable in this regard.

Roof level plant and other roof structures

- 9.32 During the application process, the Design and Conservation Officer required the applicant to supply verified views of all plant and roof structures minus the leaf cover (which was submitted) to enable a full and proper assessment of the developments townscape impact especially from St John Street looking towards the Peasant Pub (setting of listed building). This view was provided by the applicant and it did not show the plant to be prominent, nor significantly visible in winter when there is little to no leaf cover. Therefore it is concluded that there is no adverse impact on the setting of the Grade II listed pub.
- 9.33 On the subject of roof structures such as railings, plant and lift overruns the IUDG states:

5.192 Roof structures that are not an integral part of the building such as plant or railings should normally be avoided, particularly if they are visible from the public realm or would undermine residential amenity. If space for plant machinery is required, this should be accommodated within the building envelope.

5.193 Lift overruns that project above the roofline should be avoided. If this is not possible, they should be incorporated on the rear part of the roof, where they are not visible from the street. Additionally, the proposals include doors onto the flat roofs created by the stepped extensions. Parapet/roof-edge treatments will increase the perceived massing of the building and the use of the terraces as office amenity space has the potential to add visual clutter at roof level which would be unacceptable in the conservation area. Details of this element of the proposals would be required before a full assessment can be made.

- 9.34 The proposals include plant and a plant enclosure to the Agdon Street side of the roof. This has been set back from the roof edge by 5.3m. It would be enclosed by an acoustic louvred screen with a height of 2.2m and is adjacent to the neighbouring roof extension of the building on the corner of Agdon Street and Percival Street (242-244 St John Street). When considering this relationship, the proposed location does reduce the public visibility of rooftop plant by placing it against the taller elements of a neighbouring building and therefore does not appear prominent from street level.

Elevational treatment and materiality

- 9.35 It is proposed to replace the existing elevation to St John Street with a façade comprised of a new red brick which would also be used on the new upper storey. On the alteration and refurbishment of existing buildings, the CADG states:

1.32 On redevelopment and refurbishment schemes the Council will normally require the use of vernacular materials.

1.33 The existing character and appearance of the area depends largely on the survival of a range of vernacular building materials, such as brick, render, stone, timber windows, slate and tile roofing. It is important that new buildings and refurbishment of existing buildings blend in with and reinforce this character...Alterations and extensions to existing buildings should respect the building's materials, architectural style and proportions.

9.36 The proposed architectural treatment of the building is reminiscent of a warehouse typology found in the south of the borough around Old Street and Clerkenwell. Buildings of this type are defined by their robust nature featuring strong ground floor plinths, usually with a different material treatment and/or fenestration pattern to the upper floors; a traditional solid to void ratio; robust traditional materials; and strong rooflines hiding roofs behind heavy parapets. The proposed elevation of the re-faced part of the building is broadly contextual to the conservation area and the differentiation between the ground and upper floors both in terms of the materials.



Image 10: Proposed elevation treatment St John Street

9.37 During the application process, it was considered by officers that the glazed balustrades to the new storey would be unacceptable in the conservation area where a requirement is had to use traditional materials in a traditional manner: Additionally comments from the Design and Conservation Officer were received on the materiality of the circulation core facing St John Street in that it could benefit from some articulation. Amended plans were received, which detailed more traditional black metal balustrades for the terrace areas, whilst the stair core was amended to consist of a white stone which officers consider to create a better visual appearance within the Conservation Area.

Impact on heritage assets

9.38 The effect of the proposals on the setting of the GII listed public house and character and appearance of the conservation area are important considerations. Originally called The George and Dragon, the pub and dining rooms (the adjacent No. 238) was rebuilt and enlarged c1889-90 on the site of an earlier pub of the same name, which had once been called The Green Dragon. As detailed within its listing, the building is described as:

A handsome, well-detailed example of a late C19 public house with high-quality brickwork, a good pub front and some original internal pub fittings and decoration of note. No. 238, although altered internally, is an integral part of the design and is included principally on the grounds of external architectural interest.

9.39 The roofline of the pub is ornate featuring balustrades, semi-circular pediments featuring roundels depicting St George and a corner dormer surmounted by an aedicule featuring a clock and weathervane. These decorative and architectural features were no doubt included in the design of the pub to celebrate its prominent corner location and so are of architectural interest and contribute to its significance.

9.40 As existing, the upper storeys of the Paramount Building at 206-212 St John Street permitted prior to the adoption of the current CADG and Local Plan, and prior to the listing of The Peasant pub (designated Feb 2007) are visible in the same view. Whilst this height and mass is clearly incongruous and prominent within the street scene, the conservation area and setting of the listed building, it takes a narrower form than that which is proposed on the development site, and there is a perception of space/distance between the roof of the pub and that mass. In contrast, the proposed one storey extension introduces horizontal mass across the extent of much of the roofline of the pub. However, this mass in its entirety is not publically visible and could not be said to cause harm to the setting of heritage assets in the observations made by the Design and Conservation Officer, this opinion is also shared by officers.



Image 11: Proposed view from Percival Street across junction with Ingersoll Building on the right

Views

- 9.41 The site falls within the Mayor's Protected Vista from Alexandra Viewing Terrace to St Pauls Cathedral and three Local Views from Angel (LV3), Archway Road (LV4) and Archway Bridge (LV5). These viewing corridors seek to protect views of St Paul's Cathedral.
- 9.42 Policy DM2.4 states that redevelopment of buildings that currently adversely impact on a local or strategic view are required to enhance the view and not infringe on any part of the defined view. An assessment of the impact upon the Local View, inclusive of verified views, has been submitted. The views within the visual assessment submitted do not impede local or strategic views that would result in harm to protected vista.

Conclusion

- 9.43 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is considered to enhance the character and appearance of the host building and the wider conservation area bearing in mind the existing built form on site. The application therefore complies with the NPPF 2021, policies D4 and HC1 of the London Plan 2021, Policy CS8 and CS9 of the Islington Core Strategy 2011, policy DM2.1 and DM2.3 of the Islington Development Management Policies 2013, policies BC4, BC7 and also BC8 of the Finsbury Local Plan (2013) and the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines.
- 9.44 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the setting of adjoining listed buildings and the character and appearance of the Clerkenwell Green Conservation Area.

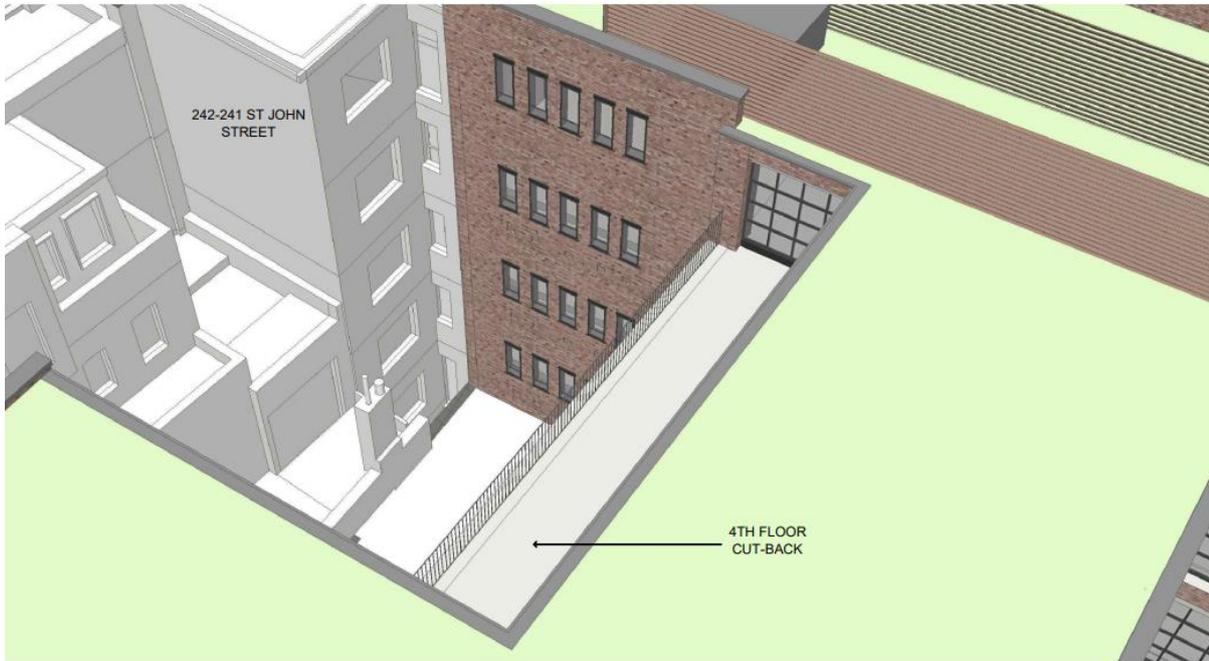
Neighbouring Amenity

- 9.45 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. The proposal is subject to London Plan Policy D6 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 D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 9.46 The proposal is surrounded by primarily office spaces; however, the rear elevation of 240 St John Street does contain a residential property as well as flats within 242-244 St John Street from 1st to 4th floors. These properties are located directly north of the H-shaped application building. To the east side is Grimthorpe House (1-128 Agdon Street) which is an 8 storey residential block on the opposing side of Agdon Street to the proposed development. Student accommodation is located directly to the south of the site (214-222 St John Street) which is 4 storeys facing St John Street, and 6 storeys facing Agdon Street.

Outlook, enclosure and privacy

- 9.47 A number of objections and concerns have been raised from the public consultation on the impacts the extensions may have on neighbouring amenity. As existing, the 4 storey building at its tallest terminates slightly below the properties to the north of the site at 238, 240, 242-244

St John Street or at a comparable level, save for a brick lift overrun to the east side of the roof that is attached to the fourth floor of 242-244 St John street. To the south side, the building is however 2 storeys shorter upon the Agdon Street elevation and 1 storey shorter than Liberty House (214-222 St John Street) upon the St John Street elevation. Further to the south and adjoining Liberty House is the eight-storey Paramount Building (206-212 St John Street).



View of 4th floor cut-back from above looking NE

Image 12: Proposed view of the 4th floor cut back

- 9.48 The proposed 4th floor with plant room would rise up against the boundary to the north east section of the site and result in additional height above the existing built form. The extension would have a height of 3.25m. The roof plant enclosure proposed above the fourth floor extension would have a height of 2.2m and extends over the extension facing Agdon Street. The northern section of the enclosure for a length of 6.6m is obscured up to a height of height 1.1m.
- 9.49 The infill at 3rd floor would be located 8.8m from the rear elevation and windows of 242-244 St John Street, with 240 St John Street setback approximately another 2m-2.5m on top of this. Whilst the 3rd floor infill draws the extended building closer to the residential properties, when viewing the proposed sections provided it would not rise above the adjacent buildings and would infill the space above the 1st and 2nd floor and make it flush with the lower floors. It would be entirely subservient to the existing building and would neither dominate nor significantly enclose neighbours. The 4th floor extension was as originally proposed setback from the mentioned residential properties from the same distance as the proposed 3rd floor infill. However, amended plans were received to create a setback to the extension from the north elevation and atrium area by 3.1m and for a length of 12.4m. The extension would subsequently be setback from the rear elevation of 242-244 by 12m and between 14.10m-14.70m due to splayed rear building line. This is shown in the roof plan below (image 14).

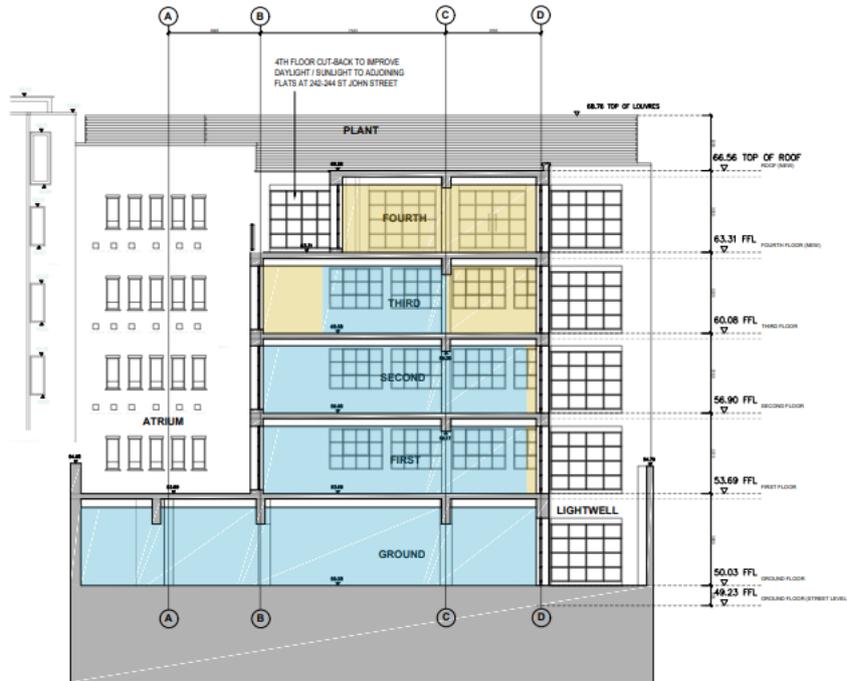


Image 13: Proposed infill and 4th floor massing

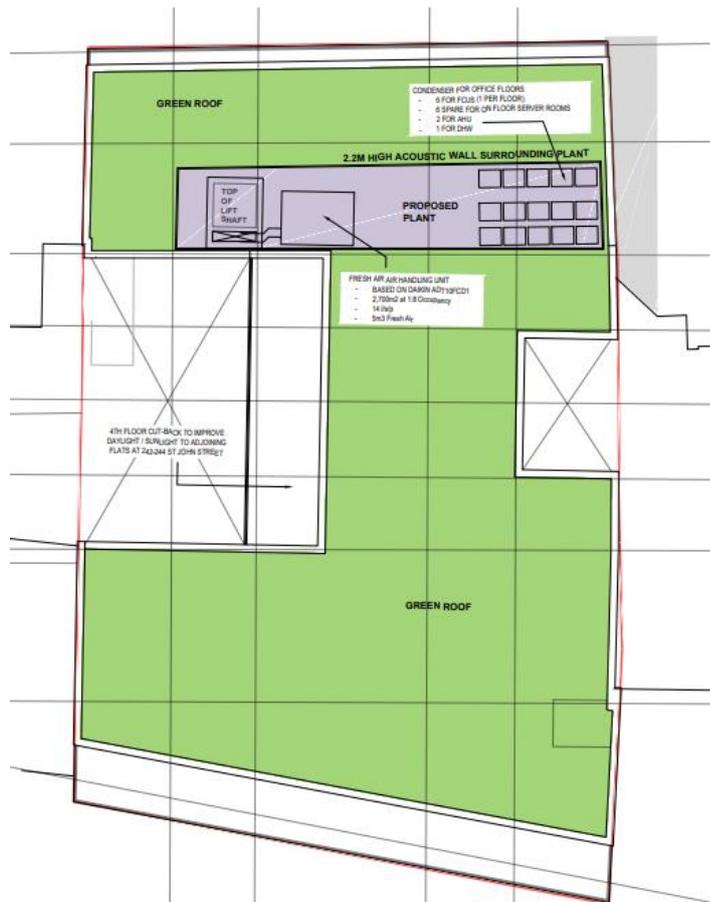


Image 14: Proposed roof plan

- 9.50 As detailed on the section drawings, the fourth floor extension would not dominate the residential properties to the north which are sited from 1st to 4th floor at 242-244 St John Street and at the 2nd floor of 240 St John Street. The height of 3.25m and setback from the floor below ensures the extension does not result in demonstrable harm, the extension does also not rise considerably above the mentioned mixed use buildings in regards to height. In comparison to the refused application P2021/3543/FUL, the single storey extension above the existing building is not considered to result in significant bulk and mass and it would not be considered an overbearing form of development that would have an adverse impact on the habitable windows of these residential properties in regards to outlook and enclosure.
- 9.51 In regard to other impacts to non-residential spaces, 238 St John Street is an office space located next to 240 St John Street to the north and has windows that face east away from the development and is not considered to be unacceptably impacted in regards to outlook and enclosure. 214-222 St John Street to the rear of the site would draw closer to the upper floors of the student accommodation south-west of the development. A degree of outlook would be impacted from the student windows upon the top most floor. However, this building is taller to the Agdon Street elevation and would be level with the building from St John Street, and would again not dominate the building. Additionally, it should be acknowledged that the limited impacts to these properties as assessed are not considered significant and are non-residential (permanent) space.
- 9.52 Paragraph 2.14 of the Development Management Policies 2013 states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*'
- 9.53 In regards to overlooking, there would be glazing within all elevations of the new extension at fourth floor level. However, as is the current situation the extension would be occupied by office workers during working hours only. It is therefore not considered the glazing would result in demonstrable harm to residential occupiers or other commercial premises. It would also not fall foul of the guidance above on overlooking and privacy as the extension would not house habitable rooms. The refurbishment and the extension of the building with new office space has potential to cause light spill and light pollution especially in winter periods and within the evening. A condition has therefore been added to ensure there is a management system in place for automatic shut off lights and sensor technology to ensure there is no adverse impacts in regards to light intrusion to neighbouring properties.
- 9.54 Balcony spaces are proposed to both elevations. It is not considered that the terrace facing Agdon Street would have an adverse impact to residents at 1-128 Agdon Street, based on the premise that the hours of use would be linked to the office hours Monday-Friday, is not a large floor area and due to it's limited depth would serve as a balcony instead of terrace. The terrace with a larger floorplate that fronts St John Street is adjacent to residential properties at 223-227 St John Street whilst 221 contains commercial premises. The terrace is separated from the properties by the public highway and with hours of use strictly permitted to office hours only, it is not considered to result to demonstrable harm to neighbouring amenity. It should be noted that terrace areas are visible within the street scene at 206-212 St John Street.
- 9.55 The amended plans that detail the cutback of the fourth floor show a recessed space. Notwithstanding the plans submitted, the area is not to be used as a balcony or terrace space or any sitting out area for the office occupiers. As agreed with the applicant, a condition shall also be attached to ensure that the area shall only be accessed for maintenance purposes and shall not in any case serve as office amenity space due to the conflict that may occur in regards to the noise, disturbance and loss of privacy that could cause residential occupiers if office works could access this area of the extension.

Daylight and Sunlight

- 9.56 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. A number of objections have been raised with regard to the impact of the proposed structure upon the levels of sunlight and daylight provided to neighbouring properties.
- 9.57 The applicant has provided a Sunlight and Daylight analysis to support the proposal, which has assessed the impact of the proposal on the windows and the rooms they serve that could potentially be affected at the adjoining properties:
- 1-128 Agdon Street (East of site)
 - 214-222 St John Street (South of site)
 - 22 Sekforde Street (West of site)
 - 23 Sekforde Street (West of site)
 - 223-227 St John Street (West of site)
 - 240 St John Street (North of site)
 - 242-244 St John Street (North of site) 221 and 238 St John Street (Non-residential not assessed).
- 9.58 **Daylight:** the BRE Guidelines stipulate that there should be no noticeable loss of daylight provided that either:
- the Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value (Skylight); or
 - the daylight distribution, as measured by the No Sky Line Contour (NSC) test where the percentage of working plane area receiving light is measured, is not reduced by greater than 20% of its original value.
- 9.59 For daylight, 22 and 23 Sekforde Street and 223-227 St John Street are fully BRE compliant
- 1-128 Agdon Street*
- 9.60 To the east at 1-128 Agdon Street (Grimthorpe House), there are some losses to VSC to 4 of 56 windows upon the ground floor only. These are minor transgressions between 0.75 and 0.79 their former VSC values just below the 0.8 guideline value. These properties also have balconies that are acknowledged within the BRE guide to limit available sunlight. A test was also run in the scenario that all properties did not have balconies, which resulted in no transgressions greater than 20%. For Daylight Distribution 12 rooms showed transgressions when considering the balconies in situ. The rooms absent of balconies are detailed to have improved and range from 0.70 to 0.78 their former values, narrowly below the 0.8 guideline. In this regard, the projecting balconies are causing the most significant impact to daylight receipt into the rooms themselves. Overall, the reductions are not considered so adverse to result in refusal of the application and would not impact main living room areas from the assessment

provided. The development is also separated by the highway and is shaded in summer months from the mature street trees that line the street. The BRE guidelines are intended to be applied flexibly and the proposed extension is considered to sit comfortably in the streetscene, meaning that the daylight results could be considered reasonable for this urban location.

Daylight Assessment (VSC)	Existing	Proposed	PR/EX	Meets BRE Guidance
R6-W1 (Ground-Kitchen)	5.05	3.79	0.75	No
R7-W7 (Ground-Bedroom)	4.73	3.55	0.75	No
R10-W10 (Ground-Kitchen)	3.87	3.00	0.77	No
R11-W11 (Ground-Kitchen)	3.49	2.77	0.79	No

Table 1: Daylight assessment (VSC)

Daylight Assessment (NSL)	Existing	Proposed	PR/EX	Meets BRE Guidance
R2 (Ground-Bedroom)	7.49	5.83	0.78	No
R3 (Ground-Bedroom)	6.00	4.63	0.77	No
R6 (Ground-Kitchen)	5.51	3.60	0.65	No
R7 (Ground-Bedroom)	5.86	3.93	0.67	No
R10 (Ground-Kitchen)	4.82	3.25	0.67	No
R11 (Ground-Kitchen)	4.13	3.06	0.74	No
R2 (First-Bedroom)	8.87	6.34	0.71	No
R3 (First-Bedroom)	7.15	5.02	0.70	No
R6 (First-Kitchen)	7.56	4.42	0.59	No
R7 (First-Bedroom)	7.83	4.77	0.61	No
R10 (First-Kitchen)	6.09	3.99	0.65	No
R11 (First-Kitchen)	5.04	3.76	0.74	No

Table 2: Daylight assessment (NSL)

214-222 St John Street

9.61 214-222 St John Street directly to the rear of the site to the south and contains student accommodation. 17 of 57 windows tested show transgressions on VSC upon the basement level (3), ground floor (5), first floor (4), second floor (4) and third floor (1) which range from 0.59 to 0.79. However, many of these windows currently have very low levels, especially the basement floor, with existing VSC levels as low as 4% (27% and above is the general guidance requirement). In regards to daylight distribution 42 of the 46 rooms (91%) adhere to the guidance, those failing include 1 within the basement and 3 within the ground floor and as existing have room lit areas which are considered low (5%).

Daylight Assessment (VSC)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (Basement-Student Acc)	3.85	2.95	0.77	No
R5-W6 (Basement-Student Acc)	7.05	4.23	0.60	No
R5-W7 (Basement-Student Acc)	7.44	4.39	0.59	No
R1-W1 (Ground-Student Acc)	7.05	4.46	0.63	No
R2-W2 (Ground-Student Acc)	9.68	7.68	0.79	No
R5-W6 (Ground-Student Acc)	10.21	6.27	0.61	No
R6-W7 (Ground-Student Acc)	11.37	6.82	0.60	No
R7-W8 (Ground-Student Acc)	7.24	5.13	0.71	No
R1-W1 (First-Student Acc)	12.11	7.75	0.64	No

R5-W6 (First-Student Acc)	14.55	9.90	0.68	No
R6-W7 (First-Student Acc)	17.53	11.74	0.67	No
R7-W8 (First-Student Acc)	12.20	8.70	0.71	No
R1-W1 (Second-Student Acc)	17.09	11.61	0.68	No
R5-W6 (Second-Student Acc)	19.46	14.78	0.76	No
R6-W7 (Second-Student Acc)	23.98	18.06	0.75	No
R7-W8 (Second-Student Acc)	17.32	13.19	0.76	No
R10-W12 (Third-Student Acc)	27.45	19.14	0.70	No

Table 3: Daylight assessment (VSC)

Daylight (NSL)	Assessment	Existing	Proposed	PR/EX	Meets BRE Guidance
R5 (Basement-Student Acc)		7.89	4.46	0.57	No
R5 (Ground-Student Acc)		7.12	4.45	0.62	No
R6 (Ground-Student Acc)		7.64	5.82	0.59	No
R7 (Ground-Student Acc)		8.50	3.93	0.69	No

Table 4: Daylight assessment (NSL)

- 9.62 It is important to note that this accommodation is for students during their time at university. The impacts occur to individual rooms and windows and not 1 self-contained residential property. Individual students would occupy the accommodation for the academic year only and the main function would be for sleeping and studying. It is not permanent living accommodation. As such the BRE guidance may be applied flexibly. Furthermore, as this is student accommodation which would have a transient population and not family accommodation, it is considered that the effect on this neighbouring property is not unacceptable.

240 St John Street

- 9.63 This property is The Peasant public house situated in close proximity to the north of the development site, it serves the public house at ground floor and also at first floor. Originally the 1st floor was assumed to be in residential use and was assessed against BRE guidance. However, it was later discovered that the 1st floor windows do not serve the residential property and instead serve the commercial premises. This was confirmed with the Public House owner.
- 9.64 For VSC, 3 of the 6 windows tested do not adhere to the guidelines. The retained VSC are 0.78, 0.78 and 0.79 at 2nd floor level, which shows extremely marginal reduction below the recommended 0.8. The 3 windows upon the 3rd floor all pass VSC. In regards to daylight distribution, all 6 rooms adhere to guidelines. Overall, the residential flat which is located at 2nd and 3rd floor level would receive a good level of daylight.

Daylight Assessment (VSC)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (2nd-Unknown)	12.01	9.44	0.79	No
R2-W2 (2nd-Unknown)	20.65	16.03	0.78	No
R2-W3 (2nd-Unknown)	22.89	17.76	0.78	No

Table 5: Daylight assessment (VSC)

242-244 St John Street

- 9.65 This is predominantly a residential building with 4 flats above the commercial ground floor space north east of the site upon the 1st, 2nd, 3rd and 4th floor. Flats upon the 1st to 3rd floor contain 2 bedrooms. Window W1 serve bedrooms facing the proposed extension, whilst window W2 faces west towards the atrium space between the neighbouring buildings. At 4th fourth floor level, the host flat contains 1 bedroom (W1) facing the development, whilst W2 serves a bathroom also facing west towards the atrium space. Originally window W2 as detailed on the daylight assessment was considered to serve a living room/kitchen/diner, it was since found that W2 served bedrooms and a bathroom (4th floor only).
- 9.66 From the VSC results 1 of the 7 windows adhere to the guidelines. It is important to note however that the bedrooms marginally drop below 0.8. At 1st floor level, there is a slightly more noticeable reduction in comparison to the others assessed retaining 0.69 for one bedroom, although retaining 0.75 for W2 serving the 2nd bedroom which is just below the 0.8 recommended figure. It is important to note that before the setback of the 4th floor extension levels of 0.49 and 0.64 were retained, with the first of the 2 figures detailed resulting in very noticeable reductions for W1, even in this dense and compact urban location. Further up the building, the 2nd floor flat retains light of 0.71 and 0.77. 0.78. 0.82 values are passed at 3rd floor whilst the 4th floor bedroom window marginally drops below the recommended 0.80 factor former value to 0.79.

Daylight Assessment (VSC)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (First-Bedroom)	10.76	7.46	0.69	No
R2-W2 (First-Bedroom)	10.16	7.64	0.75	No
R1-W2 (Second-Bedroom)	15.43	10.88	0.71	No
R2-W2 (Second-Bedroom)	13.75	10.61	0.77	No
R1-W1 (Third-Bedroom)	20.38	15.98	0.78	No
R2-W2 (Third-Bedroom)	17.80	14.53	0.82	Yes
R2-W1 (Fourth-Bedroom)	28.29	22.41	0.79	No

Table 6: Daylight assessment (VSC)

Daylight Assessment (NSL)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1 (First-Bedroom)	6.99	4.37	0.63	No
R2 (First-Bedroom)	3.46	2.18	0.63	No
R1 (Second-Bedroom)	10.32	6.90	0.67	No
R2 (Second-Bedroom)	5.31	4.06	0.76	No
R1 (Third-Bedroom)	10.78	10.53	0.98	Yes
R2 (Third-Bedroom)	5.49	5.46	1.00	Yes
R1 (Fourth-Bedroom)	8.49	8.49	1.00	Yes

Table 7: Daylight assessment (NSL)

- 9.67 For Daylight Distribution, the 2 bedrooms within the 3rd floor flat and the 1 bedroom tested within the 4th floor pass the test. At 1st (0.63 for both bedrooms) and 2nd floor (0.67-0.76) the areas of the room lit fall below 0.8m. Whilst below the 0.8 guideline, they are not vast losses. Prior to the amendments to the bulk of the 4th floor, figures of 0.38 and 0.43 former values were detailed, which result in reductions of approximately 60% their value. It is not considered, that as amended the result show figures that would significantly diminish daylight to the flat at 1st and 2nd floor levels.

9.68 As detailed on the original daylight and sunlight assessment, but since removed following the discovery of bedrooms in their place, the units are served by living/room/kitchen diners that face Agdon Street. The windows and the rooms they serve would not encounter any reductions in regards to the daylight and sunlight given their location. The assessment by Anstey Horne details that the BRE guidelines note bedrooms are given less importance than the main habitable areas and thus some flexibility in the application of the guidelines may be applied. This is not untrue, however officers in assessing the application and through seeking an amendment to setback the extension by 3.1m, have reduced losses to figures less harmful, and in balancing the harm identified, the proposal in this case is not considered to result in significant daylight losses beyond former values that would be deemed harmful to neighbouring amenity nor result in creating a poor living environment for the flat occupiers.

9.69 **Sunlight:** the criteria within the BRE Guidelines advise that calculation of the annual probable sunlight hours (the amount of sun available in both the summer and winter for each given window) should be calculated for all windows which face within 90° of due south. In existing buildings, the BRE guide suggests that; *'If a living room or an existing dwelling has a main window facing 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting to 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 winter probable sunlight hours between 21st September and 21st 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.

9.70 In regards to ASPH all windows pass at 22 and 23 Sekforde Street and 223-227 St John Street and 128 Agdon Street.

214-222 St John Street

9.71 The assessment states that of the 32 windows tested, 31 adhere to the ASPH guidelines. The 1 window failing (3rd floor level) results in transgressions to 0.72 its former value which is not significant and given the use of the building for student accommodation it is not considered to result in adverse impacts.

Sunlight Assessment (ASPH- Annual)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (Third-Student Acc)	18	13	0.72	No

Table 8: Sunlight assessment (ASPH-Annual)

240 St John Street

9.72 Of the 6 windows tested, 5 adhere to the APSH guidelines for annual sunlight and winter sunlight. Of the 1 window failing (1st floor) the annual sunlight this drops only to 0.76 at 2nd floor level and 0.40 in winter sunlight. When considering this residential flat has passes in 5 of its 6 rear windows there would be a marginal impact that would not be considered adverse.

Sunlight Assessment (ASPH- Annual)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (Second-Unknown)	21	16	0.76	No

Table 9: Sunlight assessment (ASPH-Annual)

9.73 Of the 7 windows tested, 5 adhere to the annual guidelines (2nd, 3rd and 4th floor flats) and three adhere to the winter guidelines. The 2 windows that fail annual guidelines are located at 1st floor level they drop to 0.60 and 0.77, with the latter only marginally falling below the 0.8 recommended figure retaining 18% and 17% APSH (25% required). Of the four bedrooms that fall beneath the winter guidelines, these are located on the first and second floor and retain between 0% and 3% winter probable sunlight hours. However, it should be noted that the 1st floor bedroom windows as existing have existing levels less than the advisory 5% figure.

Sunlight Assessment (ASPH- Annual)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (First-Bedroom)	30	18	0.60	No
R1-W2 (First-Bedroom)	22	17	0.77	No

Table 10: Sunlight assessment (ASPH-Annual)

Sunlight Assessment (ASPH- Winter)	Existing	Proposed	PR/EX	Meets BRE Guidance
R1-W1 (First-Bedroom)	3	0	0.00	No
R1-W2 (First-Bedroom)	2	0	0.00	No
R1-W2 (Second-Bedroom)	8	3	0.38	No
R1-W2 (Second-Bedroom)	7	2	0.29	No

Table 11: Sunlight assessment (ASPH-Winter)

9.74 As existing there is low levels of sunlight to the 1st floor flat given its low sited position surrounded by the neighbouring properties. As mentioned within the Anstey Horne assessment it states that, if there is to be any material increase in the massing on the development site, it only takes for a couple of the sunspots to be interrupted by the proposed massing in their analysis for the software to estimate a depletion of winter APSH, which is the case here. As with the daylight assessment, detailed at paragraphs at 9.66-9.68 on light reductions at this level, the proposed extension does not significantly deplete the existing level of sunlight when viewing the figures within the assessment following the amendment to the bulk of the fourth floor extension.

Conclusion

9.75 Overall, whilst the daylight and sunlight assessments have shown some transgressions most notably to the 2no. bedroom windows of 1st floor flat of 242-244 St John Street, the reductions following the submission of amended plans to cut back the 4th floor extension are not significant and in some cases marginally fall below the recommended 0.8 former value. It is also noticeable that in regards to sunlight levels the ASPH as existing falls below the guidelines due to the siting of the flat. Officers also are required to acknowledge the overall impact on the amenity of the host flat, and in this case note that the properties main living quarters (Lounge/Kitchen/Diners) are not impacted in regards to daylight and sunlight, whereby officers consider that the flats would retain an adequate level of amenity. Overall, the daylight and sunlight assessment demonstrates that the proposed development ensures that existing/future neighbouring residents will continue to enjoy a reasonable level of amenity.

Noise

9.76 A number of objections and concerns have been raised from the public consultation on the impacts the building plant may have on neighbouring amenity. The proposal results in roof level

plant structures above the 4th floor extension. These would be enclosed by an acoustic louvred screen. A noise impact assessment has been submitted by Tetra Tech (February 2021) for the applicant.

- 9.77 The assessment concludes that the maximum noise level limits have been set for proposed building services plant which are predicted to result in a noise rating level which are at least 5 dB below the existing background noise level during the worst-case night-time period at the closest sensitive receptor locations in accordance with the local Islington guidance. Accordingly, building services plant is expected to have no adverse impact at the closest sensitive receptors
- 9.78 The Noise Acoustics Officer has assessed the document and raises no objection to the assessment, noting that the noise report predicts compliance with Islington's plant noise criterion. The Officer has therefore accepted the details subject to 1no. condition to minimise the impact to neighbouring amenity for a control on overall noise levels to minimise impacts for nearby receptors.
- 9.79 A specific objection was received on the impacts of the plant noise outbreak and vibration on the residential amenity of 242-244 St John Street and for noise outbreak within the atrium area which separates a number of properties including the application building. This objection was shared with the Acoustics Officer. It was considered that the noise report had fully considered noise outbreak to this residential property, with the residential receptor outside the property showing the noise levels from the proposed plant at noise sensitive receptor 'R09' is at least 8 dB below the existing background LA90 noise levels during the worst-case night-time period and therefore in accordance with the local Islington noise guidance.
- 9.80 An objection raising concern with the conclusion of the assessment which assesses noise within the external spaces of the proposed office space was also received. The results demonstrate that internal noise level criteria outlined in BS8233:2014 (British Standards Guidance on sound insulation and noise reduction for buildings) are achieved with windows closed. With windows open however, the internal noise criteria is exceeded. It was thought that if exceeding noise levels for the proposed office space it would transpire in this also impacting residential properties when their windows were open. As clarified by the Noise Acoustics Officer and as detailed in the report, this assessment takes into consideration the impact of the 'existing noise climate' upon the proposed office extension and not the proposed plant which will instead be taken from noise levels attributed from road traffic noise and noise from residents next to the site. On a separate note, the office space will ensure there are alternative means of ventilation installed in all areas with a minimum sound reduction of $D_{n,e,w} + C_{tr} 30dB$ to comply with British Standards. The alternative means of ventilation can vary from passive systems (such as trickle ventilation) to mechanical systems. The proposed plant system would therefore not cause harm to residential amenity.
- 9.81 In regards to the terrace and balcony areas proposed, they can have the potential to cause noise outbreak towards residential settings. A balcony with a limited depth of 0.65 is proposed fronting Agdon Street, whilst a larger balcony and terrace area with a depth of 2.4m is proposed fronting St John Street. It is not expected that the office amenity space would result in significant noise intrusion when taking into consideration of the road traffic. However, officers would include a condition to ensure the spaces are used within working hours which aligns with the comments of the Noise Acoustics Officer.

Accessibility

- 9.82 Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any development.
- 9.83 Policy DM2.2 states that A. All developments shall 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.*

- 9.84 The approach to development should be step-free and the approach to the main entrance should be level or ramped. Any proposals to provide additional step free access and reduce travel distances for wheelchair users will be supported as in line with DM2.2.
- 9.85 The proposal involves a re-configured ground level for showers and cycle facilities at the Agdon Street entrance.
- 9.86 Comments have been received from the Inclusive Design Officer on the arrangements. The proposal is supported in regards to the cycle storage and showers being at ground floor level in order to comply with Appendix 6 (DM Policies) that sets out that cycle parking facilities must be step free.
- 9.87 The Officer has however stressed that the proposal incorporate should detail accessible cycle parking, provision of accessible WC, accessible shower, and WC accessible for ambulant disabled people. Whilst these comments have been raised, the application would not be refused on the basis of access to the comments and the proposal has sought to update current accessibility issues at the lower levels of the building with a step free entrance at ground level facing St John Street. The applicant is also providing new lifts at both entrances to the building. A condition will be attached regarding cycle parking, which will detail the requirement for accessible cycle spaces, accessible WC, accessible shower, and WC accessible for ambulant disabled people. Overall, the proposal is considered acceptable in this regard.

Highways

Car Free Development and Delivery and Servicing

- 9.88 Islington policy identifies that all new development shall be car free. Policy DM8.5, Part B stipulates that **Non-residential parking (for all uses not falling within Use Class C3)** 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.
- 9.89 Given the significance of the works and the location of them close to both road and pavement areas, a S278 Highways legal would be expected to be agreed and secured by condition as detailed by the Highways Officer to ensure protection and maintenance of the kerbside and highway adjacent to the proposed development during works. The Highways Team also advise that no construction vehicles are permitted to load/unload outside the property at 224-232 St John Street as there is no loading or unloading permitted. Additionally, any spillages/debris that appear on the public footway/carriageway outside 224-232 St John Street or to the rear of the property on Agdon Street must be swept, cleared and washed to prevent any slips/trips to the public/road users. Construction/delivery vehicles are not permitted to Idle at any time.
- 9.90 A Construction and Environmental Management Plan (CEMP) would be required by condition to ensure the construction impacts can be adequately managed.

Cycle storage

- 9.91 The site has a PTAL 6a, which is 'Excellent' with Farringdon and Barbican railway stations, a number of bus routes and TfL cycle hire points located in close proximity to the site. A Major Cycle Route has also been designated along St. John Street.
- 9.92 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013. In accordance with Appendix 6, 1 bicycle space is required per 80sq.m of B1a (Now Class E) office space.
- 9.93 Cycle storage is required to be provided and is shown within the ground floor as required per policy DM8.4, it is expected that there shall be a minimum of 1 space per 80sq.m of additional office floorspace. The proposal details 44 cycle spaces for the building 3,193sq.m (uplift of 697 sq.m) within the planning statement. A condition would be attached requiring further details including sections and elevations of the cycle storage area, including detail on accessible cycle spaces (including accessible cycle spaces).

Refuse and recycling

- 9.94 Paragraph 5.2 of the Islington Street Environment Services 'Recycling and Refuse Storage Requirements' provides advice in relation to acceptable refuse and recycling provision for new residential units. The proposed bin stores have been shown on the proposed plan as being located within an accessible area for the office building facing Agdon Street. When taking into consideration that the bin stores would not be visible from the street, the proposed refuse storage requirements are acceptable and would cause no harm to the character or appearance of the host building and Conservation Area. The arrangements are acceptable in principle, however further details including plans and sections shall be provided subject to a pre-commencement condition for the approval of the Local Planning Authority prior to occupation of the development.

Sustainability

- 9.95 Policy DM7.1 provides advice in relation to sustainable design and construction, stating '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 proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.96 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. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.97 It is the council's and the Mayor's objective that all developments 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 CO₂ 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 CO₂ emissions. In this regard, it is policy that the feasibility of providing Combined Heat and Power (CHP) / Combined Cooling Heat and Power (CCHP) be fully explored.
- 9.98 The application is supported by an Energy Statement by dsa engineering (November 2020) and Sustainable Design and Construction Statement by dsa engineering (November 2020).

- 9.99 The submissions state that the scheme has been designed in accordance with Development Management Policies which seeks to address sustainable design and construction. The proposed development incorporates green roof and green landscaping. This is considered to be an improvement over the environmental quality of the existing site and would be in line with policy DM7.1. A condition would be attached to ensure that the green roof contains a substrate base of 80-150mm, and is planted/seeded with a mix of species containing no more than a maximum of 25% sedum. This is also supported by the Sustainability Officer.
- 9.100 The applicant seeks to provide exemplary buildings with an environmentally responsible design that conserves energy and enhances the environment which has been supported by an Energy and Sustainability Strategy. The scheme as detailed within the note are to be designed in accordance with the Be Lean, Be Clean and Be Green energy measures as set out within Policy 5.2 of The Development Management Policies Document (2013) which requires development proposals to make the fullest contribution to minimising carbon dioxide emissions. This is to ensure sustainable standards of design in the interest of addressing climate change and to secure sustainable development. In terms of drainage and surface water run-off levels at the site, details on how the scheme is designed to ensure no net increase in surface water drainage from the site post development is achieved would be conditioned in accordance with the standards stipulated by policy DM6.6.
- 9.101 The Sustainability Officer has detailed that the proposed reductions in carbon emissions and the use of SAP10 are welcomed, as is the use of Air Source Heat Pumps and as mechanical ventilation with heat recovery will be used in a number of the areas an air permeability rate of 3.0 m³/h/m² should be targeted. Overall, the details are considered satisfactory.

Trees

- 9.102 DM6.5 states that Developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, 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.
- 9.103 The application is supported by an Arboricultural Impact Assessment and Method Statement by Tracey Clarke Consultancy (November 2020) which details Arboricultural site supervision and tree protection measures for the trees that are located on all sides of the site boundary. The report confirms the proposal seeks to retain all street trees as part of the redevelopment of the site and plans to protect all during construction.
- 9.104 The Tree Officer has reviewed the assessments provided. The officer considers the Tree Protection Plan and Arboricultural Method Statement, contained within the submitted Arboricultural report to be adequate in order to protect the highways trees located to the rear and front of the building during all development works. The Proposal is therefore acceptable in this regard and those details are to be conditioned.

Community Infrastructure Levy

- 9.105 The Community Infrastructure Levy will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014. Both LBI and London Mayoral CIL will apply to the scheme. The payments would be chargeable on implementation of the development.
- 9.106 The Islington CIL was adopted on 1 September 2014 and all applications determined after this date are liable for an Islington CIL payment.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the Conservation Area (in fact there is considered to be an enhancement of its character), the setting of the adjacent listed building, nor adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies (2013), policies CS8, CS9, C10 and CS13 of the Core Strategy 2011, policies BC4, BC7 and also BC8 of the Finsbury Local Plan (2013) and the Clerkenwell Green Conservation Area Design Guidelines (2002).
- 10.2 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and the Finsbury Local Plan and should be approved accordingly.

Conclusion

- 10.3 It is recommended that planning permission be granted subject to conditions and legal agreement as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECCOMENDATION 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:

- A contribution towards employment and training opportunities (including apprenticeships);
- A contribution towards construction training opportunities.

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

RECCOMENDATION B

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

List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	<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>2011-100 PL01, 2011-101 PL01, 2011-102 PL02, 2011-103 PL02, 2011-200 PL02, 2011-300 PL02, 2011-301 PL02, 2011-SK-02 Rev B, Daylight and Sunlight Report by Anstey Horne (REF: RC/ROL00539), Arboricultural Impact Assessment and Method Statement by Tracey Clarke Consultancy (November 2020), Design and Access Statement (July 2021) by dga Architects, Energy Statement by dsa engineering (November 2020), (Built) Heritage, Townscape and Visual Impact Assessment by Montagu Evans (December 2020), Planning Statement (December 2020) by Montagu Evans, Proposed views study by AVR London (March 2021), Noise Assessment by Tetra Tech (February 2021) and Sustainable Design and Construction Statement by dsa engineering (November 2020).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

3	<p>MATERIALS (DETAILS)</p> <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 works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brick (solid brick) final colour, type and sample panel for the main elevations b) windows (crittall) and door treatment (including sections and reveals); c) Ground floor plinth and parapet – white reconstituted stone; d) balustrading; e) Garage roller shutter and louvres; and f) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Conservation Area.</p>
4	<p>CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN (DETAILS)</p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents;

	<p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>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;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>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.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development 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. The report should contain detailed information on the minimizing of noise, demolition methods and best practice measures in line with Islington's Code of Practice for Construction Sites (2018).</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	HIGHWAYS AGREEMENT S278 (COMPLIANCE)
	<p>CONDITION: Prior to any works commencing on site, the owner shall enter into a S278 agreement with London Borough of Islington Highways to secure THE re-instatement of the footway and repairs should any damage occur during construction. Works to be undertaken by Islington Council Highways and costs paid for by the applicant.</p> <p>REASON: This is to mitigate the impact of the development and protect the streetscape, safeguarding the free and safe movement of pedestrians.</p>
6	REFUSE/RECYCLING (DETAILS)
	<p>CONDITION: Details of refuse / recycling storage and collection arrangements shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of development.</p> <p>The refuse / recycling storage and collection arrangements shall ensure that storage bins do not obstruct the public highway. The dedicated refuse / recycling enclosure(s) approved shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p>

	<p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
7	CYCLE PARKING AND SERVICES (DETAILS)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the Hereby approved development. The storage area(s) shall be secure and provide for no less than 40 for the commercial use hereby approved. Provision within the 44spaces required should include a range of Sheffield and vertical stands to ensure flexibility and to accommodate accessible bicycle stands for disabled and ambulant disabled users. An accessible WC and shower should be provided associated with the cycle storage and details for all showers shall be shown on plan.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport</p>
8	NO TERRACE (COMPLIANCE)
	<p>CONDITION: Notwithstanding the plans, hereby approved the area detailed as a 'balcony' located beyond the cut back north elevation of the proposed extension is not to be used as a balcony or terrace space or any sitting out area for the office occupiers. The area shall only be accessed for maintenance purposes and shall not in any case serve as office amenity space.</p> <p>REASON: To protect the amenity of residential properties.</p>
9	TERRACE HOURS (COMPLIANCE)
	<p>CONDITION: The 4th floor roof terrace areas fronting both Agdon Street and St John Street hereby approved shall not operate outside the hours of:</p> <p>0800 to 1800 hours Monday to Friday.</p> <p>REASON: To protect the amenity of residential properties.</p>
10	PLANT NOISE (COMPLIANCE)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ 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 $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To protect the amenity of residential properties.</p>
11	WATER EFFICIENCY REQUIREMENTS (DETAILS)
	<p>CONDITION: Prior to the occupation of the hereby approved development, details shall be submitted and approved in writing, demonstrating compliance</p>

	<p>with the water efficiency requirements of Part G of Policy 7.4 of Development Management Policies (2013) and Environmental Design SPD. The approved measures shall be implemented in full and retained thereafter.</p> <p>REASON: To ensure the water efficiency of the development.</p>
12	CARBON EFFICIENCY (DETAILS)
	<p>CONDITION: The development hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2015 and an on-site reduction in regulated CO2 emissions of at least 25% in comparison with regulated emissions from a building which complies with Building Regulations Part L 2010 (equivalent to Code for Sustainable Homes level 4) unless such provision is not feasible.</p> <p>REASON: In the interest of securing sustainable development.</p>
13	LIGHT POLLUTION (DETAILS):
	<p>Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and an accompanying Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The details and management plan shall be submitted to the Local Planning Authority prior to occupation of the extensions hereby approved. The light mitigation measures shall include:</p> <p>(a) Automated roller blinds; (b) Lighting strategies that reduce the output of luminaires closer to the façades; (c) Light fittings controlled through the use of sensors.</p> <p>The Management Plan shall address the implementation of measures to mitigate light pollution through tenant arrangements and leases.</p> <p>The building shall thereafter be operated strictly in accordance with the approved measures to mitigate light pollution and the approved Management Plan unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings</p>
14	BIODIVERSE GREEN ROOF (COMPLIANCE)
	<p>CONDITION: The biodiversity green roof as indicated on Drawing No. 2011-103 PL02 shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80- 150mm); b) laid out in accordance with plan number 450-PT-20-LRF-PL-2001 PL2 hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity green roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roof shall be carried out strictly in accordance with the details specified and shall be maintained as such thereafter into perpetuity.</p>

	REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.
15	RESTRICTED USE (COMPLIANCE)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Amendment)(England) Regulations 2020, the extensions hereby approved shall be used only as an Office (Class E(g)) (or the equivalent use within any amended/updated subsequent Order) hereby approved, shall be limited to those uses and for no other purpose (including any other use within Class E) of the Schedule to the Town and Country Planning (Amendment)(England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in order to protect the supply of office floorspace in this Employment Area and Central Activities Zone location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met.</p>
16	RESTRICTION OF PD RIGHTS – CLASS E TO RESIDENTIAL (COMPLIANCE)
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2021 (or any order revoking and re-enacting that Order with or without modifications), no change of use of the extended floorspace hereby approved from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without an express grant of planning permission.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met. Additionally, windfall sites are rare and a loss of opportunity to negotiate affordable housing within such proposals would significantly undermine the borough's ability to address critical housing need again due to the small and constrained nature of the borough.</p>
17	TREE PROTECTION (COMPLIANCE)
	<p>CONDITION: The Arboricultural Impact Assessment and Method Statement by Tracey Clarke Consultancy (November 2020) which details Arboricultural site supervision and tree protection measures for the trees that are located on all sides of the site boundary shall be adhered in full along with all its findings during all construction and redevelopment works.</p> <p>REASON: To ensure the protection of the Highway Street Trees during construction.</p>

18	BAT/BIRD BOX (COMPLIANCE)
	<p>CONDITION: A minimum of 2 no. bat and/or bird nesting boxes / bricks shall be installed prior to the first occupation of the approved additional office floorspace, and shall be retained into perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and bio diversity enhancements.</p>

List of Informatives:

1	Construction works
	<p>INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	Highways Requirements
	<p>INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>

APPENDIX 2: RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional Guidance

The National Planning Policy Framework 2021 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.

- NPPF (2021)

2. Development Plan

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2021 - Spatial Development Strategy for Greater London

Policy SD4 The Central Activities Zone

Policy SD5 Offices, other strategic functions and residential development in the CAZ

Policy D4 Delivering good design

Policy D5 Inclusive design

Policy D14 Noise

Policy E1 Offices

Policy E2 Providing suitable business space

Policy HC1 Heritage conservation and growth

Policy HC3 Strategic and Local Views

Policy HC4 London View Management Framework

Policy SI 1 Improving air quality

Policy SI 2 Minimising greenhouse gas emissions

Policy SI 3 Energy infrastructure

Policy T1 Strategic approach to transport

Policy T4 Assessing and mitigating transport impacts

Policy T5 Cycling

B) Islington Core Strategy 2011

Policy CS7 Bunhill and Clerkenwell

Policy CS8 Enhancing Islington's Character

Policy CS9 Protecting and enhancing Islington's built and historic environment

Policy CS10 Sustainable design

Policy CS11 Waste

Policy CS13 Employment Spaces

Policy CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Policy DM2.1 Design

Policy DM2.2 Inclusive Design

Policy DM2.3 Heritage

Policy DM5.1 New Business Floorspace

Policy DM6.1 Healthy development

Policy DM6.3 Protecting open space

Policy DM6.5 Landscaping, trees and biodiversity

Policy DM7.1 Sustainable Design and Construction

Policy DM7.2 Energy efficiency and carbon reduction in minor schemes

Policy DM8.4 Walking and Cycling

Policy DM8.5 Vehicle Parking

Policy DM8.6 Delivery and servicing for new developments

D) Finsbury Local Plan 2013

Policy BC4 Northampton Square, Goswell Road and Spencer Street

Policy BC7 Historic Clerkenwell

Policy BC8 Achieving a balanced mix of uses

3. Designations

The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013 and Site Allocations 2013:

- Core Strategy Key Areas (Bunhill & Clerkenwell)
- Central Activities Zone (CAZ)
- Conservation Areas (Clerkenwell Green)
- Finsbury Local Plan Area (Bunhill & Clerkenwell)
- Local View from Angel (LV3)
- Local View from Archway Road (LV4)
- Local View from Archway Bridge (LV5)
- Mayor's Protected Vista - Alexandra Palace viewing terrace to St Paul's Cathedral (VC1)
- Major Cycle Route
- Within 50m of Hat and Feathers Conservation Area

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

The following SPGs and/or SPDs are relevant:

London Plan – Accessible London (2016) and Character and Context (2014).

5. Emerging Policies

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy SP1 Bunhill and Clerkenwell

Policy B1 Delivering business floorspace

Policy B2 New business floorspace

Policy G1 Green Infrastructure

Policy G5 Green Roofs

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy T3 Car Free Development Parking

Policy T2 Sustainable Transport Choices

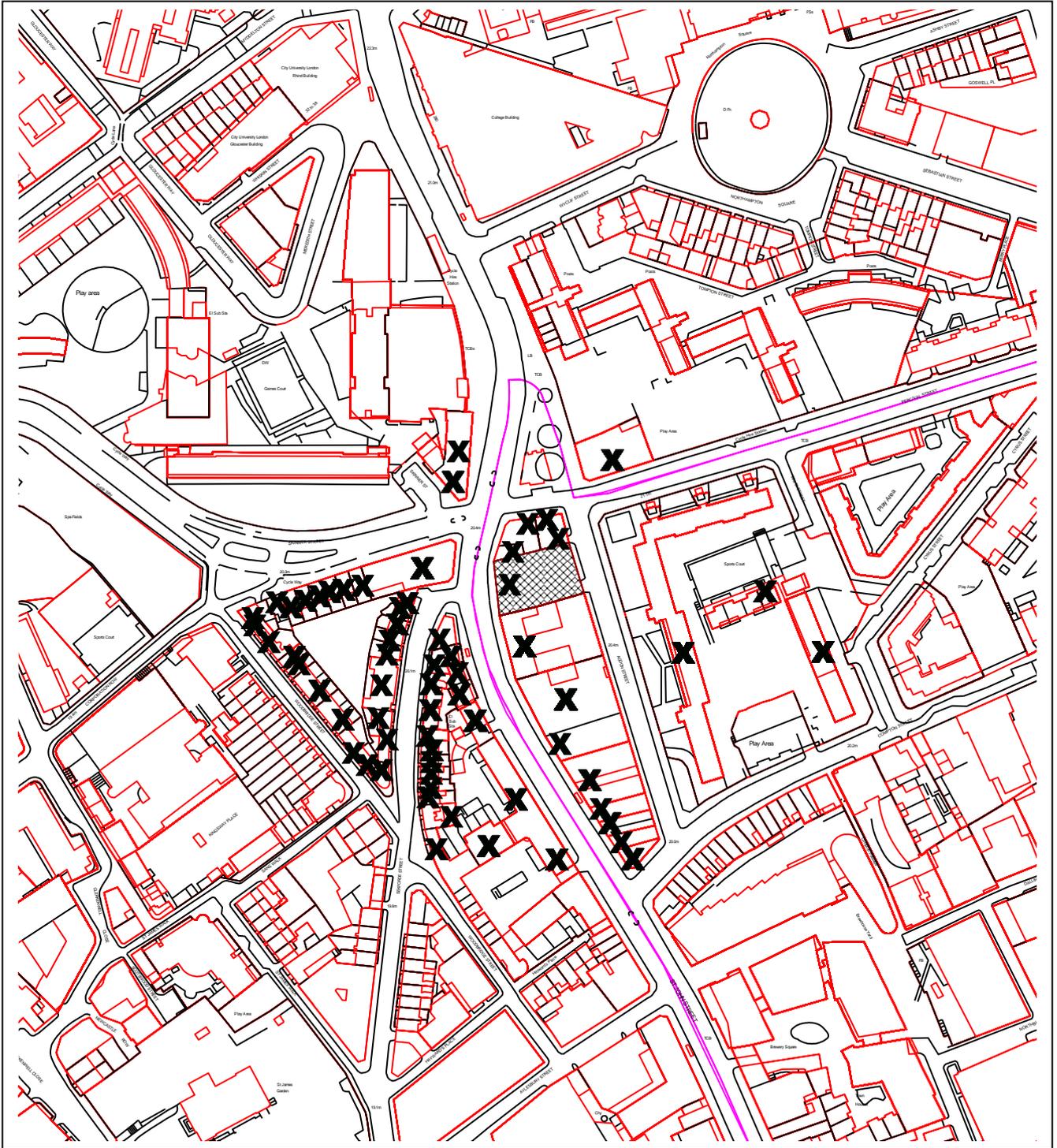
Policy T5 Delivery, Servicing and Construction

Policy DH2 Heritage Assets

Policy DH3 Building heights

Policy ST2 Waste

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P2020/3542/FUL

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