



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

AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber - Town Hall on **29 June 2021 at 7.30 pm.**

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 21 June 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 Klute (Chair)	- St Peter's;	Councillor Chowdhury	- Barnsbury;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Hyde	- Caledonian;
Councillor Khondoker (Vice-Chair)	- Highbury	Councillor Kay	- Mildmay;
West;		Councillor Khurana	- Tollington;
Councillor Clarke	- St George's;	Councillor Wayne	- Canonbury;
Councillor Convery	- Caledonian;	Councillor Williamson	- Tollington;
Councillor Ibrahim	- Highbury West;		
Councillor Jackson	- Holloway;		
Councillor North	- St Peter's;		
Councillor Picknell	- St Mary's;		
Councillor Woolf	- Canonbury;		

Quorum: 3 councillors



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

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

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

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

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

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

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

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2.	218 Upper Street London N1 1RR	71 - 142
C.	Consideration of other planning matters	Page

D. Urgent non-exempt items (if any)

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

E. Exclusion of press and public

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

F. Confidential/exempt items **Page**

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Committee, 27 July 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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PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

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Schedule of Planning Applications

PLANNING COMMITTEE - Tuesday 29 June, 2021

COMMITTEE AGENDA

1 20 Tileyard Road
London
N7 9AH

2 218 Upper Street
London
N1 1RR

1 20 Tileyard Road
London
N7 9AH

Application Number: P2021/1062/FUL

Ward: Caledonian

Proposed Development: Demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage.

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: c/o agent

Recommendation:

2 218 Upper Street
London
N1 1RR

Application Number: P2020/3058/FUL

Ward: St. Marys

Proposed Development: Demolition of existing office building, save for retention of ground floor façade, and redevelopment to create new office three-storey/set back four-storey building with roof plant, landscaping, cycle parking and other associated works

Application Type: Full Planning Application

Case Officer: David Nip

Name of Applicant: CP Plus(Trading)Ltd

Recommendation:

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- b) That the allocation of seats was determined in accordance with the advice in the report.
- c) That Councillors Khondoker, Clarke, Jackson, Klute and Woolf be appointed as members of Planning Sub-Committee A for the current municipal year or until their successors are appointed.
- d) That Councillors Poyser, Convery, Ibrahim, North and Picknell be appointed as members of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- e) That it be noted that Councillor Khondoker had been appointed Chair of Planning Sub-Committee A and Councillor Poyser had been appointed Chair of Planning Sub-Committee B for the municipal year or until their successors are appointed.
- f) That it be noted that any member who was a member or substitute member of the Planning Committee could substitute at any meetings of either Sub-Committee if they had not been appointed as a member of the Sub-Committee.

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130 OLD STREET LONDON EC1V 9BD (Item B1)

Erection of a two storey roof level extension and six storey infill extension to the existing building to create 1,353 sqm GIA of additional office, flexible commercial and showroom floorspace (Class E/Class F.1/sui generis), comprehensive refurbishment of the main façade, and provision of roof terraces, bin and cycle storage.

(Planning application number: P2021/0039/FUL)

In the discussion the following points were made:

- The Planning Officer advised that site is situated on the southern side of Old Street. Office building is 6 storeys in height with plant enclosure at roof level and to the rear is a 2 storey building.
- The site is surrounded by a mixture of commercial and residential uses, the closest residential dwellings are located immediately to the east of Tilney Court and a student accommodation block to the west.
- Members were advised that site is not located within a conservation area but lies within 20 metres to the east of the St Lukes Conservation Area. The site is also located within the setting of a Grade 1 Listed building at St Lukes Church. Site also forms part of the Finsbury Local Plan area and is located within the Central Activity Zone and is accessible to public transport with Old Street station the closest underground station
- With regards to land use consideration, members were advised the proposal would result in the provision of additional office floor space and improve the quality and efficient use of the existing floor space within the building as well as its flexibility of use which is acceptable in principle.

Planning Committee - 24 May 2021

- In terms of the proposed commercial development, the Planning officer acknowledged that this considered to be supported by national, regional and local planning policies.
- The proposed office development would provide a significant uplift of overall employment floor space to the area.
- In addition to the above, Planning Officer advised that the proposal would make a positive contribution of affordable workspace via off site contribution which would meet the council's objectives on promoting an inclusive economy
- In terms of the schemes design and its impact on heritage asset, the Planning Officer advised that overall, the proposed development would have an acceptable impact in terms of massing, scale and appearance and it would cause no harm to the setting of the heritage assets nearby.
- Members were advised that applicant has submitted a daylight and sunlight report which concludes that the proposed development would result in some level of noticeable reduction of daylight for neighbouring properties at 1-5 and 6 Tilney court as well as 5 of the bedsits within the Canto Court student accommodation and that 10 windows at Tilney Court have failed the VSC test, none of them have failed the test on daylight distribution.
- The Planning Officer acknowledged that having reviewed the results and the extent of the impact caused by the proposed development, it is judged that the adverse impacts are not severe and would not justify a refusal of planning permission on this ground.
- In terms of sunlight loss, Planning Officer noted that properties at 1-5 Tilney Court and 6 Tilney Court would see some reductions in sunlight received which breaches the BRE guidance, however the level of reductions are not considered so severe taking into account the setting of the site and the developments within Tilney Court
- Members were advised that the proposal will result in a 49.8% reduction in regulated emission and applicant have offered a carbon offset contribution of £39, 336 for the remaining CO2 emissions
- The planning Officer highlighted some of the benefits of the scheme, that it would result in an uplift in priority use (office) within CAZ and Finsbury Local Plan area, provision of flexible commercial use on ground floor and the scheme proposes affordable workspace financial contribution and provision of SME unit
- The proposal provides sympathetic high quality roof and rear extensions that are sensitive to surrounding heritage assets and local landmark
- The Planning Officer reiterated that the scheme will provide for additional green coverage to the site; that there will be an improvement to the energy performance and sustainability standard ; cycle parking will be provided on site etc.
- In response to concerns that contrary to officers advice from the Inclusive Economy Team, the proposal offers affordable financial contribution in lieu of on site provision of affordable workspace, the Planning officer advised that the Team was consulted, and officers have agreed with this 50/50 approach , to provide affordable work space on the ground floor, but to offer a financial contribution due to the type of layout on the first floor.

- In further clarification, the Planning Officer acknowledged that that there will be affordable work space provision for the ground floor and the financial contribution by the applicant only relates to the first floor.
- On the use of a unit for a restaurant and whether an extract flue unit had been proposed to remove odours, the Planning Officer advised that although no occupier in situ at the moment, any future plans for a restaurant use, drawings and plans will need to be agreed by both Environment and Planning Officers before it can proceed.
- It was agreed that concerns about of daylight and sunlight loss should be taken in context of the location of the site and surrounding buildings, that the breaches were acceptable.
- Councillor Klute proposed a motion to grant planning permission. This was seconded by Councillor Picknell 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 and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

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43-53 BREWERY ROAD ISLINGTON LONDON N7 9QH (Item B2)

Replacement and extension of rear portion of building at ground and first floors, creation of larger loading bay at ground floor facing Brandon Road, extension of building at second, third and partial fourth and fifth floors, re-cladding of front and rear elevations and provision of lift run and plant on roof, in association with use of building for Class B8 (self-storage) purposes

(Planning application number: P2020/1891/FUL)

- The Planning Officer advised that site is within the Vale Royal & Brewery Locally Significant Industrial Site and is currently occupied by self-storage facility.
- Site is surrounded by residential accommodation, old converted public house which is now in use as a house of multiple occupation (HMO). South of the site, the area is mainly characterised by industrial and warehouse buildings typical of the industrial area although there are a number of residential buildings in close proximity which need to be taken into consideration.
- Members were advised that the scheme was deferred in 2019, for further sunlight and daylight considerations which includes details of the internal layout and room sizes for the properties at Simla Court.
- Members were reminded that as with the deferred application, the proposal still aims to retain its B8 use with the proposal seeking to extend the storage capacity of the building as well as enhancing and upgrading the existing facilities.
- The proposal involves a 2,452sqm (GIA) uplift in B8 floor space creating a total of 5,650 sqm over the 5 floors of the new building which will serve to

successfully support and enhance the functions of the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS)

- The scheme is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport. The scheme will not result in undue implications of the surrounding highway network in terms of loading/unloading and servicing and delivery .
- The Planning Officer advised members that no on site vehicle parking is proposed, that the six car loading bays and two panel van/box van loading bays being provided would be for the sole use of customers loading/unloading in association with the main storage business use.
- In terms of design and appearance, the Planning Officer advised that the proposed five storeys is appropriate in height, that in terms of the Brewery Road street scene, the proposed development would stand approximately 5 metres taller than the adjacent London Taxi Company building and align with the height of the recently approved scheme at 55-61 Brewery Road. In addition the scheme proposed plant and lift overrun would be set back from the front elevation and would only be visible from longer views.
- With regard to the rear of the building, the floorplates on the second/third floors would include stepped setbacks from Brandon Road. The Planning officer advised that design of the rear elevation is successful in that it serves to reduce the overall bulk and massing of the rear sections of the building and to mitigate daylight impacts on neighbouring properties.
- In terms of the impact of the proposal on neighbouring amenity, the Planning Officer stated that the main concern relates to Simla Court and located to the north. The officer advised that there would be some reduction in daylight to these properties but the extent of the impacts to daylight amenity were not considered so significant as to warrant the refusal of planning permission on these grounds.
- A suggestion about the provision of EV charging point in the loading bay was welcomed by the applicant. This was seconded by Cllr Klute

Councillor Klute proposed a motion to grant planning permission subject to the applicants agreement to installing EV charging points in loading bays. This was seconded by Councillor Khondoker and carried.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

Demolition of the existing school hall and replacement with a new four storey building comprising new school hall and teaching spaces to facilitate the expansion of the existing school; Refurbishment work at main building on Duncombe Road to support the provision of new Design and Technology classrooms including installation of new vents at first floor level and three exhaust flues above roof level; Relocation of external cycle parking, bin storage and tensile canopies, with new landscaping and boundary treatment.

(Planning application number: (P2021/0002/FUL)

In the discussion the following points were made:

- The Planning Officer advised that since the agenda was published, applicant has submitted a parking survey which assessed the parking situation of the area and officers from the Highway Travel and safety Team have reviewed it and have no objections to the scheme.
- Site has good transport provision and the surrounding area is largely residential in context
- In terms of land use consideration, the provision of new educational facilities is supported by Development Plan and National policies which will facilitate a new sixth form for 200 students
- Members were advised that the provision of new educational facilities will provide additional school capacity within the borough and the new facilities would be made available for community use where appropriate.
- Members were advised that the new 4 storey block is acceptable in scale, massing, appearance and townscape effect and that the provision of tree planting and landscaping to mitigate the tree losses is considered acceptable by the Council's Tree Officer.
- The proposal will also improve energy performance and sustainability standards of the school and construction activities on the site will require coordination with the adjoining Elthorne Estate development.
- Meeting was advised that the Bridge Satellite School is accessible via Duncombe Road while other entrances on Holland Walk, Ashbrook Road and Nicholay Road are used by City of London Academy (COLA).
- Planning Officer noted that advice from applicants with regards to Nicholay Road entrance which is currently closed is due to ongoing construction activities at Elthorne Estate
- Members were advised that local residents have raised concerns about the impact of the proposal on the highways, traffic and safety with particular reference to access arrangements. The Planning Officer acknowledged that although access to school site is not subject to planning control, officers have recognised that as the site is surrounded by residential properties officers have agreed that it would be reasonable for the school to utilise the other access to address overcrowding and congregating both during and after school hours.
- In addition to the use of the other entrances, the Planning Officer informed members that the school is proposing to split the age group of students, with year 7-9 using the Nicholay Road entrance to the east, years 10-11 students using Ashbrook Road and the sixth form to use the main Holland walk

entrance, in an attempt to spread the numbers evenly across the site or area.

- Meeting was informed that officers have welcomed this suggestion and have recommended a Site Management Plan to ensure that the school manages the movement of pupils in and around the site and area and have recommended condition 10 as stated in the report.
- In terms of energy and sustainability, the scheme will result in a 67% reduction in regulated emissions and applicants have agreed a financial contribution of £29,440 to offset the remaining Co2 emissions.
- In response to a question on whether the school projections was related to local demand in the borough, the Planning Officer advised that although not stated in the report, there is an assumption that it will include Islington residents as Council Education officers were consulted.
- In response to a question on whether Members could accept the decision by the applicant not to provide a green roof on the basis of financial constraints, the Legal Officer advised that planning officers in assessing the application weigh up all the factors before taking a view and that the issue of cost could be seen as a material consideration.
- In response to a comment in the report which states that solar shading will not be provided as the Department of Education is not willing to fund it, the Planning Officer highlighted that this was an issue raised by the Design Review Panel but subsequently not raised as an issue by officers.
- A resident of Nicholay Road, was concerned that the use of the road as another access into the site would worsen safety concerns for not only school pupils but pedestrians and residents that during this period of lockdown issues of pupils congregating and spilling onto the road has been raised with the school. The resident indicated that the main entrance presently used is sufficient, and the schemes proposal to use other entrances was unnecessary especially as there were no road markings or signs on Nicholay Road.
- Another resident queried the need for an additional access into the school considering Holland Road has always been the main entrance, that the use of Nicholay Road had always been viewed as problematic, dangerous and unsafe especially as the road is used by heavy and large Council Service vehicles and delivery vehicles in the area, 4-5 times a week mixing with students.
- Another resident indicated that there were flaws with the scheme, for example providing a disability access in the location of Nicholay Road entrance, especially when there are better and safer areas on the site. The objector indicated that she had discussed it with the school staff, noting if applicants had engaged with the residents, they would have advised against having disability access in Nicholay Road.
- A resident who indicated that he would be directly affected as the scheme would result in loss of daylight and sunlight in his property. He was concerned with the inaccurate data in the report and the assumptions , stating that the scheme is in breach of BRE guidelines, that the drawing of his ground floor erroneously describes it as his hallway when it is his main living room, that a loss of 12% although acceptable if it were hallway but not where it is his living room. Similarly in the case of sunlight loss, the objector

questioned the figures in the report as inaccurate as it was difficult to ascertain how the figures were arrived at.

- In response, the Planning consultant advised that in terms of access concerns in particular from Nicholay Road, following discussion with planning officers it was agreed in conjunction with the School that the use of all 3 entrances would ensure the dispersal and departure of students both during and after school time.
- Members were advised that the School has committed to stagger the start and finish of school times for different classes so as to alleviate any concerns of neighbouring residents.
- On the issue of servicing arrangements on Nicholay Road, meeting was advised that there will no changes to the current arrangements, hence no additional impact on residents will arise from the proposal.
- In terms of the loss of a tree on Nicholay Road, the consultant advised that the proposal would replace it with new trees across the site, provision of tree planters and that the scheme proposes a green roof and garden on site.
- Meeting was advised that sunlight and daylight assessment was carried out by independent consultant and that in general the proposal meets BRE guidelines, acknowledging that although there were some losses but this was not above the required standard.
- On the issue of managing school pupils on the site, the clerk highlighted the previous arrangements over the years, that in the last year with Covid restrictions in place there were some difficulties managing the staggard times for students, however reassuring members that post Covid, there would be new arrangements in place
- In response to a question on pupil projections, Committee was advised that this will be based on Islington modelling, however there is allowance for pupils to come in and go out of the borough. With regards the loss of 320sqm, meeting was reminded that the loss has been offset with a proposed roof top play area and the reflection garden.
- In response to a question on the decision to use Nicholay Road as an access into the school and not utilise the pedestrian entrance on Holland Road and if the applicants had ascertained any incidents, the consultant advised that a Transport Assessment had been undertaken which concludes that there had been no incidents in recent years. The consultant reiterated that the decision to use Nicholay Road as an access road is simply to manage the pupil movement and to help ease their dispersal. Members were reminded that Nicholay Road had previously been used as an access into school previously and has road markings although slightly fading.
- With regards to resident concerns that the daylight and sunlight data in the report is inaccurate, the Planning Officer acknowledged the description in the report, stating that assessments of anywhere in a dwelling is always based on the assumption that they are habitable rooms and the loss of 12% is not in breach of BRE guidance.
- The Planning Consultant advised that public consultation was carried out, that an online public consultation was carried out, with over 320 mail drops and the online website had public mail boxes.

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- On the concerns about having wheel chair access near entrances, meeting was advised that every entrances has to be Building Regulations Disability complaint and this has been taken into consideration
- On the question about specialist provision, the school representative clarified that considering school is extremely popular and oversubscribed, its provision of a high standard of education is aiming to retain its high achieving sixth form students who would have had to move out of the borough. Meeting was advised that COLA sixth form will provide a hub for sixth form Islington residents who would otherwise have had to travel out of the borough to meet their needs.
- With regards to managing the pupils, the meeting was advised that pupils line up on the pavement around the school and that the dispersal of students will be managed on the basis of age groups, that a school rota for staff will in place to manage the pupils. The school patrol will go out after 30 minutes of school closing time to ensure that students do not congregate outside the school and neighbouring areas and that any breach will be managed by the School disciplinary procedures.
- In summary, the Chair acknowledged that the proposal is to cater for sixth form pupils, reassuring that Islington sixth formers will be able to study in the borough, that sixth formers will make their way to the school and not dropped off by vehicles. On the issue of daylight and sunlight, a loss of 12% is not in breach of BRE guidance.
- Member acknowledged that concerns with the movement of school pupils should be managed by the school, that this was not unique to any particular school, welcoming the proposal to have 3 entrances as it should mitigate any concerns about pupil movement.
- A member was concerned that the school had not engaged with its neighbouring residents throughout the process and that applicant could have made sufficient attempts to address ecological concerns by providing a green roof in the scheme.
- A suggestion by the Chair that the wording relating to the green roof condition be strengthened to require the provision of this was agreed. This was seconded by a member.
- In terms of the management of pupils, the Chair suggested that an annual meeting facilitated by the school with residents would help improve relations between the school and local residents, and referenced a similar situation with another secondary school in the Borough where this strategy had worked. This was welcomed by the committee and it was agreed that the Management Plan be amended to include a requirement for the annual meeting.
- Members agreed to amend the condition as noted above, details of the wording to be delegated to the Planning Officer and to be agreed by the Chair

Councillor Klute proposed a motion to grant planning permission subject to amending the conditions relating to the Management Plan and that the green roof condition be amended to require a green roof. This was seconded by Councillor Woolf 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 amended conditions and informatives set out in Appendix 1 of the officer report.

The meeting ended at 9.30 pm

CHAIR



Report of: Acting Director of Law & Governance

Meeting of	Date	Ward(s)
Planning Committee	27 June 2021	All

Delete as appropriate		Non-exempt
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SUBJECT: APPOINTMENT OF PLANNING SUB-COMMITTEES

1. Synopsis

1.1 The purpose of this report is to appoint the Planning Sub-Committees and note its terms of reference.

2. Recommendations

2.1. To confirm the size of the sub-committees and note their terms of reference in Appendix B.

2.2. To determine the allocation of seats on the sub-committees in accordance with the advice set out in this report.

2.3. To appoint members and substitute members of the Planning Committee to serve on each of the Planning Sub-Committees until their successors are appointed.

2.4. To appoint members and substitute members of the Planning Committee as substitute members of the Planning Sub-Committees to which they have not been appointed.

2.5. To appoint members of the Planning Committee as chairs of the Planning Sub-Committees until their successors are appointed.

2.6. To appoint members of the Planning Committee as vice chairs of the Planning Sub-Committees until their successors are appointed.

3. Background

- 3.1 The Council is required to allocate committee places to political groups according to the “political balance rules” under the Local Government and Housing Act 1989. These are designed to ensure that the political composition of the Council’s decision making and deliberative committees as far as possible replicates the political composition of the full Council.
- 3.2 The current membership of the authority is 45 Labour Group members, 1 independent member, 1 independent Green member and 1 independent Conservative member. The Council therefore only comprises of one political group, so the “political balance rules” do not apply.
- 3.3 The Planning Committee is required to make arrangements for the determination of planning applications under the terms of the constitution of the London Borough of Islington and is asked to appoint two Planning Sub-Committees. It is recommended that the Planning Committee appoints remaining members and substitute members of the Planning Committee as substitute members on the Planning Sub-Committees. The quorum of the Planning Sub-Committees is three Councillors.
- 3.4 The terms of reference for the Sub-Committee are set out in Appendix B. The terms of reference of this Committee are set out in Appendix A.

4 Implications

4.1 Financial implications

The costs associated with Planning Committees are met through the council’s budget.

4.2 Legal Implications

These are set out in the body of the report.

4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:

There are no environmental implications directly associated with the recommendations.

4.4 Resident Impact Assessment

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment is not required in this instance. Meetings are held at the Town Hall which is fully accessible. Other access needs are addressed as they arise. Meetings are held in public and members of the public are able to speak on applications which enables participation.

5 Conclusion and reasons for recommendations

The Committee should approve this report in order for the Planning Sub-Committees to be properly constituted.

Background papers: None

Appendices: Appendix A – Planning Committee Terms of Reference
Appendix B – Planning Sub-Committees Terms of Reference

Final Report Clearance

Signed by



27 June 2021

.....
Acting Director of Law and Governance

.....
Date

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E-mail: olayiwola.adeoye@islington.gov.uk

PLANNING COMMITTEE

Quorum

The quorum shall be three members.

Terms of Reference

1. To determine any application for planning permission, consent or approval recommended for approval in respect of all major* developments other than an application under section 73 of the Town and Country Planning Act 1990 covered by paragraph 6.
2. To determine any other applications for planning permission, consent or approval falling within the terms of reference of the Planning Sub-Committees which the Planning Committee has specifically indicated it wishes to consider itself.
3. To determine any other application for planning permission, consent or approval referred to it by a planning sub-committee or the Service Director, Development and Planning/Head of Service, Development Management.
4. To determine any other application for planning permission, consent or approval recommended for approval (including any falling within the terms of reference of the Planning Sub-Committees), which the Chair or at least two members of the Council have requested by notice to the Service Director, Development and Planning/Head of Service, Development Management (setting out reasonable planning grounds for the request) be considered by a Planning Committee.
5. To make traffic management and stopping-up orders which are consequent upon the grant of planning permission by the committee.
6. A Section 73 application need not be referred to the committee where the Service Director Development and Planning/Head of Service Development Management, following consultation with the Chair (or in the Chair's absence, the Vice-Chair) considers:
 - i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site;
 - ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.

*As defined in the Town and Country Planning (Development Management Procedure) (England) Order 2010 namely development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwelling houses where:
 - (i) the number of dwelling houses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more

PLANNING SUB-COMMITTEES

Quorum

The quorum shall be three members.

Terms of Reference

To determine the following matters, unless they are made under section 73 of the Town and Country Planning Act 1990 (and paragraph 14 applies) or are in respect of major developments as defined in the terms of reference of the Planning Committee and are not covered by paragraph 12:

1. Applications recommended for approval which involve the creation of 5 - 9 residential units or 250 - 999sq.m of new office floor space, where relevant planning objections have been received by the proper officer;
2. Applications which are recommended for approval but which do not conform to the Local Development Framework;
3. Applications which involve a legal agreement unless:
 - (i) The heads of terms relate only to securing affordable housing and/or affordable workspace and/or CO2 off-setting in line with planning policy and/or securing highway works in relation to the application site; or
 - (ii) The terms of the agreement are not materially different from any previous agreement approved by the sub-committee in relation to the same site;
4. Alterations: to Grade I or Grade II* listed buildings, (except matters which in the opinion of the Service Director, Development and Planning/Head of Service, Development Management are minor); which involve substantial demolition of a Grade II listed building; where the Council has a difference of opinion with English Heritage;
5. Applications where the Council has an interest (except for matters which in the opinion of the Service Director, Development and Planning/Head of Service, Development Management are minor);
6. Applications submitted by or on behalf of a Member of the Council (or their spouse or partner), or any Council employee (or their spouse or partner);
7. Decisions which are likely to result in a claim for compensation or the service of a purchase notice;
8. Applications which, in the opinion of the Service Director, Development and Planning /Head of Service, Development Management, should be considered by the appropriate sub-committee;

9. Applications which are recommended for approval where an objection to the current proposal has been received which is based on planning grounds (other than those applications where, in the opinion of the Service Director, Development and Planning/Head of Service, Development Management (in consultation with the Chair of the Planning Committee), the objection can be overcome by imposition of an appropriate condition, or where the application clearly complies with the relevant planning policies in which case the decision may be taken by officers) unless the objection relates to an application made under the procedure for prior approval under part 24 of the General Permitted Development Order;
10. The designation or alteration of conservation areas and making of directions under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995;
11. Traffic management and stopping-up orders which are consequent upon the grant of planning permission by the sub-committee;
12. To determine any applications for planning permission, consent or approval falling within the terms of reference of the Planning Committee which the Planning Committee has specifically indicated it wishes a sub-committee to consider;
13. To determine any other application for planning permission, consent or approval, other than in respect of a major development, which the Chair or at least two members of the Council have requested by notice to the Service Director, Development and Planning/Head of Service, Development Management (setting out reasonable planning grounds for the request) be considered by a Planning Sub-Committee;
14. A Section 73 application need not be referred to the committee where:
 - (a) the Service Director Development and Planning/Head of Service Development Management would not recommend it for approval; or
 - (b) the Service Director Development and Planning/Head of Service Development Management, following consultation with the Chair (or in the Chair's absence, the vice-Chair) considers:
 - i) a condition can be imposed, varied or removed in respect of the permission as a result of which it would not be fundamentally different from or a substantial alteration to the permission which has been previously approved by the Council in relation to the same site;
 - ii) the application relates to minor material amendment(s) and the amended permission will not be substantially different from the permission which has been previously approved by the Council in relation to the same site.

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Note to Committee in relation to Agenda Item A7 – Appointment of Planning Sub-Committees

1. PROPOSAL

The Chair of the Planning Committee, Councillor Klute, has proposed the following memberships of the Planning Sub-Committees and proposed that all members and substitute members of the Planning Committee be appointed as substitute members of the Planning Sub-Committees to which they have not been appointed.

Proposed Memberships

Planning Sub-Committee A

Councillor Roulin Khondoker (Chair)

Councillor John Woolf (Vice Chair)

Councillor Martin Klute

Councillor Tricia Clarke

Councillor Jason Jackson

Planning Sub-Committee B

Councillor Dave Poyser (Chair)

Councillor Angela Picknell (Vice Chair)

Councillor Paul Convery

Councillor Toby North

Councillor Bashir Ibrahim

RESOLUTIONS

If the above proposal is seconded and carried, the resolutions will be:

- 1) That the Sub-Committees be confirmed as five member Sub-Committees and that the terms of reference be noted.
- 2) That the allocation of seats was determined in accordance with the advice in the report.
- 3) That councillors Khondoker, Klute, Clarke, Jackson and Woolf be appointed as members of Planning Sub-Committee A for the current municipal year or until their successors are appointed.
- 4) That Councillors Poyser, Picknell, Convery, North and Ibrahim be appointed as members of Planning Sub-Committee B for the current municipal year or until their successors are appointed.
- 5) That it be noted that Councillor Khondoker had been appointed Chair of Planning Sub-Committee A and Councillor Poyser had been appointed Chair of Planning Sub-Committee B for the municipal year or until their successors are appointed.
- 6) That it be noted that Councillor Woolf had been appointed Vice Chair of Planning Sub-Committee A and Councillor Picknell had been appointed Vice Chair of Planning Sub-Committee B for the municipal year or until their successors are appointed.
- 7) That it be noted that any member who was a member or substitute member of the Planning Committee could substitute at any meetings of either Sub-Committee if they had not been appointed as a member of the Sub-Committee.



ISLINGTON

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

COMMITTEE REPORT

PLANNING COMMITTEE		AGENDA ITEM NO: B1
Date:	29 th June 2021	

Application number	P2021/1062/FUL
Application type	Full Planning Application
Site Address	20 Tileyard Road, London, N7 9AH
Proposal	Demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage.
Ward	Caledonian Ward
Listed building	None
Conservation area	None
Development Plan Context	Local View from Dartmouth Park King's Cross and Pentonville Road Key Area Vale Royal / Brewery Road LSIS
Licensing Implications	None

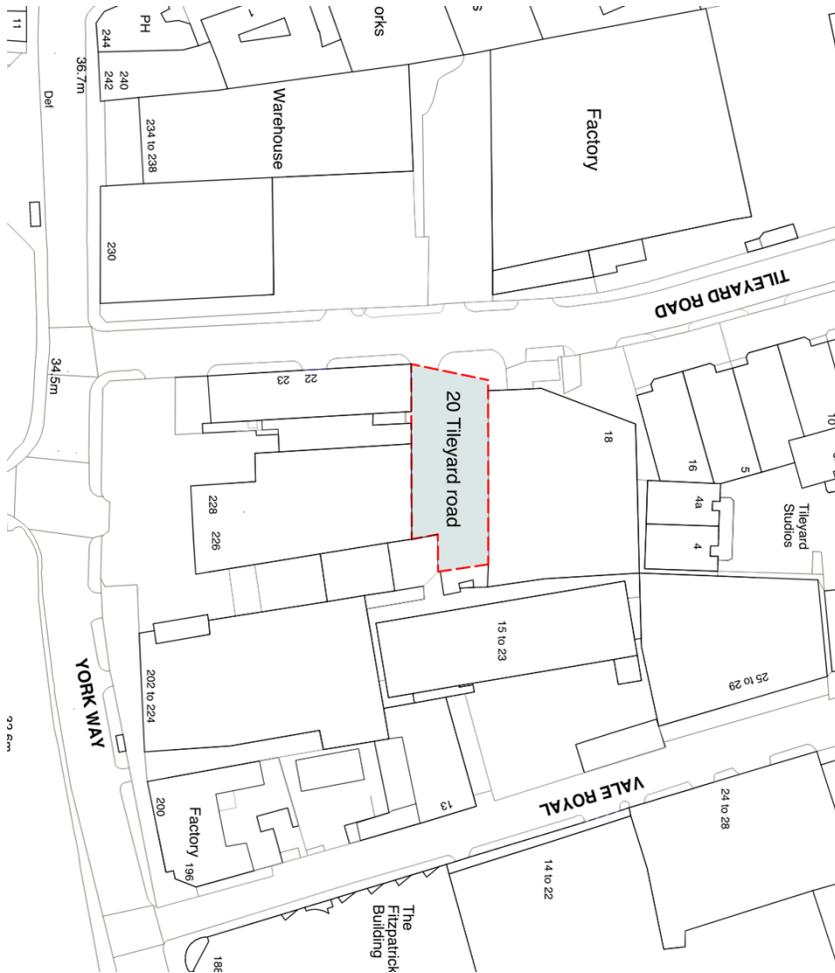
Case Officer	Stefan Sanctuary
Applicant	Sands Catering
Agent	Maddox & Associates

1. RECOMMENDATION

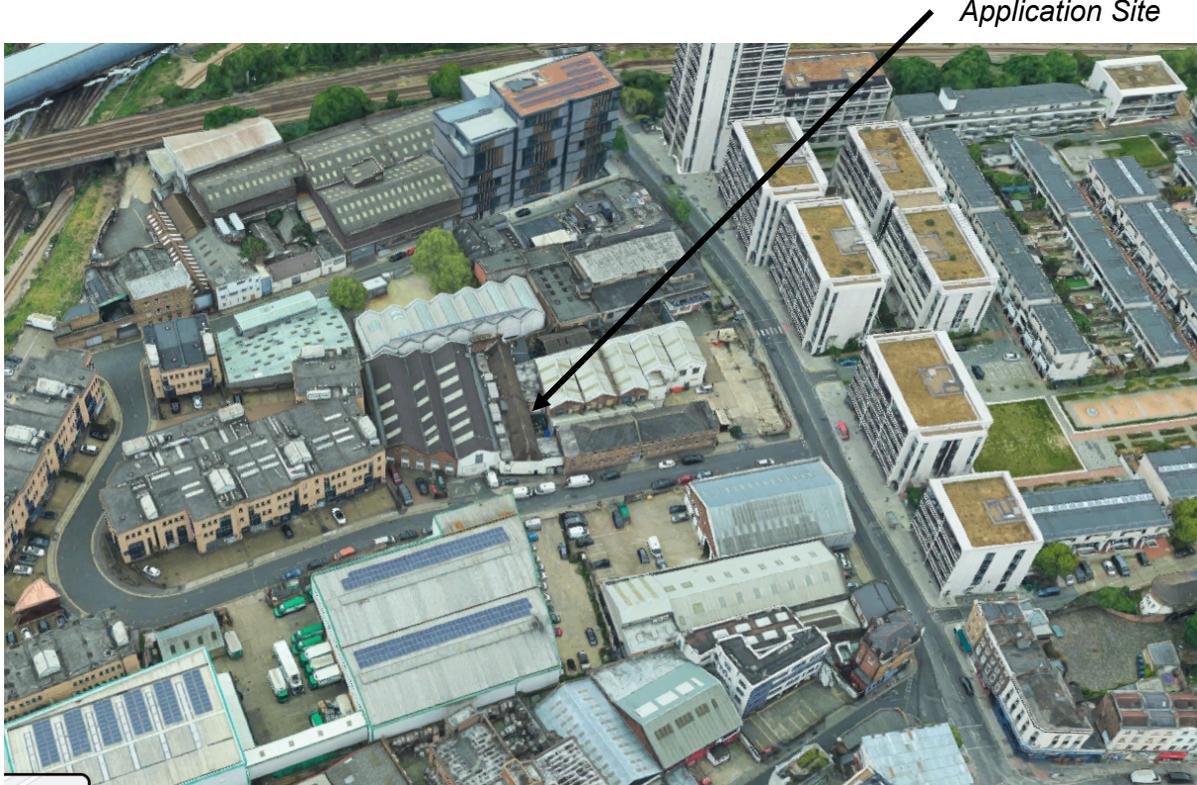
The Committee is asked to resolve to **GRANT** planning permission:

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

2. SITE PLAN / PHOTOS OF SITE



Application Site



Birdseye View 1 looking south

Application Site



Birdseye View 2 looking east



View of Front Elevation



Photos of Site

3.0 SUMMARY

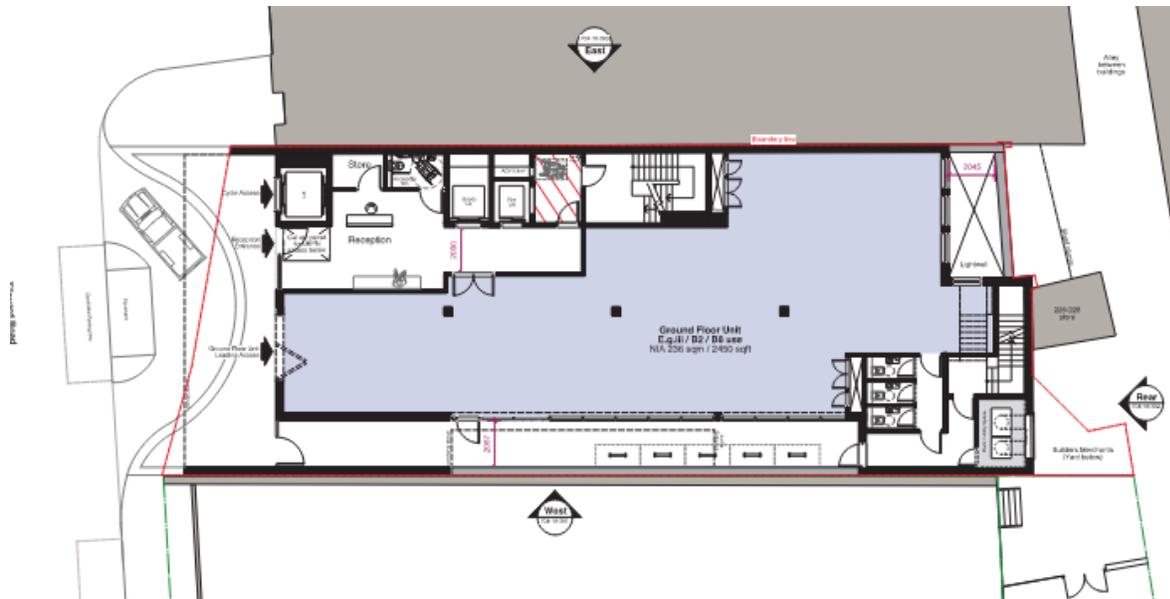
- 3.1 The application is for full planning permission for the demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage.
- 3.2 The principle of the planning application, in delivering a new commercial building with predominantly industrial uses is supported. Whilst the proposal introduces a modest amount of office floorspace, this is not considered to have a detrimental impact on the area's primary economic function, in accordance with London Plan Policies E4 and E6 as well as Development Management Policy DM5.3.
- 3.3 The proposal is considered to introduce a well-designed and contextual building that would enhance the character of the LSIS in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.
- 3.4 The proposed development is considered to have been designed to minimise impacts on neighbouring amenity and would not affect daylight, sunlight, privacy or outlook to neighbouring properties to an unacceptable extent. As such, the application is considered to be acceptable and in accordance with London Plan 2016 policies and Islington Development Management Policies DM2.1.
- 3.5 The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy. The proposal would require separate highways agreements under section 278 in order to be implemented.
- 3.6 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

4.0 SITE & SURROUNDINGS

- 4.1 The site is rectangular in shape with frontage onto Tileyard Road and near to the junction with York Way. The site comprises a two-storey building of no architectural merit with a small service/delivery yard occupying a small area along the site's western boundary, and is located within the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS). The applicant has confirmed the site to be occupied by a catering company (Sands Catering) with all the floorspace on site used for the purpose of light industrial use.
- 4.2 The immediate context is mainly commercial / industrial in character. The site is bordered by an industrial building with a saw-tooth roof occupied by a manufacturer and distributor of cycle accessories and clothing on its eastern boundary, while on its western boundary is a two-storey commercial building which forms part of a site with planning permission for a new part 3-, part 5-storey office workspace / industrial building. Opposite the subject site on the northern side of Tileyard Road are further commercial and industrial buildings including an open area providing storage and parking for motor vehicles. To the immediate south of the site are the studios of the artist Anthony Gormley.
- 4.3 In general, the prevailing heights of surrounding buildings are low, usually two to four storeys, though a little further to west on the Camden side of York Way are the higher rise residential buildings of the Maiden Lane Estate, which are separated from the LSIS by York Way. The site is considered to have a moderate level of accessibility to public transport with a rating of 2. The site is within walking distance to Caledonian Road & Barnsbury London Overground station. There are also a number of bus routes in the immediate area running along York Way and Agar Grove, as well as local cycle routes.

5.0 PROPOSAL (IN DETAIL)

- 5.1 The application involves the demolition of the existing building on site and development of the site for industrial and office uses, involving 2,493sqm of commercial floorspace within a new 5-storey building. The proposed ground floor includes a loading bay at the front providing access to a further internal loading bay. The main entrance to the building is also at the front providing access to the reception area with lift and stair core as well as accessible bathroom facilities. The ground floor also includes 236sqm (NIA) of 'industrial' floorspace, encompassing Eg(iii)/B2/B8 floorspace.



Ground Floor Plan

- 5.2 The proposed basement, which is accessed via the lift/stair core including bicycle and goods lifts, includes accessible bathroom/shower facilities, cycle storage, refuse storage and plant room as well as a further 83sqm (NIA) of 'industrial' floorspace. Lightwells have been provided to the front and rear to provide access to natural daylight at basement level. On the upper floors, the 1st floor and 2nd floors include 380sqm (NIA) of 'industrial' floorspace each alongside a lift/stair core, ancillary bathroom facilities and plant/utility room. The 3rd and 4th floors include respectively 380sqm and 345sqm of office floorspace with the top floor also housing further plant room. Inclusive design features including access via two lifts has been provided throughout.



Proposed Front and Side Elevation

- 5.3 The roof-top includes an area of green roof as well as an extensive area of solar PVs. The canopy over the ground floor entrance also includes a green roof and the several soft landscaping interventions have been proposed at ground floor level around the entrance area.

6.0 RELEVANT HISTORY

- 6.1 The most relevant planning history related to the site is as follows:

A planning application (**870143**) for the erection of two-storey storage accommodation on part of existing yard was **approved** on the 25th June 1987.

A planning application (**P2013/5015/FUL**) for the erection of a first floor infill extension and two storey extension to create new second and third floors to an existing commercial building to be constructed

on top of existing two floor property that houses a catering firm; extension of first floor to fill in existing courtyard, with retention of delivery access on ground floor beneath was **approved** on the 18th February 2014.

A Certificate of Lawfulness (Existing) for continued use of the first floor of the building as an independent office (Use Class B1a) was **refused** under **P2016/3054/COL** on the 28th September 2016 due to lack of supporting evidence. It was thereby confirmed that the 1st floor office was ancillary to the building's main function as a light industrial use.

A planning application (**P2018/2640/FUL**) for two storey extensions to rear elevation and additional floorspace (192.7 sqm) within existing void space for existing use as food preparation and external alterations to front elevation including new roller shutters and new doors was **approved** on the 22nd October 2018.

Pre-Application

6.2 The applicant approached the Council at pre-application stage and had a series of meetings at which the following points were raised and discussed. Officers advised the following:

- The proposal should involve predominantly industrial floorspace in line with adopted and emerging planning policy;
- The design and architectural expression of the proposal, which pick up on the industrial aesthetic and context of the area, is supported in principle;
- The proposal should not be higher than 5 storeys and should be below the parapet height of the adjoining development at 22-23 Tileyard Road;
- The right balance needs to be achieved between inclusive design and delivery and servicing requirements for industrial occupiers;
- Loss of daylight, particularly to the artist's studios to the rear of the site should be minimised;
- Any successful proposal would need to include sustainability features and reductions in carbon emissions in line with adopted planning policy.

It is considered that the matters raised at the pre-application stage have been adequately addressed.

Design Review Panel

6.3 The proposal was not presented to the Council's Design Review Panel, given the relatively straightforward nature of the site and the uncontentious nature of the design.

7.0 CONSULTATION

Public Consultation

7.1 Letters were sent to occupants of 251 adjoining and nearby properties on York Way, Tileyard Road, Brandon Road and Vale Royal, on the 16th April 2021. A site notice and press advert were displayed on the 22nd April 2021. The public consultation of the application expired on the 16th May 2021, though it is the Council's practice to accept comments and objections up until the day of Committee.

7.2 A total of 1 letter of objection and 1 letter of comment and support were received from the public in response to consultation on this planning application. The following points of objection were made [*with the paragraphs in brackets indicating where in the report the respective points have been addressed*]:

- The proposal's height is excessive and its massing and character is incongruous and would not fit into the industrial character of the area [9.26 – 9.31];
- The proposal would interrupt a protected viewing corridor [9.28];
- Surrounding buildings typically have pitched roofs and the proposed flat roof would break this pattern [9.32 – 9.39];
- The proposed lightwell is too narrow and would not result in good quality floorspace in the basement [9.15];
- The green/sustainability features appear to be token and the proposal would not be truly sustainable [9.75 – 9.96];
- A more sustainable solution would be to retain the existing building [9.22 – 9.25 & 9.77 – 9.81];

Points of support

- The height, mass, and design of this building is a reasonable addition to our LSIS.
- We continue to support the council in their efforts to maintain and protect the industrial use of this LSIS.

Comments:

- The developer should work collegiately with neighbouring sites when considering the equipment and methodology for the removal of the existing building.
- Additional detail on any potential noise, odour, or air disturbance from the planned bank of plant units should be provided.

External Consultees

7.3 Thames Water

Thames Water has raised no objection to the proposal subject to standard conditions and informatives on piling methods, groundwater, sewerage infrastructure, waste, water and surface water.

7.4 London Fire & Emergency Planning Authority

No comments received.

7.6 Designing Out Crime

No objections to the development but the following comments and recommendations on the following points:

- Any glass facades of the building to follow BS EN 356:2000 security rating.
- We would strongly advise a secondary layer of defence to basement bicycle storage. Access should be controlled through an encrypted key fob registered to each employee who requires access.
- It is recommended that all staff and visitors use a common main entrance.
- The risk of unauthorised persons wandering around the site can be offset by the use of security rated doors and controlled access in the form of encrypted key fob.
- If reception desks are to be considered then they should be positioned in a place within direct line of sight to the main entrance.
- As a general rule all internal door sets should be fitted with locking furniture so that they can be locked when the room is not in use.
- Rooms storing high risk/value equipment, such as IT servers, and materials or security systems/utilities services will require most robust door sets and locking systems.
- London stands are preferred over Sheffield stands. The London stands have a tapping bar. When the user locks their bicycles to the bar the lock should be above the tapping bar. This reduces the risk of the lock being smashed against the floor and a blunt instrument.
- Light wells have been seen in the design. It is recommended that the windows accessible within this area be security rated to PAS24:2016.
- Consider the bin strategy as from the drawings it would appear that the refuse store is basement level and the rubbish may have to be taken up in the same lift as the employee's bicycles.
- Anti-graffiti treatments for exposed gable ends. There are treatments for both concrete/brick as well as metal textured materials. Also consider defensive planting or a rail or a combination of both to create a defensive space and provide a layer of additional security.
- CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB).

Further consultation is required in the pursuit of achieving SBD certification for the development. The advice has been adjusted taking into consideration crime statistics and analysis of the area. Further consultation is required in the pursuit of achieving SBD certification for the development (condition 20).

Internal Consultees

7.7 Design and Conservation

The Design & Conservation Team made the following points:

- This is a well-mannered, well considered proposal that, while developing the site to its maximum capacity, sits comfortably within its context and provides for a good quality of contemporary industrial and commercial floorspace.

- The architecture will enrich the intensifying LSIS and help establish and maintain a qualitative benchmark for the area going forward.
- The scheme designs represent a high quality of architecture in accordance with plan policy and local design guidance. And as a result, it is supported.

7.8 Planning Policy

A number of comments have been made by the planning policy team. These can be summarised as follows:

- The quantum of office floorspace is still significant, which would be contrary to emerging Policy SP3 which resists office uses, though this policy still has limited weight.
- There is a considerable increase in 'industrial' floorspace, which is supported.
- Inclusive design and servicing arrangements should be considered separately.

7.9 Access & Inclusive Design

General comments

A few extra details requested but in general a scheme that shows inclusive design principles integrated throughout, facilitated by early and positive engagement at pre-app.

Transport

Two on-street blue badge spaces are referred to in the Transport Assessment which states the location of these bays will be discussed with LBI. Assurances sought that the design of these bays will accord with Islington Inclusive Design SPD 4.1 – *this has been confirmed*.

Cycle access - lift model and size of lift is requested. This must be large enough to accommodate adapted cycles and ideally mobility scooters – *this has been confirmed*.

Entrance and Egress

Following constructive engagement with the applicant, the willingness to differentiate between the footway and carriageway is noted. This should be suitably conditioned (*condition 17*).

Ideally, legibility features to aid differentiation between the 4 entrances should be included as the number could lead to confusion – *this has been confirmed (condition 27)*.

Doors - need to be of under 30N opening weight or be power operated. They should include an intercom with door release, sited so they are usable for wheelchair users (located between 750 and 1200mm above finished floor level). Doors should be in a colour that contrasts with the door frame – this would be suitably conditioned (*condition 3*).

Circulation

Make and dimensions of goods lift and fire lift also requested – *this is confirmed and accepted*.

Accessible Toilets

Confirmation requested of size of accessible toilets- please note this should be 1500mm x 2200mm minimum – *this has been confirmed*.

7.10 Public Protection

- There is a significant amount of building services plant proposed for the site (10 x air con units) which is described as being located at "different floor levels discharging to the rear elevation of the building." There is some distance from the plant to the nearest sensitive receptors. In any case, *condition 11* is advised to control noise from plant.
- The report includes a brief section on noise from the proposed use and servicing. The current use of the building and surrounding area is noted and concludes there are no significant adverse impacts from the intensification.
- The site has a long history of potentially contaminating uses. The submission includes a desktop report and the development includes a basement level and hardstanding across the site. *Condition 12* is recommended to address any potential outstanding contamination issues.
- The AQ assessment advises that there are no gas boilers/CHPs proposed for the site and the development is car-free. The proposed building is surrounded by other office and industrial

receptors, along with the residential on the Maiden Lane estate in Camden. With the demolition of the existing building, excavation of the basement and piling and construction of the new building there is the potential for disruption and it is advised that a site specific CMP/CoPCS response document is required either via condition (5) or S106 obligation. Any submission should pay reference to Islington's Code of Practice for Construction Sites.

7.11 Energy

The energy team raised a few points on sustainability and energy, which have now all been addressed. The proposal would now be future-proofed for future DHN connection and propose a significant reduction in carbon emissions. Energy is considered in subsequent sections of this report and relevant conditions are included in Appendix 1.

7.12 Sustainability

Drainage

The proposals for reducing the runoff rates to greenfield levels supported. A good level of detail on the blue roofs and permeable paving has been submitted so will need to ensure these proposals are maintained as the application progresses. A condition (*condition 7*) requiring them to comply with the submitted FRA SuDS Report would be prudent.

Green roof

Note from the proposed roof plan that green roof is not proposed for the whole roof area. Green roof should also be installed under and around solar panels in the form of a bio-solar roof if this is also a flat roof – this has been amended accordingly and suitably conditioned (*condition 14*)

Biodiversity

The recommendations of the Preliminary Ecological Appraisal should be followed (*condition 23*), including those relating to installation of integrated bat boxes, wildlife-friendly landscaping, and proposals for the planting and log pile on the green roof.

In addition, swift bricks should be installed as advised by an ecologist and in accordance with CIEEM guidance.

7.13 Transport / Highways

No objection in terms of transport impacts. Works to the footway would require a section 278 agreement and/or stopping up order.

8.0 RELEVANT POLICIES

National Guidance

8.1 The National Planning Policy Framework (NPPF) 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and the National Planning Practice Guidance (NPPG) are material considerations and have been considered as part of the assessment of these proposals.

Development Plan

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

8.3 **The London Plan 2021 - Spatial Development Strategy for Greater London**

<p>Policy GG1 Building strong and inclusive communities Policy GG2 Making the best use of land Policy GG5 Growing a good economy Policy D1 London's form, character and capacity for growth Policy D3 Optimising site capacity through design-led approach Policy D4 Delivering Good Design</p>	<p>Policy HC3 Strategic and Local Views Policy G5 Urban Greening Policy G6 Biodiversity and Access to Nature Policy SI2 Minimising greenhouse emissions Policy SI4 Managing heat risk Policy SI5 Water infrastructure Policy SI7 Reducing waste and supporting the circular economy Policy SI12 Flood risk management</p>
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Policy D5 Inclusive Design Policy D8 Public Realm Policy D10 Basement Development Policy D11 Fire safety Policy D14 Noise Policy E1 Offices Policy E2 Providing sustainable business space Policy E4 Land for industry, logistics and services Policy E6 Local Significant Industrial Sites Policy E7 Industrial intensification, co-location and substitution Policy E11 Skills and opportunities for all	Policy SI13 Sustainable drainage Policy T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car parking Policy T7 Deliveries, servicing and construction
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8.4 Islington Core Strategy 2011

<u>Spatial Strategy</u> Policy CS8 (Enhancing Islington's Character) <u>Strategic Policies</u> Policy CS10 (Sustainable Design) Policy CS11 (Waste) Policy CS13 (Employment Spaces)	<u>Infrastructure and Implementation</u> Policy CS18 (Delivery and Infrastructure) Policy CS19 (Health Impact Assessments) Policy CS20 (Partnership Working)
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8.5 Development Management Policies 2013:

Policy DM2.1 (Design) Policy DM2.2 (Inclusive design) Policy DM2.4 (Protected Views) Policy DM3.7 (Noise and Vibration) Policy DM5.1 (New business floorspace) Policy DM5.3 (Vale Royal / Brewery Road LSIS) Policy DM5.4 (Size and affordability of floorspace) Policy DM6.1 (Healthy development) Policy DM6.5 (Landscaping, trees & biodiversity) Policy DM6.6 (Flood prevention) Policy DM7.1 (Sustainable design & construction) Policy DM7.3 (Decentralised Energy Networks)	Policy DM7.4 (Sustainable design standards) Policy DM7.5 (Heating and cooling) Policy DM8.2 (Managing transport impacts) Policy DM8.4 (Walking and cycling) Policy DM8.5 (Vehicle parking) Policy DM8.6 (Delivery and servicing for new developments) Policy DM9.1 (Infrastructure) Policy DM9.2 (Planning obligations)
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8.6 Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)
 Inclusive Design (Feb 2014)
 Planning Obligations (S106) (Dec 2016)
 Urban Design Guide (Jan 2015)
 Streetbook SPD (Oct 2012)
 Basement Development (Jan 2016)
 Islington Employment Land Study (Jan 2016)
 Vale Royal/Brewery Road Locally Significant Industrial Site Height Study (2016)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)
 Character and Context SPG (adopted June 2014)
 Sustainable Design and Construction SPG (adopted April 2014)
 The Control of Dust and Emissions During Construction and Demolition SPG (adopted July 2014)

Draft Islington Local Plan 2020

8.7 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 in progress. As part of the examination consultation on pre-hearing modifications took place between 19 March and 9 May.

8.8 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).

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

<p>Policy SP3 Vale Royal/Brewery Road LSIS Policy SC3 Health Impact Assessment Policy B1 Delivering business floorspace Policy B2 New business floorspace Policy B5 Jobs and Training Opportunities G4 Biodiversity, Landscaping and Trees G5 Green Roofs and Vertical Greening Policy S1 Delivering sustainable design Policy S2 Sustainable design and construction Policy S3 Sustainable design standards Policy S4 Minimising greenhouse emissions Policy S6 Managing Heat Risk</p>	<p>Policy S8 Flood risk management Policy S9 Integrated water management and sustainable design Policy T1 Enhancing the public realm and sustainable transport Policy T2 Sustainable transport choices Policy T3 Car-free development Policy T4 Public Realm Policy T5 Delivery, servicing and construction Policy DH1 Fostering innovation while protecting heritage Policy DH3 Building Heights Policy DH4 Basement Development Policy DH5 Agent of Change, noise and vibration</p>
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9.0 EVALUATION

Land use

- 9.1 The existing building has been occupied by the current owner, a catering company, for a number of years and its lawful use was confirmed through the above-referenced Certificate of Lawfulness (ref. P2016/3054/COL) as being in light industrial use. The CoL refers to B2 use on site but it is arguable whether a catering company of the size and nature of Sands Catering should in fact be classified as B1(c), now E(g)(iii) use. In any case, the existing site is wholly in 'industrial' use.
- 9.2 The proposal involves the demolition of the existing building on site and development of the site for industrial and office uses. The existing building includes 787.2sqm (GIA) of light industrial floorspace while the proposal includes 1,555sqm (GIA) of 'industrial' floorspace in the form of Eg(iii)/B2/B8 use classes and 938sqm (GIA) of office floorspace. As such, the proposal is considered predominantly 'industrial' in nature involving an uplift in 'industrial' uses alongside the introduction of office uses.

Current Local Plan policies (Core Strategy, 2011; and Development Management Policies, 2013)

- 9.3 The Vale Royal/Brewery Road Locally Strategic Industrial Site (LSIS) is within close proximity to the CAZ, and serves a strategic purpose to Central London's businesses and the wider borough economy. Vale Royal/Brewery Road LSIS has a longstanding history of industrial activity dating back to the late 19th Century. It was identified as an Industrial Priority Area in Islington's Development Plan dating back to 1982, where investment on industrial uses were prioritised in the area to support the increasing industrial activity in the area. The current Development Management Policies (DMP, 2013) LSIS designation on the Vale Royal/Brewery Road area was carried over from the Unitary Development Plan (UDP, 2002) which recognised this area as an Industrial and Warehousing Area (IAWA), with policies focusing on safeguarding B2 and B8 uses and land.
- 9.4 Islington's Core Strategy policies CS6 (part D) and CS13 (part B) for the Vale Royal/Brewery Road LSIS set out the objectives for this LSIS designation and the appropriate land uses that are suited to industrial and warehousing uses, in line with the primary economic activity of the area; ensuring that new development proposals enhance the area's potential to retain and maximise industrial capacity. This is reiterated in policy DM5.3 of the council's Development Management Policies (DMP, 2013), that is specifically concerned with the Vale Royal/Brewery Road LSIS. Part A of this policy states that the council supports the retention and intensification of uses appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes). Part B protects the Vale Royal/Brewery Road LSIS from loss or reduction of B1c, B2 and B8 floorspace. Part C states that proposals will be also resisted where they would have a detrimental individual or cumulative impact on the area's primary economic function. Para 5.22 explains that proposals for uses which complement and support the economic and employment role of the LSIS will be considered acceptable "where there is no impact on its primary economic function". Offices are given as an example of the type of use which may fall into this category.

London Plan's approach to safeguarding industrial land

- 9.5 The London Plan (2021) confirms the need to protect and enhance industrial capacity in identified areas through Policy E4. The policy requires that a sufficient supply of land and premises exist in different parts of London, to meet current and future demand for industrial and related functions. Para 6.4.1 notes that "London depends on a wide range of industrial, logistics and related uses that are essential to the functioning of its economy and for servicing the needs of its growing population, as well as contributing towards employment opportunities for Londoners". Para 6.4.7 identifies the "need to provide essential services to the CAZ and Northern Isle of Dogs and in particular sustainable 'last mile' distribution/logistics, 'just-in-time' servicing (such as food service activities, printing, administrative and support services, office supplies, repair and maintenance) ...". Policy E4 (part C) of the new London Plan states that "The retention, enhancement and

provision of additional industrial capacity across the three categories of industrial land set out in Part B (i.e. including the LSIS) should be planned, monitored and managed.”

- 9.6 Part D of E4 states that the retention, enhancement and provision of additional industrial capacity should be prioritised in locations with certain characteristics, such as those that are accessible to the strategic road network; provide capacity for activities such as logistics, emerging industrial sectors or essential industrial-related services that support London’s economy and population; provide capacity for micro, small and medium-sized enterprises; are suitable for ‘last mile’ distribution services to support large-scale residential or mixed-use developments; and support access to supply chains and local employment in industrial and related activities.
- 9.7 Policy E6 requires London boroughs to designate and define boundaries for Locally Significant Industrial Sites, making clear the range of industrial and related uses acceptable in the LSIS to include, where appropriate, hybrid or flexible B1c/B2/B8 suitable for SMEs. The London Plan encourages all boroughs to explore the potential to intensify industrial activities on industrial land to deliver additional capacity (para 6.7.1 of the supporting text to policy E7). Policy E7 instructs both borough local plans and development proposals to be proactive and encourage the intensification of industrial (B1c, B2, B8) uses on all categories on industrial land (meaning SIL, LSIS and non-designated industrial sites) through various measures.
- 9.8 The Mayor’s current approach towards protection of industrial land is underpinned by robust evidence, including the London Industrial Land Demand Study (LILDS, 2017), the London Industrial Land Supply and Economy Study (LILSES, 2015) and The Industrial Land and Transport Study (ILTS, 2017). Para 6.4.4 from the new London Plan indicates that there will be positive net demand for industrial land in London over the period 2016 to 2041, mostly driven by strong demand for logistics to service growth in London’s economy and population. In addition, the ILTS (2017) concluded that the release of industrial land could have a negative impact on the efficient operations of the firms affected by land release; the labour market, if firms have to relocate a significant distance; the ability to achieve service level agreements and supply chain impacts on third parties more generally; and traffic congestion, air quality and emissions and road safety issues.
- 9.9 The Vale Royal/Brewery Road LSIS accommodates many of the type of uses suggested in the Mayor’s evidence, including ‘clean’ activities that provide for the expanding Central London business market. Such activities may also exist alongside more traditional forms of industrial uses, as well as emerging forms. The uses identified include:
- trade suppliers (plumbers and builders’ merchants);
 - companies supplying logistics and sound equipment for live events;
 - props hire companies;
 - artisan bread makers;
 - catering companies;
 - distribution companies (wine distributor);
 - a graphics company who design and manufacture hoardings; and
 - photographic and sound recording studios.

Emerging Local Policies

- 9.10 In accordance with the London Plan’s appeal to boroughs to explore the potential to intensify industrial activities on industrial land to deliver additional capacity, Islington’s emerging Local Plan policies (Strategic and DM Policies DPD Regulation 19, 2020) consider the latest employment and industrial land evidence base both at local and regional levels, in line with national policy. In response to the new London Plan, Policy SP3 part A of Islington’s emerging Local Plan identifies the principal objective of the Vale Royal/Brewery Road LSIS as being “to retain industrial land and intensify B1c light industrial, B2 general industry and B8 storage and distribution uses”, while part C from this policy states that “any proposal which introduces additional offices, regardless of

whether there is an existing office use on site, and which does not result in the building being in predominantly industrial use, will be refused.”

- 9.11 Policy B2, from the emerging Local Plan sets out that the overriding priority land uses in LSIS designations are industrial uses (B1(c), B2, B8 and Sui Generis uses which are akin to industrial uses). While B1(c) is now essentially within the Class E Category, light industrial is found within a sub-categorisation of Class E(g)(iii). The sub-categorisation of this use allows for control of these uses to remain (*through condition 13*), in the event of planning permission being granted. The retention and intensification of industrial uses and existing clusters of industrial activity in LSISs will be required as part of any proposal within a LSIS. The provision of hybrid space is supported. The development of office use may be permissible as part of a hybrid workspace scheme, but it must only constitute a small proportion of the overall gross floorspace proposed. The introduction of non-industrial uses would undermine the primary industrial economic function and compromise the future growth of LSISs and will therefore not be permitted unless they are clearly ancillary to a proposal. The provision of hybrid space in LSIS designations is also referenced in Policy SP3, part B, that encourages the provision of a range of flexible industrial uses including those suitable for SMEs, in line with policy E6 from the new London Plan.

Affordable workspace / SME space

- 9.12 Policy CS13 requires for new employment floorspace to be flexible to meet future business needs and for a range of unit sizes and types including those suitable for SMEs to be provided. Emerging Local Plan Policy B2 has a similar requirement for business floorspace to allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and to provide a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs. Emerging Local Plan Policy B4 has a requirement for affordable workspace on any major development proposals involving 1,000sqm or more gross B1(a) and/or B1(b) and/or general B1 and/or a Sui Generis use akin to B1(a)/B1(b) floorspace within an LSIS.

Assessment of Proposed Uses

- 9.13 The proposal includes 1,555sqm (GIA) of ‘industrial’ uses, which is a considerable uplift on the existing 787sqm (GIA) of ‘industrial’ floorspace and would thus comply with local adopted policy, in particular Policy CS6 and Policy DM5.3, which seek for new developments to retain and intensify uses that are appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes). While the proposal also includes office floorspace on the upper levels, the development would be industrial-led with the majority of floorspace in either B2, B8 or E(g)(iii) uses and would thus also comply with the new London Plan Policy E4, which states that the retention, enhancement and provision of additional industrial capacity should be prioritised in locations such as the Vale Royal / Brewery Road LSIS.
- 9.14 As referred to above, emerging Local Policies B2 and SP3 resist office floorspace in the LSIS by stating that B1a offices may only be permissible as a small proportion of the overall proposed floorspace. In paragraph 2.29 of the document it states in relation to this that the proportion of office floorspace should not result in the overall building being in predominant office use. The proposal includes two storeys of office floorspace which would equate to 37% of the overall. It is acknowledged that this is more than just a small proportion of the overall floorspace required by the emerging policy. However, this must be balanced against the fact that the size and width of the proposed floorplates are relatively narrow and compact and are not considered to lend themselves very well to some industrial processes. Given these constraints, the higher percentage of floorspace given over to office uses is deemed to be acceptable particularly as the proposal as a whole is still industrial-led and also within the context of the weight given to emerging and adopted policies at this point in time.
- 9.15 In terms of the size and affordability of workspace, there is no requirement for the proposal to provide affordable workspace on site, given that the site within the LSIS and the office floorspace is below 1,000sqm. However, the proposal is considered to demonstrate that the floorspace has

been designed with flexibility and the requirements of SMEs in mind. Floorplates are generally modest in size, in particular the basement which includes an industrial unit of 83sqm in size. While the basement floorspace only has natural daylight from a narrow lightwell, this is considered to be acceptable given the relatively small size and the industrial nature of the floorspace. Each of the floors have the required level of access and ancillary facilities in order for them to be used independently or as part of the same commercial operation.

- 9.16 As such, in land use terms, the proposed development is considered to be acceptable in principle, subject to a further assessment of the other more detailed aspects of the proposal, and thus would be consistent with the aims and objectives of NPPF as well as London Plan Policies E4 and E6 and Islington Policy DM5.3. The proposal would deliver an increase in industrial floorspace in the LSIS alongside a modest quantum of office floorspace which would not threaten to undermine the function and role of the industrial area, and is therefore supported

Design, Conservation and Heritage Considerations

Policy Context

- 9.17 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy D3 (Optimising site capacity through the design-led approach) is concerned with good quality and contextual design and states, inter alia, that developments should: *'enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.'*
- 9.18 The London Plan Policy D3 also states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well. Furthermore, London Plan Policy D4 (Delivering Good Design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 9.19 Islington's Core Strategy Policy CS8 (Enhancing Islington's character) states that the scale of new development will reflect the character of a surrounding area. Policy CS9 (Protecting and enhancing Islington's built and historic environment) states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric. All development will need to be based on coherent street frontages.
- 9.20 Development Management Policy DM2.1 (Design) requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Point vii specifically states that buildings should respect and respond positively to existing buildings, the streetscape and the wider context.
- 9.21 Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g. how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages. Of particular significance is paragraph 5.67 which states that

'new development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses'. The council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.

Site Context:

- 9.22 The site lies within the LSIS near the junction of Tileyard Road with York Way, to the south side of the street. It abuts a live and major development site of 20-22 Tileyard Road to its west which was granted planning consent for a mixed commercial and industrial redevelopment in October 2020. To the east the site abuts a run of low-rise buildings used for a range of commercial activities.
- 9.23 The site currently comprises a 2-storey building of no design merit that is reaching the end of its viable life. The broader LSIS context is currently experiencing a surge of investment as expressed in multiple redevelopment proposals and subsequent planning consents which are leading an ongoing intensification and transformation of the Borough's industrial area.

Principle of Development:

- 9.24 The principle of the proposed redevelopment is acceptable from a design perspective in terms of its height, bulk and mass, the configuration of the built form and the service elements on the site, together with the architectural language and expression. It accords with the principles within the Islington's Urban Design Guide (UDG) including addressing the importance of achieving a contextual fit based on a serious analysis of place and space as stated within Para 4.8:

"The design of new development must clearly relate and respond to its setting to ensure that the proposed density and uses are suited to the site and its wider context".

- 9.25 Redevelopment of the site is further supported in principle given the existing building is of a low quality and the site is not currently being used to its full capacity.

Bulk, height and massing

- 9.26 The height bulk and massing are considered to be contextually appropriate and adhere, where relevant, to those Key UDG Objectives required to enhance Islington's urban structure. These include responding to the street pattern, reducing the impact of vehicles of the built environment, creating safe streets and spaces, responding to the qualities of the traditional building hierarchy, and respecting the established order and local character of the urban form.
- 9.27 The proposed development has been refined through the pre application process. Specifically the height of the development has been reduced to that of 20.55m to top of the parapet with a small area of deeply recessed lift over-run, positioned toward the centre of the building, rising to 21.85m. This is considered acceptable given the guidance within the 2016 LSIS Heights Study suggests that the building could potentially rise to a maximum of 22m on the site.
- 9.28 The local viewing corridor from Dartmouth Park Hill to St Pauls is also an important consideration as the site is within the viewing corridor. The proposed development would however not be visible from this location as it is located behind a dense abundance of trees but also the roof of a building set in the foreground of the development. Other developments in the LSIS within the viewing corridor have recently come forward at similar heights that would also not infringe on the viewing corridor. The proposed building would not be visible above any townscape in between the viewpoint and the site nor does it breach any view of St. Paul's Cathedral.
- 9.29 Given the site's location on a secondary route within the urban structure, and having regard to the adjacencies with the 22 – 24 Tileyard Road development, with its frontage to York Way and thus onto a primary route, the height of the proposed building was required to sit below its new neighbour

in order to respect and respond to this emerging and established structure and hierarchy. This has been achieved.

- 9.30 The site is relatively deep and narrow. The proposed development occupies the full depth of the site and the full width, save for a central set back to the western elevation to successfully bring light and air into the deep floorplans. It is also set back from the front at ground floor to facilitate an appropriately positioned and proportioned entrance area including meeting the needs of vehicle servicing. It rises to five floors, and has a single storey basement.
- 9.31 The building footprint, while running parallel with the street edge to ground level, projects forward at the upper floors and is subtly stepped in response to the angled site boundary in this location. This configuration of both ground and upper floors has been cleverly designed as a considered architectural element as opposed to reading as a forced solution. While the site lies in close proximity to an internationally renowned artist's studio complex to the rear, separated by a narrow lane, given it is positioned to the north of this complex, and bearing in mind its narrow plot width, it is not considered to be excessively overbearing to this more sensitive neighbouring use and site.

Elevational treatment and materiality

- 9.32 The elevational treatment is well-considered, well-proportioned and elegantly detailed. While it is considered to have a degree of formality, the use of ceramic tiling to frame the fenestration adds a welcome contextual reference to arts, crafts and associated creative production and indeed references the namesake of the street – the Tile Yard.
- 9.33 The building is further enriched with its recognisable base, middle, and top. The ground floor is very legible. It is also well-animated and welcoming with a clear definition between the vehicular servicing entrance and that of the pedestrian visitor. It successfully incorporates the internally located vehicular servicing bay, minimising the visual and physical impact such a service entrance can have on the safety and quality of the public realm.



Proposed Front Elevation

- 9.34 The front and rear elevations are similarly treated utilising large fenestration modules in order to capture sufficient sun and daylight penetration. The front elevation does however have far more glazed elements and a greater level of formality as befits a front elevation on to the public realm. To the front facade, the fenestration pattern differs very subtly and effectively as it rises up the building, reflecting the change in storey heights between the higher proportioned industrial use

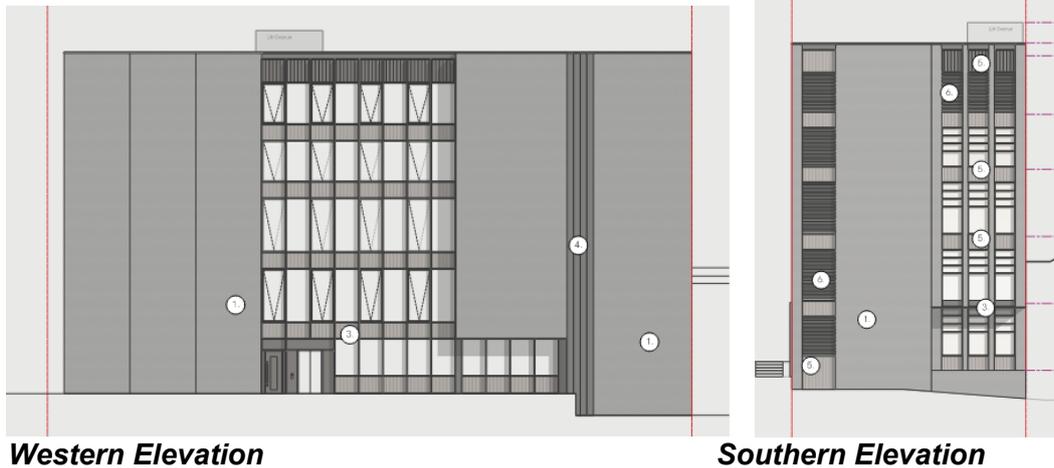
floors at 1st and 2nd floor levels, and the slightly lower floor-to-ceiling heights to the 3rd and 4th floor levels – the office/commercial use floors.

- 9.35 The ground floor treatment reflects some of the proportionality of the upper floor fenestration while a gently sweeping canopy projects forward effectively demarcating and celebrating the entrance. This contributes to the legibility of the public realm as well as the character and quality of the building. The flank elevation to the east, which would be visible from the public realm due to the low-rise nature of these adjacent buildings, has been simply but effectively detailed. It contains no fenestration given the realistic possibility of the adjacent site coming forward for redevelopment in the future. However it has been quietly animated with the use of standing seam metal sheeting applied in a considered vertical manner to align with the stair core to the predominantly brick façade, with the addition of two narrower vertical panels towards the front and the rear of the flank. This detailing helps to break up the mass and adds some visual liveliness.



Proposed Eastern Elevation

- 9.36 The western elevation is only obliquely visible from the public realm given the proximity of the larger scaled development currently on site at 20 – 22 Tileyard Road. However it too is lively with a heavily fenestrated recessed element positioned mid-way within this deep elevation. So although of limited visibility the elevational treatment is nevertheless considered to add a welcome richness to the architecture and thus the broader streetscape and public realm.
- 9.37 The rear elevation has a similarly stepped form using similar proportions to the front, and in response to the site boundary and characteristics. However it has more limited fenestration with glazing restricted to the eastern half of the stepped form and to floors ground to 3rd only. The western edge comprises a narrow vertical run of patterned perforated louvres. This treatment is considered to be appropriate for the rear elevation.



Western Elevation

Southern Elevation

- 9.38 The materials palette is welcomed indicating the use of a Petersen brick as the primary material, with applied decorative clay tiles, standing seam metal panelling, and dark coloured powder coated aluminium fenestration. Metal louvres are also applied to parts of the rear elevation. While indicative materials proposed are encouraging, these would be suitably conditioned (condition 3) in the event of permission being granted.
- 9.39 The indicative hard landscaping to the front is urbane with block work indicating a successful mix of texture, colour and patterns that delineate the primary functions of the forecourt space. The inclusion of bat boxes and green roof elements is a further enriching element that, alongside the above elements, helps categorise this as a high quality scheme.

Conclusion

- 9.40 This is considered to be a well-mannered proposal that, while developing the site to its maximum capacity, is considered to sit comfortably within its context and provides for a good quality of contemporary industrial and commercial floorspace. The architecture will enrich the intensifying LSIS and help establish and maintain a qualitative benchmark for the area going forward.
- 9.41 The scheme designs represent a high quality of architecture in accordance with plan policy and local design guidance and as a result, it is supported. As such, in relation to design and appearance, the planning application is considered to be in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.

Neighbouring Amenity

- 9.42 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan Policy D6 identifies that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate to its context, whilst minimising overshadowing and maximising the usability of outside amenity space. Policy DM2.1 of the Development Management Policies (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.

Daylight/sunlight

- 9.43 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) Guidelines are adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours. BRE Guidelines paragraph 1.1 states:

“People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by”.

9.45 Paragraph 1.6 states:

“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

9.46 Daylight: the BRE Guidelines stipulate that... “the diffuse daylighting of the existing building may be adversely affected if either:

- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value*
- *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).*

9.47 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall. At paragraph 2.2.7 of the BRE Guidelines it states:

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

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

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

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

Analysis of Daylight & Sunlight Impact on Affected Properties:

9.49 There are no residential properties in the immediate surroundings that would be affected by the proposal. The closest residential occupiers are within the Maiden Lane Estate on the opposite side of York Way, which are at a considerable distance from the subject site and as such there would be no impacts on neighbouring residential occupiers in terms of losses of daylight, sunlight, privacy or an increased sense of enclosure.

9.50 All of the adjacent properties are of a commercial nature of which the neighbouring 22-23 Tileyard Road and the Anthony Gormley’s studios at 15-23 Vale Royal have been considered as part of this assessment. The neighbouring site at 22-23 Tileyard Road currently does not have any windows facing the subject site; however, there is an extant permission for a new commercial building which

is currently in the process of being implemented. This consented building has a heavily fenestrated eastern elevation facing the application site. As a result, the proposal being considered here has been designed with a set-back towards the central part of its western elevation to reduce impacts on future occupiers of this neighbouring building.

- 9.51 While no daylight assessment has been submitted to determine the precise impacts on this neighbouring building, it is important to note that there is currently no building and thus no potentially-affected occupiers at this neighbouring site. Moreover, once the respective buildings are indeed built out, the most affected windows would serve light industrial floorspace, which is not considered to be a particularly sensitive use.
- 9.52 In terms of the artist's studios to the rear at 15-23 Vale Royal, impacts on this building and its yard space have also been considered and the application has been accompanied by a daylight assessment to determine the potential impacts. The results show no noticeable impacts on this neighbouring property, in particular because it lies due south of the subject site and thus any proposal here would not cast a shadow on this property.

Overlooking

- 9.53 Development Management Policy 2.1 states that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'.
- 9.54 There are no residential properties within 18 metres of the application site. The adjoining properties are all in commercial use, so privacy is not a consideration in this instance.

Noise & Disturbance

- 9.55 There is a significant amount of building services plant proposed for the site (10 x air con units) which is described as being located at "different floor levels discharging to the rear elevation of the building." There is some distance from the plant to the nearest sensitive receptors. Nonetheless, condition 11 is advised to control noise from plant:

"The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. When measured or predicted at 1m from the façade of the nearest commercial gallery or studio space the cumulative noise LAeq Tr shall not exceed 55dBA. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

- 9.56 The submitted Noise Impact Assessment includes a brief section on noise from the proposed use and servicing. The current use of the building and surrounding area is noted and concludes there are no significant adverse impacts from the intensification. This is considered to be reasonable conclusion.

Other impacts

- 9.57 The site has a long history of potentially contaminating uses. The submission includes a desktop report and although the development includes a basement level and hardstanding across the site, a condition (12) is recommended to mitigate against contamination impacts.
- 9.58 The air quality assessment advises that there are no gas boilers/CHPs proposed for the site and the development is car-free. The proposed building is surrounded by other office and industrial receptors, along with the residential on the Maiden Lane estate in Camden. As such, impacts on air quality are not considered to be significant.

Construction Impacts

- 9.59 While construction impacts arising from a development are not on the whole a material planning consideration, construction could indeed result in noise, disturbance, dust and vibration impacts among other things which can be minimised if managed properly. With the demolition of the existing building, excavation of the basement and piling and construction of the new building there is the potential for disruption and it is advised that a site specific CMP/CoPCS response document is required either via condition and/or S106 obligation. Any submission should pay reference to Islington's Code of Practice for Construction Sites.
- 9.60 As such, a condition (5) is recommended in the event of planning permission being granted which would require details of the construction process and resulting impacts to be assessed and approved in writing by the Local Planning Authority prior to commencement of works on site.

Conclusion

- 9.61 In conclusion, the proposed development is not considered to result in unacceptable impacts in terms of loss of daylight, sunlight, privacy, noise, disturbance or an increased sense of enclosure to neighbouring properties subject to appropriate conditions and relevant obligations in the section 106 agreement in accordance with relevant London Plan Policies and Islington Policy DM2.1.

Highways and Transportation

- 9.62 The site has a moderate PTAL (Public Transport Accessibility Level) of 2 and is served by several bus routes within walking distance on York Way and Caledonian Road. Caledonian Road & Barnsbury Overground station is also within walking distance. An east-west cycle route runs along Brandon Road in close proximity to the site. The site is within the Thornhill CPZ with restricted parking during weekday working hours and weekends.
- 9.63 Chapter 10 of the new London Plan (2021) sets out transport policies and locally, Core Strategy policies CS10 and CS18 and chapter 8 of the Development Management Policies set out the Council's transport policies with chapter 7 setting out transport policies in the emerging Local Plan Policies.
- 9.64 The applicants have submitted a Framework Travel Plan which recommends a significant reduction in car journeys and increase in journeys by foot or bike to the site over a period of 5 years. The building will have its own Travel Plan Coordinator to promote walking, car-sharing and cycling to reduce car use. The Travel Plan would need to be monitored for a period of five years. If the application were to be approved, this would be secured as part of a section 106 agreement.
- 9.65 Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200sqm, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). The proposal includes an off-street servicing area with two access points to allow delivery and servicing vehicles to enter and exit the site in forward gear. Part of the proposed servicing and delivery bay is within adopted highway and a section 278 agreement would be required to facilitate the proposed changes. The Council's Highways Team have assessed the proposal and confirmed the proposed changes to be acceptable in principle.
- 9.66 The off-street servicing area would be a shared surface and raised to be level with the public footway, which would give priority to pedestrians passing the site, as well as pedestrians accessing the site. A 60mm high kerb is proposed within the servicing area to provide some separation between the servicing area and the pedestrian forecourt. Vehicles up to 6m in length would pull into the servicing area and then reverse into the internal loading bay which is accessed via a servicing entrance. Vehicles would then exit the loading bay in forward gear. Vehicles a maximum

of 7.2m in length would not use the internal loading bay and will load/unload within the off-street servicing area.

- 9.67 The application is accompanied by a Transport Statement which provides details of the proposed delivery and servicing arrangement. It is anticipated that the development would attract approximately 10 two-way trips of delivery and good vehicles per day with servicing and delivery carried out from within the site's loading bays. This is a moderate increase over the existing situation and one which the site and surrounding highway network could easily accommodate.
- 9.68 The application includes the provision of 24 long-stay cycle parking spaces within the basement cycle parking area and a further 5 short-stay cycle parking spaces would be provided at ground floor level. The number of cycle parking spaces proposed complies with policy requirements and would be secured by condition in the event of permission being granted.
- 9.69 The proposal is considered to be acceptable in terms of highways impacts and sustainable transport options, subject to conditions on cycle parking (8), servicing/delivery (18) and construction logistics/management (5). The application sets out adequate provision for waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The Council's Highways / Transport Officers have raised no objections to the proposal. The proposal would be acceptable in highways terms and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM8.2, DM8.5 and 8.6. The proposal is therefore acceptable in terms of transport / highways subject to conditions and S106 contributions.

Inclusive design

- 9.70 London Plan Policy D5 (previously Policy 7.2) requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime.
- 9.71 In terms of accessible transport, accessible parking bays must be provided for every 33 employees. The development would contribute towards the provision of 2No. accessible parking bays. Though these can not be provided within the application site itself, they would be secured through the section 106 agreement as detailed in Appendix 1 of this report, in the form of a financial contribution towards accessible transport infrastructure. Two locations have been identified along Tileyard Road in close proximity to the site, which could accommodate the required dimensions of a wheelchair accessible bay. In terms of cycle parking, details have been provided of accessible cycle spaces as well as the dimensions of the cycle lift to the basement and these are considered acceptable.
- 9.72 The vehicular and pedestrian access routes into the site are proposed to be delineated by a kerb or a chamfered edge separating the footway from the carriageway and servicing & delivery bay. It is important to get the right balance between operational requirements and inclusive design, so further details will be required by condition in the event of planning permission being granted (condition 17).
- 9.73 The internal spaces, including corridor and door widths and dimensions of bathroom and toilet facilities have been designed with inclusivity in mind and would meet relevant standards. All points raised by the Council's access officers to internal layouts have now been addressed. As such, the proposal is considered to have been inclusively-designed subject to relevant conditions (17).

Energy and Sustainability

- 9.74 The new London Plan Policy SI.2 stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. Policy SI.2 also requires all development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure can not be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund. The new London Plan has only recently been adopted so the applicant's energy strategy has focused on meeting adopted local policies, which are broadly in line with new London Plan Policies.
- 9.75 Policy SI.4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. Policy SI.7 'Reducing waste' states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
- 9.76 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN (Energy efficiency standards)

- 9.77 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the development are: external walls = 0.2w/m²k, roof = 0.16w/m²k, floors = 0.15 w/m²k and glazing = 1.41w/m²k. These U-values are generally consistent with the values suggested in the Council's SPD. The air tightness would be 3.0³/m²/hr.
- 9.78 The Sustainable Design & Construction Statement specifies LED for all internal lighting with appropriate occupancy sensors. MVHR has been specified to maximise energy efficiency. Mechanical Ventilation with Heat Recovery (MVHR) has been specified to maximise energy efficiency. The application also shows how the development has been orientated to reduce the risk of overheating, how glazing has been used to minimise reliance on artificial lighting and how the building has been designed to incorporate thermal mass through heavyweight cladding and the use of slab floors. The Council's Energy Team have confirmed the energy efficiency measures to be acceptable.

BE CLEAN (Low-carbon Energy Supply)

- 9.79 Development Management Policy DM7.3(B) requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible. The Energy Statement confirms that the proposed development is not within 500m of a DEN, which removes the requirement for connection. The submission states that the building will be heated via air-source heat pumps to drive high efficiency fan coil units to provide heating and cooling.

9.80 The revised SDCS states that there is sufficient room in the plant room on the lower ground floor for plant necessary to connect to a future DEN. The design includes a protected pipe route to the site boundary and that the full requirements of Appendix 1 of Islington's Environmental Design SPD will be included in the detailed design. The SDCS shows that the applicant has contacted neighbouring developments about the possibility of forming a Shared Heating Network although it is not clear if any developments have responded.

BE GREEN (Renewable Energy Supply)

9.81 The SDCS includes a review of biomass, solar thermal, ground source heat pumps and wind turbines which have been discounted for valid reasons. Biomass heating has been discounted due to the biomass/biofuel transportation impact. Adjacency to residential/commercial developments with consequent flue implications also represents a potential constraint. Ground source heat pumps (GSHPs) are not considered appropriate for this scheme and stand-alone wind turbines and roof-mounted wind turbines have been discounted for valid reasons. A solar PV array of 80 panels has been proposed in the submission. The proposed solar PVs cover a large proportion of the roof and the Council's energy team have confirmed they are satisfied that renewable energy measures have been optimised. The energy and sustainability measures would be suitably conditioned in the event of permission being granted (condition 16 and 25).

9.82 Green Performance Plan: Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation.

9.83 A draft Green Performance Plan has been submitted (as an Appendix to the Sustainable Design & Construction Statement), which includes targets for water, CO2 and energy consumption. This also includes detail of how the data will be collected, responsibility for managing the GPP and arrangements for addressing poor performance in line with the requirements in Islington's Environmental Design SPD.

9.84 It is recommended that the s106 legal agreement includes the requirement for the submission of a final post occupation Green Performance Plan to be submitted to the Local Planning Authority following an agreed monitoring period.

9.85 Carbon Emissions: Policy CS10A promotes zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

9.86 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO2 emissions reduction target. The final stage of the hierarchy requires developers to:

'...offset all remaining CO2 emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO2 emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO2 for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.'

9.87 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The revised Energy Statement confirms a reduction of 47% in CO2 emissions from a 2013 baseline. A 20.59% reduction is achieved at the 'Be Lean' stage meeting the 15% requirement in the London Plan.

The application also results in a 28% reduction in total (regulated and regulated) carbon emissions from a 2013 baseline, which achieves the policy target of 27%.

- 9.88 The sum of regulated emissions (after Be Lean, Be Clean & Be Green) and the un-regulated emissions are 40.84 tonnes CO₂ per year. Based on the Council's carbon offset figure (£920/tonne). The scheme therefore gives rise to a requirement for a carbon offset contribution of £36,238.80.
- 9.89 Sustainability features: Through the incorporation of sustainable design and construction methods, energy, water and waste saving measures the proposed development is considered to be environmentally sustainable. The building has been designed to minimise the risk of overheating and the consequent reliance on cooling or mechanical ventilation. Green roofs have been included in all available roof space to maximise diversity, water-retention and urban cooling.
- 9.90 The application includes objectives to minimise waste generated on site during demolition and construction and to maximise the use of recycled materials. Materials will be selected based on the environmental impacts as far as is practical. Finally, the development will achieve a BREEAM 'New Construction' (2018) rating of no less than 'Excellent', which will be secured by condition (15).
- 9.91 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 9.92 A revised Thermal Comfort Analysis has been submitted. This demonstrates that the proposed development is at risk of overheating against the criteria of TM52 using DSY 1 and DSY2. This justifies specification of active cooling. Further thermal modelling has been carried out with the proposed active cooling in place. This shows that the proposed development is not at risk of overheating against TM52 using DSY1 and DSY2. This meets the requirements of Islington DM7.5C.
- 9.93 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litre/sec/ha), where feasible. The London Plan requires that drainage run offs in new developments be reduced by 50% including an allowance for climate change. The proposed development will reduce the drainage run-off by use of a below-ground attenuation tank and permeable paving. The proposed run-off rates have been sufficiently reduced in the 1/100yr storm even to comply with policy requirements.

Conclusion

- 9.94 The planning application includes a number of energy efficiency, renewable and green energy and sustainability measures that would deliver a sustainable form of development subject to planning conditions and appropriate planning obligations in accordance with London Plan Policies SI.2 and SI.4, Islington Core Strategy Policy CS10 and Development Management Policies DM6.6, DM7.1, DM7.3 and DM7.5.

Trees and landscaping

- 9.95 Trees, shrubs and vegetation are protected by policy, specifically Policy DM6.5 which states that any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably

reprovided. Moreover, that the council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.

- 9.96 There are no signs of any significant vegetation on site. The proposal include some soft landscaping features at the front of the site as well as green roofs to add biodiversity on the canopy as well as roof level. The site is quite limited in terms of its potential for delivering additional vegetation but the subtle soft landscaping interventions proposed are well-considered and in accordance with Development Management Policies DM6.3 and DM6.5, subject to further detail through condition 21.

Basement and SUDS

- 9.97 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E).

- 9.98 The Basement Development SPD sets out inter alia:

"All basement development will need to be appropriate and proportionate to its site and context.

Basement development should be proportionate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm.

Design of basements and associated structures must be of a high quality and should respect and respond positively to existing buildings; streetscape and the wider context; surrounding heritage assets; and locally distinctive patterns of development and landscape."

- 9.99 The extent and depth of the proposed basement accords with the principles of the Basement Development SPD. A Structural Method Statement approved by a chartered Civil Engineer has been submitted. The proposals include excavations at basement level which are considered necessary to enable development and facilitate construction. The Structural Method Statement confirms that the proposed development comprises a steel framed superstructure above a single storey reinforced concrete basement construction.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.100 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise, unless an exemption applies. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development. Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.

- 9.101 Islington's CIL Regulation 123 infrastructure list (no longer in place, following recent legislative changes) specifically excluded measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.

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

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway. This ensures funds are available for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
- Section 278 Highways Agreement to be entered into with the Council with respect of any Highways works necessary to facilitate the development.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £1,806 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount is £36,238.80.
- Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- The submission of a final Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

9.103 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.0 SUMMARY AND CONCLUSION

Summary

- 10.1 The application is for full planning permission for the demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage. The principle of the planning application, in delivering a new commercial building with predominantly industrial uses is supported.
- 10.2 The scheme design represents a high quality of architecture in accordance with plan policy and local design guidance. And as a result, it is supported. As such, in relation to design and appearance, the planning application is considered to be in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.
- 10.3 The proposed development would not have adverse impacts on surrounding residential amenity in terms of loss of light, privacy or an increased sense of enclosure nor is it considered to have any unacceptable impacts on surrounding commercial properties. The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy.
- 10.4 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

Conclusion

- 10.5 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1– RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- A bond/deposit of to cover costs of repairs to the footway and for repairs to the highway. This ensures funds are available for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
- Section 278 Highways Agreement to be entered into with the Council with respect of any Highways works necessary to facilitate the development.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £1,806 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount is £36,238.80.
- Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- The submission of a final Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks from the date when the application was made valid or within the agreed extension of time, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Site Location and Block Plan 704-10-010 Existing Plans: DR-A-704-EX-100-S0; DR-A-704-EX-101-S0; DR-A-704-EX-102-S0; DR-A-704-EX-200-S0; DR-A-704-EX-201-S0; DR-A-704-EX-202-S0; Proposed Plans: 704-10-099-P7; 704-10-099-U-P4; 704-10-100-P7; 704-10-100-U-P4; 704-10-101-P7; 704-10-102-P7; 704-10-103-P7; 704-10-104-P7; 704-10-105-P7; 704-10-200-P2; 704-10-300-P3; 704-10-301-P2; 704-10-302-P2; 704-10-303-P2; Planning Statement by Maddox Planning; Design & Access Statement by GPAD dated April 2021; Sustainable Design & Construction Statement (V2) by eb7; Transport Statement by YES Engineering dated March 2021; Travel Plan by YES Engineering dated March 2021; Delivery & Servicing Plan dated March 2021; Blue Badge Parking Sketch SK015; Landscaping Addendum by GPAD dated April 2021; Air Quality Assessment dated March 2021 by Redmore; Phase 1 Desk Study by Pam Associates dated March 2021; Health Impact Screening Assessment by Maddox Planning dated March 2021; Demolition & Construction Management Plan dated 29th March 2021; FRA & SUDS Strategy Report by eb7 dated March 2021; Noise Impact Assessment by Philip Acoustics Ltd dated March 2021; Preliminary Ecological Appraisal by Greengage dated April 2021; Daylight Report Ref: DR/FJ/JMR-Ti01 dated Jan 2021; Structural Method Statement by GDC Partnership dated 26th March 2021;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials and Samples (Compliance and Details)</p> <p>CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include:</p> <p>a) Window manufacturer's detail including glazing, sections and reveals and samples;</p>

	<p>b) Details and sample panel of all brickwork; c) Details of all rooftop materials; d) Details of the tile cladding; e) Details of the materiality to the ground floor frontage; f) Details of the standing seam metal profile; g) Details of the louvres; h) Details of all entrances and openings; i) Any external boundary treatments; j) Any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Plumbing (No pipes to outside of building) (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
5	Construction Management Plan and Construction Logistics Plan (Details)
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
6	Impact Piling (Compliance)
	<p>CONDITION: No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must</p>

	<p>be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
7	Sustainable Urban Drainage (Details and compliance)
	<p>CONDITION: The development hereby approved will be carried out in accordance with the approved FRA & SUDS Strategy Report (March 2021).</p> <p>The details approved shall be installed and operational prior to occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
8	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage areas, including the 24No. covered, secure and accessible staff bicycle spaces and the 5No visitor bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	Lighting (Details)
	<p>CONDITON: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the superstructure works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity nor those with visual impairments and is appropriate to the overall design of the building.</p>
10	Refuse/Recycling Provided (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
11	Fixed Plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise</p>

	<p>level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided and surrounding amenity is not adversely affected.</p>
12	Land Contamination (Compliance and Details)
	<p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.</p> <p>REASON: To ensure risks associated with land contamination are minimised.</p>

13	Use Classes (Compliance)
	<p>CONDITION: The 1,555sqm of B2, B8, E(g)(iii) Use Class floorspace - of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2020 (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 purpose within Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and not used for other purposes within Class E.</p> <p>Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is also precluded with regard to permitted B2 and B8</p> <p>REASON: To ensure that the use hereby approved is not able to change to other uses via permitted rights allowed under the Town and Country Planning (Use Class) Order 1987 (As Amended) in the interest of maintaining the function and capacity of the industrial area.</p>
14	Blue / Green Biodiversity Roofs
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <ul style="list-style-type: none"> a) how the extent of green roof has been maximised; b) details of the combined bio-solar / blue roof; c) that the green roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and d) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
15	BREEAM (Compliance)
	<p>CONDITION: The development hereby approved shall achieve a BREEAM 'New Construction' (2018) rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	Energy Strategy (Compliance)

	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, as detailed within the revised Sustainable Design & Construction Statement' (SDCS) shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy features/ measures within the approved SDCS, a revised SDCS shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
17	Inclusive Design (Compliance)
	<p>CONDITION: All inclusive design measures identified within the application submission shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>Further details around the specification of the doors and lifts as well as on the pedestrian and vehicular entrance, in particular the delineation of material and level between footway and delivery/service bay, shall be submitted and agreed in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The inclusive design measures shall be retained as such in perpetuity.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
18	Final Servicing and Delivery Plan (Compliance)
	<p>DELIVERY & SERVICING: The development hereby approved shall be carried out in accordance with the submitted Delivery & Servicing Plan.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
19	Green Procurement Plan (Details and Compliance)
	<p>CONDITION: Prior to the commencement of superstructure works, a Green Procurement Plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
20	Secured by Design (Details and Compliance)
	<p>CONDITION: Prior to superstructure works commencing of the development hereby approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interests of safety and security.
21	Landscaping (Details and Compliance)
	<p>CONDITION: The landscape strategy shall be implemented in accordance with the submitted Landscaping Addendum (dated April 2021) unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Further details of landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the hereby approved development.</p> <p>The additional information shall include the following details:</p> <ul style="list-style-type: none"> a) soft landscaping features including details of proposed species; b) hard landscaping: including surface treatments, permeability of hard surfaces, kerbs, edges, ridge and flexible paving, unit paving, furniture, modular soil systems, steps and if applicable synthetic surfaces c) a plan showing gradients and step free access suitable for wheelchair users to the entrances of the buildings; d) details of how the landscaping would meet inclusive design principles; e) details as to how the landscaping design and materials would result in maximum passive on-site sustainable urban drainage (SUDS); f) any boundary treatment; g) any further biodiversity features or ecological enhancements; h) feasibility and details of a green wall on the proposed building's eastern façade; i) any other landscaping features forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first available planting season following the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
22	Bird / Bat Boxes (Compliance)
	<p>CONDITION: 4 bird and bat boxes shall be installed on the proposed building prior to the first occupation of the development hereby 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>
23	Biodiversity / Ecology (Compliance)
	<p>CONDITION: All measures identified in the submitted 'Preliminary Ecological Appraisal' dated March 2021 shall be carried out in accordance within identified timescales and procedures.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
24	Roof-Level Structures (Details and Compliance)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) shall be submitted to and approved in writing by</p>

	<p>the Local Planning Authority prior to any superstructure work commencing on site. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area in accordance with policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2016, policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
25	Solar PVs (Details and Compliance)
	<p>CONDITION: Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These submission shall demonstrate how Solar PVs have been maximised on site, and details shall include but not be limited to: location; area of panels; how the PV output has been maximised and design (including section drawings showing the angle of panels in-situ, and elevation plans).</p> <p>The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
26	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
27	Signage Details (Details and Compliance)
	<p>CONDITION: Details of all signage for the development hereby approved shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The agreed details shall be installed prior to the occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing.</p> <p>REASON: In the interests of visual amenity and to ensure that the entrance approach is both welcoming and inviting.</p>

List of Informatives:

<p>1</p>	<p>Planning Obligations Agreement SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<p>2</p>	<p>Community Infrastructure Levy (CIL) Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
<p>3</p>	<p>Superstructure DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<p>4</p>	<p>Thames Water (Waste Comments) The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>

5	Thames Water (Mains Water Pressure)
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6	Thames Water (Groundwater)
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk . Please refer to the Wholesale; Business customers; Groundwater discharges section.
7	Thames Water (Water mains)
	There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes
6	Highways Requirements (1)
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
7	Highways Requirements (2)
	Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

	<p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six month's notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing. Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
8	Highways Requirements (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
9	Fire Brigade Requests
	<p>The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied.</p> <p>If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly.</p> <p>The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect</p>

	<p>the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website.</p> <p>The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.</p>
10	Roller Shutters
	<p>The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2 Development Plan

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

The London Plan 2021 - Spatial Development Strategy for Greater London

Policy GG1 Building strong and inclusive communities
Policy GG2 Making the best use of land
Policy GG5 Growing a good economy
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through design-led approach
Policy D4 Delivering Good Design
Policy D5 Inclusive Design
Policy D8 Public Realm
Policy D10 Basement Development
Policy D11 Fire safety
Policy E1 Offices
Policy E4 Land for industry, logistics and services
Policy E6 Local Significant Industrial Sites
Policy E7 Industrial intensification, co-location and substitution

Policy G5 Urban Greening
Policy G6 Biodiversity and Access to Nature
Policy S12 Minimising greenhouse emissions
Policy S14 Managing heat risk
Policy S15 Water infrastructure
Policy S17 Reducing waste and supporting the circular economy
Policy S112 Flood risk management
Policy S113 Sustainable drainage
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T7 Deliveries, servicing and construction

Islington Core Strategy (2011)

Spatial Strategy
 Policy CS8 (Enhancing Islington’s Character)

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

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

Development Management Policies 2013:

Policy DM2.1 (Design) Policy DM2.2 (Inclusive design) Policy DM2.4 (Protected Views) Policy DM3.7 (Noise and Vibration) Policy DM5.1 (New business floorspace) Policy DM5.3 (Vale Royal / Brewery Road LSIS) Policy DM5.4 (Size and affordability of floorspace) Policy DM6.1 (Healthy development) Policy DM6.5 (Landscaping, trees & biodiversity) Policy DM6.6 (Flood prevention) Policy DM7.1 (Sustainable design & construction) Policy DM7.3 (Decentralised Energy Networks)	Policy DM7.4 (Sustainable design standards) Policy DM7.5 (Heating and cooling) Policy DM8.2 (Managing transport impacts) Policy DM8.4 (Walking and cycling) Policy DM8.5 (Vehicle parking) Policy DM8.6 (Delivery and servicing for new developments) Policy DM9.1 (Infrastructure) Policy DM9.2 (Planning obligations)
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Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)
 Inclusive Design (Feb 2014)
 Planning Obligations (S106) (Dec 2016)
 Urban Design Guide (Jan 2015)
 Streetbook SPD (Oct 2012)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)
 Character and Context SPG (adopted June 2014)
 Sustainable Design and Construction SPG (adopted April 2014)

Draft Islington Local Plan 2020

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 in progress.

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

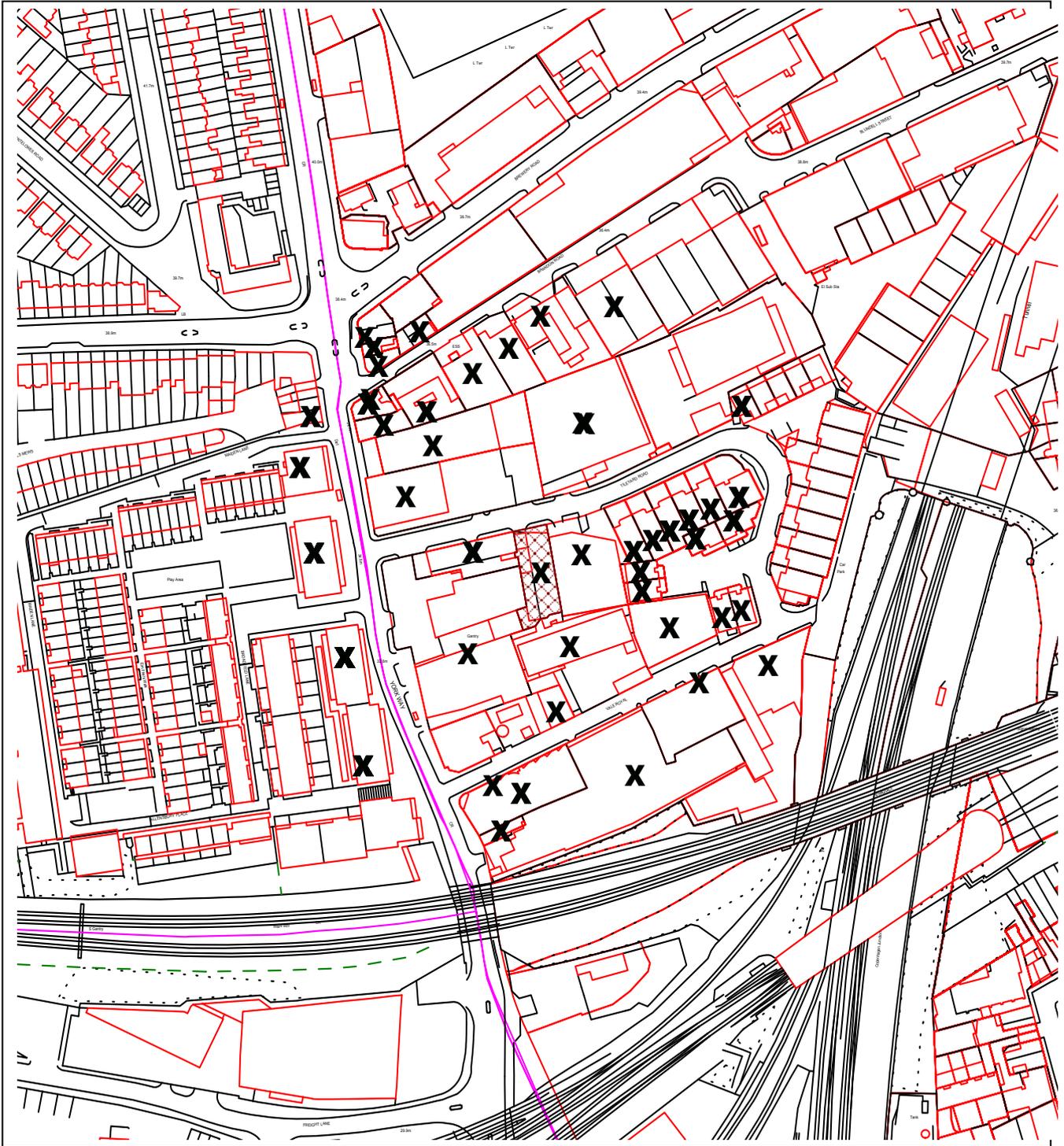
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the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

Emerging policies relevant to this application are set out below:

Policy SP3 Vale Royal/Brewery Road LSIS Policy SC3 Health Impact Assessment Policy B1 Delivering business floorspace Policy B2 New business floorspace Policy B5 Jobs and Training Opportunities G4 Biodiversity, Landscaping and Trees G5 Green Roofs and Vertical Greening Policy S1 Delivering sustainable design Policy S2 Sustainable design and construction Policy S3 Sustainable design standards Policy S4 Minimising greenhouse emissions Policy S6 Managing Heat Risk	Policy S8 Flood risk management Policy S9 Integrated water management and sustainable design Policy T1 Enhancing the public realm and sustainable transport Policy T2 Sustainable transport choices Policy T3 Car-free development Policy T4 Public Realm Policy T5 Delivery, servicing and construction Policy DH1 Fostering innovation while protecting heritage Policy DH3 Building Heights Policy DH4 Basement Development Policy DH5 Agent of Change, noise and vibration
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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Community Wealth Building
 PO Box 333
 Town Hall
 LONDON N1 2UD

PLANNING COMMITTEE	AGENDA ITEM NO: B2
Date: 29 June 2021	

Application number	P2020/3058/FUL
Application type	Full Planning Application
Site Address	218 Upper Street, London, N1 1RR
Ward	St. Marys
Listed building	Locally Listed
Conservation area	Adjacent to Upper Street (North) conservation area (CA19)
Development Plan Context	Core Strategy Key Area – Angel and Upper Street Employment Growth Area - Highbury Corner & Barnsbury Local Shopping Area – Upper Street Transport for London Route Network (Red route) Strategic Cycle Route London Underground Zones of interest Article 4 Direction A1-A2 (Borough wide)
Licensing Implications	None
Proposal	Demolition of existing office building, save for retention of ground floor façade, and redevelopment to create new office three-storey/set back four-storey building with roof plant, landscaping, cycle parking and other associated works

Case Officer	David Nip
Applicant	CP Plus (Trading) Ltd
Agent	Lichfields

1. RECOMMENDATION

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

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

2. SITE PLAN



Fig 1 Site Plan. Application site outlined in red.

3. PHOTOS OF SITE AND SURROUNDINGS



Image 1: Aerial view



Image 2: View from Upper Street (from south).



Image 3: View from Upper Street (from north)



Image 4: Edwards Mews, located to the rear of the site

4. SUMMARY

- 4.1 The proposed redevelopment comprises of demolition of the existing office building, save for retention of the ground floor façade, and construction of a new four storey office building (plus basement) with rooftop plant and other associated works such as landscaping, cycle and refuse storage.
- 4.2 The site is located within the Highbury Corner and Barnsbury Employment Growth Area and the existing building has remained vacant since September 2017. The proposed redevelopment represents an opportunity to bring the site back into active use, which would positively contribute to the commercial character of Upper Street and support the growth of employment floorspace within the area. Given the site is located within a designated Employment Growth Area, the proposed office use (Class E(g)(i)) is considered appropriate in this location and would be in accordance the objectives of the Development Plan policies.
- 4.3 The proposal would demolish most of the existing locally listed building and would create a new 4 storey (plus basement and roof plant) building with a retained ground floor façade, in recognition of its architectural and heritage merits. Whilst the scale and extent of the proposed demolition is considered to cause some level of harm to the non-designated heritage asset, it is considered that the level of harm is minor and would not warrant a refusal of planning permission on this ground. The proposed new building is considered to be acceptable in terms of scale, massing and appearance. The overall visual impact to the streetscene and the surrounding designated heritage assets (including the Grade I Union Chapel, properties on Compton Terrace and the Upper Street (North) Conservation Area) is also considered to be acceptable.
- 4.4 The comments made by residents and consultee bodies have been fully reviewed and considered, and no additional material planning considerations have been brought to light which would render the application unacceptable (subject to conditions to address neighbour concerns). The proposal is considered to have an acceptable impact on neighbouring residential amenity in terms of loss of daylight and sunlight, outlook, privacy, noise and disturbance and sense of enclosure. Moreover, the application is considered to constitute a sustainable form of redevelopment in terms of energy efficiency, renewable energy and sustainable transport.
- 4.5 The proposed development would provide more than 5% of GIA floorspace to be affordable workspace on site; it will be located at the lower ground level, it will be benefited by shared access and use of facilities within the rest of the building. It is considered that the affordable workspace would be good quality accommodation with adequate outlook, daylight and floor to ceiling height. The provision of affordable workspace is supported by local plan policies, and as such the proposed on site affordable workspace provision weighs in favour of the proposal.
- 4.6 The proposal would bring the vacant site back into active usage and the proposed office use is considered acceptable in this location. The active use of the building would positively contribute towards the vitality of Upper Street, which is a Key Area within the Borough, as well as the designated Highbury Corner and Barnsbury Employment Growth Area. Officers consider that the proposal would be a sustainable and well-designed development that would preserve and enhance the character of the adjacent Upper Street (North) Conservation Area, and the nearby heritage assets. Approval is recommended subject to planning conditions and s.106 agreement set out in Appendix 1.

5. SITE AND SURROUNDINGS

- 5.1 The site is located on the west side of Upper Street and is approximately 0.055ha in area. The site currently comprises a 3 storey building with basement that was last used as a NatWest Bank branch at ground and basement level, with ancillary office space on the upper floors (use class E(c)(i)). The access of the site is from Upper Street only. It has been vacant since September 2017 and it has been occupied by live-in guardians for the majority of the time since.
- 5.2 The surrounding area is characterised as a traditional urban shopping street of mostly speculative 19th century traditional buildings. The southern site boundary directly abuts the

Upper Street North (CA19) Conservation Area and is within the setting of several other designated heritage assets (listed buildings) including the Grade I listed Union Chapel and the Grade II listed Compton Terrace on the opposite side of Upper Street.

5.3 To the rear of the site there are flats and houses on Edwards Mews which are managed by a housing association. The Council offices at 222 Upper Street adjoins the site to the north. The adjoining building (no.216) to the south is in retail use at ground floor level with residential units at first and second floor level.

5.4 The site is located within the designated Angel and Upper Street Key Area (Policy CS5), the Highbury Corner and Bamsbury Employment Growth Area, and the Upper Street Local Shopping Area. It has a PTAL rating of 6a which indicates that the site benefits from excellent public transport accessibility level. Upper Street is one of the main roads within the borough and is part of the TfL Road Network (Red route), which TfL is responsible for managing and maintaining.

6. PROPOSAL (IN DETAIL)

6.1 The proposal would demolish the existing 3 storey building save the ground floor façade, and redevelop the site to construct a new 4 storey building with basement and rooftop plant, which comprises 1,831 sqm (GIA) of floorspace for office use (2,090sqm GEA, 1,175sqm NIA).

6.2 The proposal is to retain the ground floor façade, but the glazing panels are proposed to be replaced with similar profiles.

6.3 The rest of the new build element would use similar materials and adopt similar proportions of the existing building, however, it would be designed and configured to provide modern office specifications internally. Compared to the existing building, the proposal would add an additional (fourth storey) with additional rooftop plant (which would be stepped back from the Upper Street frontage (east)).

6.4 In terms of outdoor space, a lower ground and third floor roof terrace is proposed at the rear to provide amenity space and landscaping features such as green walls.

6.5 The lower ground office accommodation, which comprises of the proposed on-site affordable workspace, would be supported by a lightwell at rear to provide daylight and outlook. A mezzanine level is proposed between the lower ground floor area and the raised ground floor area at the rear to create additional floorspace.

6.6 It is proposed to provide 32 cycle parking spaces at lower ground level, with designated cycle lift, supported by showers, lockers and toilet facilities.

6.7 A substation would be provided at lower ground level, to replace the existing substation at the rear of the site. The existing vaults area (below Upper Street pavement) would remain as plant room.

7. RELEVANT HISTORY

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

Planning Permission

7.2 900933: Installation of automated service till to Upper Street Elevation. Approved 09/08/1990

7.3 970963: Relocation of existing service till and installation of additional service till to existing bank frontage. Approved 27/06/1997

7.4 972071: Fit anti-scaling 'cacti' to garden wall between 216-218 Upper Street. Approved 19/12/1997

Pre-application

- 7.5 Pre-application advice was given in 2019 (Q2019/0970/MJR) for the proposed redevelopment of the site.

Design Review Panel

- 7.6 It is important to note that the development scheme has been presented at the Design Review Panel (DRP) on three occasions (19 July 2019, 14 January 2020 and 03 July 2020). The latest DRP comments are attached in **Appendix 3** of this report.

- 7.7 Below is the summary of the comments made by the latest DRP in July 2020, which largely represents the current iteration of the proposal:

- *The panel considered three structural options – (1) full retention of the building with refurbishment and extension; (2) retention of the front façade with the building’s structure demolished behind; and (3) retention of just the ground floor – in the context of their previous position, which is that the existing building is one of inherent architectural quality that contributes positively to the townscape and setting of the conservation area, and so should be treated as a non-designated heritage asset (of a quality worthy of local listing).*

Officers response: The building has been registered for local listing in Dec 2020, recognising its significance. The applicant has confirmed in the submission that the proposal was developed on the basis of the existing building as a non-designated heritage asset.

- *The Panel’s opinions were varied regarding the acceptable extent of demolition. Some members maintained, as in the last review, that there had not been adequate evidence provided that the building could not be retained and adapted. They recognised that the existing down stand beams on the upper floors were a constraint in terms of servicing the existing building, however, they considered that this was not overwhelming justification for the demolition of the upper storeys and structure of a non-designated heritage asset. They suggested that a more heritage-led and sustainable approach ought to be taken, however, they did state that should clear and convincing justification be made as to why the building could not be refurbished, Option 2 (retaining the entire front façade) might be acceptable on balance. This view was not unanimous and another member felt Option 3 (the retention of just the ground floor shopfront) was a satisfactory response to the site having considered the information supplied.*

Officers response: The extent of demolition is one of the key heritage issues, which is discussed in the design section below. In terms of justification for demolition, the applicant has provided further information in regards to the scale of the proposed demolition and this has been reviewed by officers. Whilst the demolition of the upper floor façade would cause some degree of harm in heritage terms, it is not considered to be severe to warrant a refusal on this ground. As such, officers accepted that option 3 can be supported in this case and that the level of harm identified can be mitigate by securing detailed design conditions to ensure quality.

- *The Panel welcomed the reduced floor to ceiling heights of the proposed building, which has had the benefit of lowering the parapet of the building on the Upper Street elevation as well as slightly reducing the overall mass of the building. They also welcomed the redesigned roof form which has been amended so as to be more slender and orthogonal in plan.*

Officers response: The massing of the building is considered acceptable, the roof form and the bulk of the fourth storey addition is further discussed in the assessment below. The floor to ceiling heights internal to the building remain acceptable for good quality modern office use.

- *The Panel considered that the latest iteration of the fenestration to the first and second floors, had successfully evoked the spirit of the original building and was more*

sympathetic to the scale of the façade than in previous reviews. However, they also commented that the large plate glazing that would form the 4th storey extension appeared to be out of scale with the rest of the building. It was suggested that the 'ABA' rhythm of the fenestration on the lower levels ought to be reflected in the bays of the plate glazing, which would have the benefit of reducing the scale of the extension when viewed from Compton Terrace.

Officers response: No changes have been made since the last DRP meeting to address this comment. The proposed appearance and materials are discussed below and it is considered that the proposed fenestration would have an acceptable impact.

- *The Panel remained concerned about the scale and mass of the building with regards to its impact on the sunlight and daylight amenity to the mews building directly behind the site. Based on the information supplied by the consultant Lumina London Limited, the Panel was satisfied that the latest proposal would have a better daylight/sunlight impact towards the neighbours than the DRP2 scheme. However, they noted that there are still three minor breaches (>20% loss, in breach of the BRE guidance) on both VSC and Daylight Distributions at 18-21 Edwards Mews. They urged the Design Team to continue to revise the scheme to further reduce the impact on those residents.*

Officers response: This is discussed in the neighbouring amenity section. In terms of the daylight assessment, there are a number of minor breaches against the BRE guidance in relation to the daylight impact towards neighbouring properties, and this has been taken into account in the overall planning balance of the assessment.

- *Overall the Panel considered that this iteration of the proposals was a satisfactory and more elegant evocation of the original bank building, and that the Design Team had successfully revised the scheme to complement the proportions and order of the retained shopfront.*

Officers response: This is noted and taken into account in the assessment.

- *That being said, as stated by the Chair, it was clear that a consensus regarding the principle of demolition had not been reached by the Panel. On this matter they advised that greater justification for the demolition of the building would be required, and that this would have to be balanced against the public benefit of the proposals as the scheme continues to be refined.*

Officers response: The heritage harm as a result of the demolition of the building is weighed against the public benefits of the proposal, as per the planning balance section.

8. CONSULTATION

Public Consultation

- 8.1 The application has been publicly consulted on 16 November 2020. Site and press notice have also been issued. The consultation period expired on 28 December 2020. Letters were sent to the surrounding neighbours on Upper Street, Edwards Mews, Islington Park Street, Compton Terrace, Compton Avenue, Peacock Place, Laycock Street, Edward's Cottages, Islington Park Mews, Cobble Lane, Tyndale Terrace and Canonbury Lane.
- 8.2 At the time of writing, a total of **six representations** were received (2 objections, 2 support and 2 comments).
- 8.3 The following points were raised in the **two letters of objections** [with the paragraphs in brackets indicating where in the report the respective points have been addressed]:
- The proposal would result in overdevelopment of the site, which is of historical significance [10.88 - 10.94].

- The proposed development will overlook properties on Islington Park Mews and result in loss of privacy to residents [10.154-160].
- The proposed development is located adjacent to the property at 216 Upper Street, and would adversely affect the living conditions of the neighbouring occupiers, particularly in terms of overlooking, outlook, and daylight/sunlight [10.120-10.163].
- The construction works would affect the neighbours particularly in terms of noise and vibration [10.164-10.170]
- Security concern with regard to the proposed roof terrace which would potentially allow thieves to access the neighbouring properties [10.280-10.282]
- There may be asbestos present in the basement of the existing building [10.190]

8.4 **Two letters of support** were received and the following points were raised:

- The existing building is out of date and below modern standards for offices; it is right to be reconstructed
- The partial retention of the ground floor of the facade is an appropriate solution, it is a decent example of 1950's architecture and better than the previous proposal
- The proposal will improve the streetscape and the set back top floor is acceptable
- The scheme overall is to be welcomed for bringing this building back into good modern use

8.5 **Two letters of comment** were received and the following points were raised [with the paragraphs in brackets indicating where in the report the respective points have been addressed]:

- The inclusion of a green/ blue roof and green wall is welcomed; it is recommended further improvement to biodiversity should be secured. [10.181- 10.185]
- This development is in an area where swifts and bats are currently nesting and will potentially nest, therefore, integrated swift nest/bat box or bricks should be provided. [10.183- 10.185]

External Consultees

8.6 **Transport for London (Road network):** No objection to the submission. A Construction Logistic Plan is recommended to be secured by condition, and with consultation of TfL prior to commencement of development.

8.7 **London Underground/DLR Infrastructure Protection:** No comment.

8.8 **Fire Brigade:** No comment received.

8.9 **Metropolitan Police (Design out Crime Officer):** No objection raised. Recommend the development to achieve the relevant Secured by Design accreditation. There is a wide variety of crime types on Upper Street and a particular problem with rough sleeping and drug taking along Upper Street and its side roads.

8.10 **Thames Water:** No objection. Condition and informative recommended in regard to surface water drainage, groundwater discharge, piling method and water pressure.

8.11 **Historic England (GLAAS):** No objection to the proposal.

Internal Consultees

- 8.12 **Planning Policy Team:** No objection to the proposed change of use from Bank (financial institution) to office. It is noted that the proposal should include active frontages where appropriate.

Affordable workspace should be secured on site at a peppercorn rate for at least 10 years to a council-approved Workspace Provider, a minimum of 5% of floorspace should be provided on an affordable basis

If the proposal is considered acceptable, we would wish to see office use secured by condition to limit wider Class E use of the site.

- 8.13 **Inclusive Design Officer:** No objection to the proposal, recommend conditions to secure details of accessible cycle parking spaces, ambulant WC, automated doors, evacuation lift, provision of refuges. Details of the provision of step free access to the mezzanine levels should also be provided.

- 8.14 **Design and Conservation Officer:** The near-total demolition of the locally listed building would cause less than substantial but nevertheless serious harm to the significance of the non-designated heritage asset. The heritage benefits of the scheme are limited to the reinstatement of the original proportions of two granite stall risers of the ground floor shopfront, however, this is undermined by the loss of one of those bays to create a UKPN station and other alterations and losses of original fabric proposed to the original shopfront. It is therefore considered that the heritage benefits are limited/neutral and do not outweigh the harm of the loss of all but the shopfront to the significance of the locally listed building.

Design: The design of the proposed fourth floor set-back storey is considered to be overly bulky and dominant, by virtue of the overhanging soffit and roof-level termination, to the detriment of the surrounding townscape.

Concern raised in regard to the design of the proposed rear elevation and the views from Edwards Mews.

In the event that Planning Officers found that the planning balance suggested the application should be approved, the Design and Conservation Officer recommended conditions to secure details of materials, façade retention, recording of historic asset prior to demolition, reinstatement of historic feature and shopfront design.

- 8.15 **Energy Officer:** No objection to the latest submission which satisfies the council's policy requirements.

- 8.16 **Sustainability Officer:** No objection to the proposal. A Green Procurement Plan is recommended to be secured by condition.

The proposed green walls and green roofs are welcomed and should be designed to maximise biodiversity value.

Appropriate bird boxes and swift bricks should also be installed to maximise biodiversity value.

No objection to the drainage proposal.

- 8.17 **Highways Officer:** No comment. (**Case officer note:** Upper Street forms part of the TLRN and therefore TfL is the highway authority)

- 8.18 **Public realm (Waste Management):** No comment received.

- 8.19 **Inclusive Economy Team:** Support the onsite provision of affordable workspace. The proposed affordable workspace on site is considered to be acceptable.

8.20 **Nature Conservation Team:** Recommend provision of swift bricks on site to promote biodiversity, which the site is currently of low value.

9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

9.1 Islington Council Planning Committee, in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;
- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

9.2 National Planning Policy Framework (NPPF) 2019, Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay..."

9.3 At paragraph 8 the NPPF states: "that sustainable development has an economic, social and environmental role".

9.4 Further, the NPPF states that sustainable development has an economic, social and environmental role; "these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area."

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

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

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex,

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

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

Development Plan

- 9.10 The Development Plan is comprised of the London Plan 2021 (LP), Islington Core Strategy 2011 (ICS) and Development Management Policies 2013 (IDMP). The policies of the Development Plan that are considered relevant to this application are listed at **Appendix 2** in this report.

Emerging Policies

Draft Islington Local Plan

- 9.11 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 is taking place from 19 March to 9 May.
- 9.12 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).

- 9.13 Emerging policies that are relevant to this application are set out below in **Appendix 2**.

Designations

- 9.14 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011 and Development Management Policies 2013:
- Core Strategy Key Area – Angel and Upper Street

- Employment Growth Area - Highbury Corner & Barnsbury
- Local Shopping Area – Upper Street
- Transport for London Route Network (Red route)
- Strategic Cycle Route
- London Underground Zones of interest
- Article 4 Direction A1-A2 (Borough wide)

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

10. ASSESSMENT

10.1 The main issues for consideration are:

- Principle of Development
- Land Use (inc. affordable workspace)
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring amenity
- Biodiversity, Landscaping and Trees
- Health and Air quality
- Energy and sustainability
- Basement development
- Highways and Transportation
- Fire safety
- Safety and security
- Planning obligations and CIL
- Planning balance assessment

Principle of Development

10.2 Since the closure of the NatWest branch in September 2017, the existing building has now been vacant for more than 3 years. The site, in its current state, does not positively contribute to the character nor the vitality of the Upper Street vicinity.



Image 5: The building was last used as a bank until 2017 (Google street views in 2016).

10.3 The proposed development would redevelop the site by substantially demolishing the existing bank building and construct a new 4 storey building (plus extended basement and rooftop plant). It would bring the site back into active use and provide new office accommodation to the Highbury Corner area. The site is designated within an Employment Growth Area and as such

it is considered that the principle of development is in accordance with the Development Plan in supporting commercial development at this location, subject to the considerations of the substantial demolition of the locally listed building.

Land Use

- 10.4 The building is understood to have been built in c.1953 for the National Provincial Bank to replace the 19th century building which was destroyed by a bomb in 1940. It is believed that the building has always been used as a bank on the ground floor with ancillary office floorspace at the upper levels. There is no planning history that indicates any change of use occurred since 1953.



Image 6: The existing building in 1953.

- 10.5 The proposal under this application would redevelop the site to provide a new building comprising 1,831sqm (GIA) of office floorspace. It is estimated that the new office accommodation would create approx. 90 full time jobs on site.
- 10.6 The application site is not allocated within the Development Plan, however, it is designated within the Highbury Corner and Barnsbury Employment Growth Area (EGA), as well as the Upper Street Local Shopping Area (LSA). The Development Plan puts emphasis on encouraging office development within the EGA, and on the other hand, it also recognises the importance of safeguarding the existing retail and service function of the LSA.
- 10.7 Therefore, the proposed loss of the existing use of the site as a bank would need to be assessed against the merits of provision of new office accommodation, and whether the proposed use would be appropriate for the site and the surrounding area in the long term, in accordance with the relevant objectives of the local, regional and national policies and guidance.

Loss of existing bank

- 10.8 The existing lawful use of the site is a bank (formerly Class A2) on the ground floor with ancillary office floorspace at basement and upper levels. It is worth noting that Use Class A2 is now superseded and replaced by Class E, in consequence of the amendment of the Use Class Order back in Sept 2020 (SI 2020 no.757). A bank is classed as Use Class E(c)(i) Financial services.
- 10.9 A bank would normally fall under “retail and services” in the context of planning policies in the Development Plan. Islington’s Core Strategy (ICS) policy CS14 states that across the borough, Islington will continue to have strong cultural and community provision within a healthy retail and service economy providing a good range of goods and services for the people who live, work and study in the borough.

- 10.10 Islington Development Management Policies (IDMP) DM4.6 part A states that development proposals will only be permitted where an appropriate mix and balance of uses within the Local Shopping Areas, which maintains and enhances the retail and service function of the LSA, is retained.
- 10.11 As mentioned previously, it is understood that the last active use of the site was a bank, which ceased operation back in 2017. As the site has been vacant for more than 3 years, officers considered that the proposed redevelopment would not adversely affect the mix and balance of uses within the LSA, as the site currently does not positively contribute to the retail and service function of the LSA.
- 10.12 IDMP policy DM4.6 part B relates to protection of existing ground floor retail units (formerly Class A1 use). Given the site was last used as a bank (formerly A2) this section of the policy is not considered to be applicable.
- 10.13 Overall, it is considered that the proposed development would not adversely affect the retail and service function of the designated Upper Street LSA with active financial services at this site not being present for almost 4 years and would therefore accord with ICS policy CS14 and IDMP policy DM4.6. The acceptability of the proposed office use is discussed below.

Provision of office accommodation

- 10.14 The revised National Planning Policy Framework (NPPF) Feb 2019 paragraph 80 states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 10.15 In regard to making effective use of land, paragraph 118(D) of the NPPF states that planning decisions should promote and support the development of under-utilised land and buildings. Further, paragraphs 120 and 121 emphasis that planning decisions need to reflect changes in the demand of land, and Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans.
- 10.16 LP policy GG5 seeks to enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, it states that boroughs must plan for sufficient employment and industrial space in the right locations to support economic development and regeneration; and make the fullest use of its network of town centres, to support agglomeration and economic activity.
- 10.17 LP Policy E1 states that improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed-use development; the diverse office markets in inner London should be consolidated and - where viable - extended, focusing new development in town centres and other existing office clusters supported by improvements to walking, cycling and public transport connectivity and capacity.
- 10.18 LP policy E9 part F states that Development proposals involving the redevelopment of surplus retail space should support other planning objectives and include alternative town centre uses on the ground floor where viable.
- 10.19 Locally, ICS policy CS13 states that new employment floorspace is encouraged, particularly business floorspace, to locate in the town centre locations with excellent public transport accessibility.
- 10.20 Regarding Employment Growth Areas (EGA), within which the application site sits, IDMP policy 5.1 states that within EGAs, the council will encourage the intensification, renewal and modernisation of existing business floorspace; Proposals are required to incorporate:
- i) The maximum account of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and;

ii) A mix of complementary uses, including active frontages where appropriate.

- 10.21 The proposal comprises change of use from the former bank Class E(C)(i) to provide new office floorspace (Class E(g)(i)) (2,090sqm GEA, 1,831sqm GIA, 1,175sqm NIA). The amount of development that is appropriate for this site is determined by a number of material considerations including design, heritage and amenity, which have been duly assessed and discussed in the latter part of this report; officers consider that due to the site's physical and policy constraints (particularly in terms of design and heritage), the proposed office development is considered to be appropriate and to maximise provision (meets the objective of the above policy) subject to all other Development Plan considerations.
- 10.22 In regard to limb ii) of the above policy which requires a mix of complementary uses and active frontages where appropriate, it is judged that whilst there might be some scope to provide a small retail unit on the ground floor level, it would inevitably result in reduction of the amount of office floorspace which the site could deliver; more importantly, the site is not considered to be large enough to accommodate an adequate and accessible office entrance that meets all the relevant standards whilst providing a suitable retail unit on the ground floor. Therefore, the proposed office development is considered acceptable in this regard.
- 10.23 It is also worth noting that the ground floor façade would be retained and there are only two sets double doors which can be utilised as the access to the building. Taking into account the requirement of back of house facilities (i.e. refuse and cycle storage) to support the proposed office use, it is considered that the provision of a mix uses with active frontages on the ground floor would not be appropriate for this locally listed building of which the ground floor façade is to be retained.
- 10.24 Therefore, officers accept that the application site is modest and due to the physical constraints of the site and the surrounding area, and the fact that the site is adjacent to the Upper Street (North) conservation area with a number of heritage assets within the locality, the proposed 4 storey plus basement building incorporates the maximum reasonable amount of business floorspace on site. The design and heritage impacts of the proposal are further discussed in the Design, Conservation and Heritage section below.
- 10.25 Overall, having regard to the Development Plan, it is considered that the proposed office use is acceptable in land use terms, and as such would make an efficient use of this brownfield site. The proposal would also be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.
- 10.26 It is also worth noting that the new Use Class E introduced in the September 2020 Use Class Order amendment has combined both the existing use (formerly Class A2) and the proposed office use (formerly Class B1a) into the same use class, and therefore, subject to compliance with certain criteria and correct procedures, the existing building could be converted into an office use without planning permission, as change of use within the same Use Class does not normally constitute development, as per provision of section 55(2)(f) of the Town and Country Planning Act 1990.
- 10.27 In light of the introduction of Class E, the council is minded to restrict the permitted use of the site to office only (Class E(g)(i)), should planning permission be granted. The intention is to ensure that the site would only be permitted for office use as proposed, and the Council can retain control over any further change of use of the site in the future with the view of protecting the vitality of the Employment Growth Area. This would be secured in **condition 26** in appendix 1 below.
- 10.28 Furthermore, officers also recommend a separate condition to restrict future change of use of the site from office to residential, based on the provision of Class MA within the latest General Permitted Development Order. This is to ensure that the council can retain control over the future change of use and to ensure that there would not be unacceptable loss of business floorspace to residential use, which would adversely affect the designated Key Area and the Employment Growth Area. In a small constrained borough such as Islington, the use of each and every site is of vital importance to perform properly against the spatial strategy within the Development

Plan. This is secured by **condition 25**.

Affordable Workspace

- 10.29 LP policy E1 part G states that development proposals related to new or existing offices should take into account the need for a range of suitable workspace including lower cost and affordable workspace.
- 10.30 LP policy E3 states that planning obligations may be used to secure affordable workspace, at rents maintained below the market rate for that space for a specific social, cultural and economic development purpose; consideration should be given to the need for affordable workspace in locations identified in the local plan where provision of affordable workspace would be necessary to sustain a mix of business or cultural uses which contribute to the character of the area.
- 10.31 The site forms part of the Highbury Corner and Barnsbury EGA, and IDMP policy DM5.4 requires proposals to incorporate an appropriate amount of affordable workspace and/or spaces that are suitable for occupation by micro and small enterprises.
- 10.32 As set out in paragraph 5.25 of the IDMP, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.33 Emerging policy B4 states that within CAZ fringe Spatial Strategy areas (including Angel and Upper Street), major development proposals involving 1,000sqm or more gross B1(a) floorspace must incorporate at least 10% affordable workspace (as a proportion of the proposed GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years.
- 10.34 It is noted that this emerging policy can only be afforded limited weight, reflecting the stage the local plan is at and the number of objections received; therefore, taking the current and emerging local plan into account, it is considered that an onsite affordable workspace area based on 5% of the whole re-development is appropriate.
- 10.35 The proposal comprises of 117sqm of on-site affordable workspace, it will be located at the lower ground floor level. The proposed affordable workspace would represent 6.4% of the proposed GIA, which exceeds the 5% minimum requirement. The provision of affordable workspace is considered to be a public benefit which weighs in favour of the development.
- 10.36 The proposed affordable workspace would have a head height of 2.9m, which is considered to be acceptable, it would also be served by an opening which would provide additional outlook, natural lighting, and ventilation via the lightwell. This has been reviewed by the Inclusive Economy Team who have advised that the space is acceptable to them.
- 10.37 Apart from the 117sqm of affordable workspace at the lower ground floor, the affordable workspace occupiers would also have shared access of facilities such as the main entrance, reception and toilets. They would also have shared access to the cycle parking storage as well as the associated shower and changing facilities.

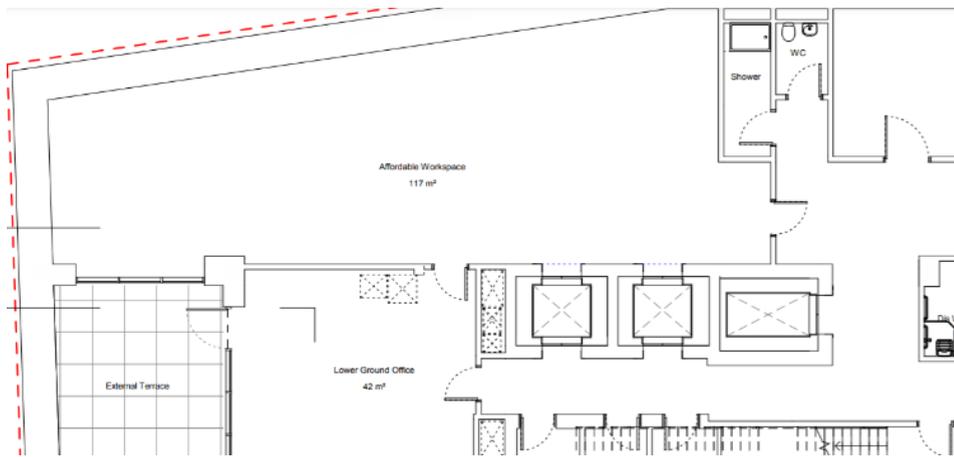


Image 7: Internal layout showing the location of affordable workspace

10.38 Overall, the quality of the affordable workspace is considered to be acceptable. . The proposed affordable workspace on site exceeds the 5% requirement and meets the relevant policy objectives within the Development Plan.

Delivery and Infrastructure

10.39 ICS policy CS18 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated.

10.40 In accordance with ICS policy CS13 part C, and the guidance sets out within the Planning Obligation SPD, the proposed office development would require an appropriate amount of planning contributions which mitigate the impact of the development, this includes the provision of training opportunities at construction stage (1 placement = £5,000), as well as employment and training contribution during the operation of development (£10,261). Both would be secured within a legal agreement under S106 of the Act.

Land Use Summary

10.41 It is acknowledged that the Development Plan seeks to protect the retail functions within Local Shopping Areas, however, since the site has been vacant for more than 3 (close to 4) years, it is considered that the loss of the bank (now Class E(c)(i)) would not result in a shortfall of that specific use within the local area, and would not negatively impact upon the functions and vitality of the LSA.

10.42 The proposed office development would provide 1,831sqm GIA of new office floor space to the area, and would positively contribute to the stock of office floorspace within the borough, which is supported by the national, regional and local policies.

10.43 It is worth noting that the proposal would make a positive contribution of affordable workspace above adopted policy levels, contributing towards a mix of business size, type and function to support the vitality of the area and the local economy.

10.44 Overall, it is the view of officers that the proposed development would be acceptable in land use terms, subject to planning conditions and obligations as stipulated above and having regard to other material considerations discussed below.

Design, Conservation and Heritage

National policies

10.45 Paragraph 124 of the NPPF 2019 highlights that the creation of high quality buildings and places

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

- 10.46 Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 10.47 Paragraph 129 goes on further to state that in assessing application, local planning authorities should have regard to the outcome of tools and processes for assessing and improving the design of development, including any recommendations made by design review panels.
- 10.48 Paragraph 193 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 10.49 Paragraph 196 goes on further to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.50 In terms of non-designated heritage asset, paragraph 197 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

London Plan

- 10.51 LP policy D3 states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.52 In terms of design and heritage considerations, LP policy D3 part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions;
 - respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
 - be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well
- 10.53 LP Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be

thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.

Local Plan

- 10.54 The national and regional policies are supported locally by ICS Policy CS5 which sets out the spatial strategy for the Angel and Upper Street Key Area, it states that the historic character of the area will be protected and enhanced with high quality design encouraged so that it respects the local context of Angel and Upper Street and its surroundings.
- 10.55 ICS Policy CS9 requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.
- 10.56 IDMP Policy DM2.1 requires all forms of development to be of a high quality design, 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. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.57 IDMP Policy DM2.3 requires development to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires new developments within Islington's conservation areas settings to be of high quality contextual design, and harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part B ii of the policy goes on to state that the council will require the retention of all buildings which make a positive contribution to the significance of a conservation area. Part E of the policy relates to non-designated heritage assets (i.e. locally listed buildings) which the council encourages the retention, repair and reuse of such buildings.
- 10.58 Moreover, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.
- 10.59 In terms of conservation area and heritage asset, the Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (section 72); it also requires decision maker to have special regard to preserve or enhance the significance of heritage assets through the planning process (section 66).

Site context

- 10.60 As mentioned in section 5 of this report, the surrounding area is characterised as a traditional urban shopping street of mostly speculative 19th century traditional buildings. This stretch of Upper Street (west side) contains a number of brick fronted 19th Century buildings containing ground floor shop fronts.
- 10.61 An exception to the prevailing height, form and language is the building at 222 Upper Street, which is the council's municipal offices. It is immediately north of the site and comprises a large, red brick, modern five storey block which was built c.1980s.
- 10.62 The following heritage assets have been identified in the assessment:
- 218 Upper Street is a locally listed building (non-designated heritage asset).
 - Upper Street (North) Conservation Area (abuts the site boundary)
 - Union Chapel, Compton terrace – GI listed, Local Landmark LL6 (IDMP policy DM2.5)
 - 1-16 (consecutive) and attached railings, Compton terrace – GII listed

- 17 and 18 and attached railings, Compton terrace – GII listed
- 19 and 20 and attached railings, Compton terrace – GII listed
- 21 and 22 and attached railings, Compton terrace – GII listed
- 23 - 25 (consecutive) and attached railings, Compton terrace – GII listed
- Hope & Anchor PH, 207 Upper Street – GII listed

Proposal

- 10.63 The applicant has submitted a Design and Access Statement (Squire & Partners – Sept 2020) in support of the application. Furthermore, it is also supported by a Heritage, Townscape and Visual Impact Assessment (Lichfields – 20 Oct 2020) and a Historical Assessment (Montagu Evans - Oct 2020).
- 10.64 It is proposed to substantially demolish the locally listed former bank building, retaining only the ground floor shopfront, to excavate and extend the basement and to create a new three storey office building with a fourth floor set back storey and plant at roof level.

Assessment

Existing building - Demolition and ground floor façade retention

- 10.65 It is proposed to demolish the majority of the existing locally listed building and retain the ground floor façade fronting Upper Street.
- 10.66



Image 8: Existing façade (left) and proposed façade in CGI (right), view from street level



Image 9: Existing (left) and proposed (right) front elevation

- 10.67 In terms of demolition of heritage assets, IDMP policy DM2.3 (Heritage) states that the council would require retention of all buildings which make a position contribution to the significance of a conservation area. The Design and Conservation Team's opinion is that the existing building, particularly the front elevation façade, does positively contribute to the adjacent Upper Street (North) conservation area (CA19) and that the entire front façade should be retained; this specifically relates to the objective of part E of policy DM2.3, which encourages retention of non-designated heritage assets (i.e. locally listed building).
- 10.68 The Urban Design Guide (UDG) SPD para 5.109 states that façade retention is not normally supported, as it can severely compromise the architectural integrity of the building and be detrimental to heritage assets.
- 10.69 UDG para 5.110 continues that proposals for façade retention will only be supported where it is considered that the retention of the frontage is imperative and there is strong and convincing justification for the demolition of the rest of the building. Where façade retention is acceptable, the new development behind it must be successfully and seamlessly integrated with the old, appropriately detailed and designed so that the resultant building achieves architectural coherence.
- 10.70 Having reviewed the submission and considered the comments made by the Design and Conservation Team, alongside the DRP comments, it is considered that the key questions in regard to the acceptability of the proposed demolition and partial façade retention are:
- 1) whether the demolition would severely compromise the architectural integrity of the building and be detrimental to heritage assets;
 - 2) whether the retention of the frontage is imperative and there is strong and convincing justification for the demolition of the rest of the building; and
 - 3) whether the new development behind it would successfully and seamlessly integrate with the old, and would be appropriately detailed and designed so that the resultant building achieves architectural coherence.

Retention and alteration of ground floor façade

- 10.71 The architectural and heritage significance the ground floor façade is recognised by the applicant's team, the DRP panels, the Design and Conservation Officer, the Historic England Initial Assessment Report (dated 11 Dec 2019) and the council's Planning Committee back in 5 Nov 2020, where members of the Planning Committee endorsed the recommendation to add the building to the council's Register of Locally Listed Buildings.

- 10.72 It is acknowledged that some of the elements within the ground floor façade are important to be preserved and enhanced, including the granite façade and the door handles and coin motifs, which are proposed to be retained. The granite sills to the three central windows would be reinstated to their original lower height (see image 9), and the stone will be cleaned. These alterations improve the existing façade and are welcomed by officers.
- 10.73 The ground floor front windows would be replaced with slender sections that reflect the existing fenestration design. This is considered acceptable in principle, and further details would need to be secured by planning **condition 3** to ensure that the proposed details would have an acceptable appearance.
- 10.74 The proposed substation intake and extract ducts would be concealed behind a decorative screen, and the timber doors would be replaced with new timber doors as the steps are to be removed to provide level access. The Design and Conservation Officer has welcomed the reinstatement of the proportions of two granite stall risers, but raised concern over the loss of one of the bays to create an access for the substation.
- 10.75 Therefore it is judged that the retention of the ground floor façade is acceptable, however, whilst some of the reinstatement of features are welcomed, the proposal would cause some level adverse impact in the loss of one of the front bays due to the provision of access to the substation at lower ground floor. It is therefore considered that the proposed works to the front ground floor façade would have a neutral impact in design and heritage terms, and further details of the materials would need to be submitted to and agreed by the council prior to commencement of development. This is secured by **condition 3**.

Demolition of upper level façade and rest of the building

- 10.76 In terms of the significance of the upper level facade and the rest of the building, which is proposed to be demolished, there is a greater degree of disparity in opinions between different parties.
- 10.77 The Historic England Dec 2019 report, whilst rejected the building to be statutorily listed, has acknowledged that the existing building as “a well-constructed and relatively early example of post-war design”. It is further stated that “the elevations are rather austere, even though they have been enlivened with thoughtful detailing such as the circular door handles and plaques, with their representations of ancient coinage”. The report concluded that the building “possess claims to local interest”.
- 10.78 This Planning Committee recommended the building to be put on the Register of Locally Listed Buildings back in Nov 2020, however, it is noted that there was a mix of views amongst the members in regard to the architectural and historic significance of the building. Noted from the minutes of the meeting, it is recognised that whilst some member(s) considered the building as a rare example of a bank branch and is worthy of local listing; it is also noted that other member(s) considered that the upper floors, internal areas and rear façade to be of lesser interest.
- 10.79 The DRP’s opinion back in June 2020 were also varied in regard to the acceptable extent of proposed demolition. Some of the panel members considered that there had not been adequate evidence provided that the building could not be retained and adapted. The panel recognised that the existing down stand beams on the upper floors were a constraint in terms of servicing the existing building, however, they considered that this was not overwhelming justification for the demolition of the upper storeys and structure of a non-designated heritage asset.
- 10.80 In order to determine the acceptable level of demolition, the DRP suggested that a more heritage-led and sustainable approach ought to be taken, should clear and convincing justification be made as to why the building could not be refurbished, the option for retaining the entire front façade might be acceptable on balance. It is worth noting that this view was not unanimous as another member felt that the proposed retention of just the ground floor shopfront was a satisfactory response to the site.

- 10.81 The Council's Design and Conservation Officer considered that the building should be retained, especially the whole façade; in terms of architectural significance, the D&C officer's view is that whilst the ground floor façade most clearly communicates with the building's former use as a former bank, it is not agreed with the applicant that this is the only part of the building that is worthy to retain. The significance of the building is found in the sum of its parts, not just in the ground floor shopfront.
- 10.82 The D&C officer elaborated that the architectural and historic significance of the building is derived in its value as a local example of post-war 1950s commercial architecture of modernist design; its rhythm and external composition; its materials and methods of construction; its artistic embellishments; its associative value linked to its having been designed by notable bank architect B.C. Sherren; its local and regional historical importance as the first bank branch rebuilt after the Blitz; and, its contribution to local character and distinctiveness, its group/townscape value and its contribution to the setting of the conservation area.
- 10.83 Having reviewed the proposal and the D&C officer's comments, it is judged that whilst the ground floor façade is without doubt the most significant part of the building in terms of architecture and heritage, the proposal to demolish the upper level façade would compromise the architectural integrity of the building and adversely affect the non-designated heritage asset, albeit to a considerably lesser extent when compared to the ground floor. In this case, a balanced judgement is required, having regard to the scale of harm or loss, the significance of the heritage asset, to determine the acceptability of the extent of the proposed demolition.
- 10.84 The submitted Design and Access Statement appendix 6.2 included the details of the retention options, which were presented to the DRP in June 2020. It sets out the structural, mechanical, architectural and commercial implications of the three options (full retention, full façade retention and ground floor façade retention). It was concluded that the first two options would add complications to the delivery of the scheme including time, cost and disruptions such as road closures. On the other hand, the third option would provide the greatest level of flexibility for the internal configuration of the building and would involve minimum level of disruptions during temporary works.
- 10.85 Considering the only access of the site is via Upper Street, which is a busy main road, the least amount of disruptions during construction stage is preferable (this is further discussed at the Construction impact section below). Overall, it is considered that from a structural engineering point of view, the proposed ground floor retention is sufficiently justified, as opposed to the full retention and full façade retention options.
- 10.86 In terms of the new build elements, the upper levels are proposed to be replaced with new brickwork in English Bond to replicate and complement the existing building. The window proportions would reflect the existing building fenestration, including two vertical decorative spandrel panels which break up the longer central window. It is considered that the proposed new façade would have an acceptable and similar visual appearance as the existing locally listed building. Whilst the proposal would include a new set back third floor level with a plant enclosure on top, it would not have the same visual impact as the main façade, and due to the difference in use of materials and fenestration design, it would architecturally read like a roof extension to the locally listed building. Overall, it is considered that subject to details of façade retention, shopfront design and materials, the proposed new building would be able to successfully and seamlessly integrate with the existing façade, and be appropriately detailed and designed so that the resultant building would achieve architectural coherence.
- 10.87 Having reviewed the submission and all the comments from the relevant parties, it is judged that the extent of the proposed demolition to the locally listed building would cause less than substantial harm to the significance of the non-designated heritage asset. The level of harm identified would need to be weighed against the merits of the design of the replacement building, as well as the planning balance of the whole application.

Proposed new building - Height, Scale, Massing and Townscape effect

- 10.88 The proposed new building would be 4 storeys in height, with a lower ground floor level and roof

top plant. The proposed building (including roof plant) would be approximately 5m taller than the existing and would be more prominent when viewed from Upper Street. Most of the buildings along this section of Upper Street are 3 or 4 storeys in height, with a notable exception at 222 Upper Street, which is 5 storeys in height (plus roof plant enclosure) and consists of a significantly larger building footprint.

- 10.89 It is noted that the proposed building would be taller than the shoulder parapet wall of 222 Upper Street. To alleviate the impact of the additional massing, the third floor is proposed to be set back from the front (east) elevation by approximately 4.3m to ensure that it would not be highly visible from Upper Street and in keeping with the rest of the area. As a result, the proposed new building is considered to be a proportionate form of development for this location, and the height of the building is considered to be acceptable. No objection was raised from the D&C officer in this regard.
- 10.90 To the rear of the site, apart from the ground floor element (which is at full depth), the proposed building would be sited approximately 8m from the rear boundary, and there would be a separation distance of 15m maintained between the upper levels of the proposed building from the closest property at Edward Mews.
- 10.91 The D&C Officer commented that the additional massing at rear would be visible from Edwards Mews, and there is no verified views submitted. The applicant's team has responded by asserting that the significance of the rear elevation is low and the views from Edwards Mews is not considered to be a key view as opposed to the front and side views from Upper Street. It is noted that Edward Mews is a private residential cul-de-sac and it is the view of officers that the view from the rear is located outside of a conservation area and is of less significance (see Image 4).
- 10.92 The D&C officer has also raised concerns in regard to the bulk of the third floor element, stating that the roof form with the large overhang would be very visible and have a detrimental impact to the terrace of buildings and surrounding townscape. The applicant's team has responded by stating that the profile of the roof overhang has been slimmed, as per the DRP suggestions and it is noted that the DRP has welcomed the roof form, which is more slender and orthogonal in than the previous iterations during the pre-application discussions.



Image 10: previous iterations of the proposal, during the first pre-app (left) and second pre-app (middle) in 2019, and the last DRP meeting in 2020 (right).

- 10.93 Having reviewed the comments from the consultees and the applicant's team, officers consider that the scale and massing is acceptable and would fit well into the context of the site. It is judged that the proposed height, scale and massing of the building is acceptable, subject to detailed design and appearance.
- 10.94 Notwithstanding the above, the bulk and massing of the building will need to be carefully assessed to ensure that it would not pose unacceptable harm to the living conditions of the surrounding neighbours. This is discussed in the Neighbouring Amenity section below.

Appearance and materiality

- 10.95 The details of the proposed front elevation have been discussed in the previous section. For the ground floor, it is proposed to retain the granite façade, the door handles and coin motifs; the reinstatement of the granite sills, and the replacement windows are considered to be acceptable, subject to the detailed design for each element in retaining the appearance of the existing façade.
- 10.96 At the upper floor levels, the replacement building would be built with brown brick in English Bond with fenestration design similar to the existing. The DRP suggested that the proposed glazing to the third floor follow the “ABA” rhythm of the fenestration at the lower levels; this is reflected in the proposal and is considered to be an appropriate way to address the articulation of the building and retaining its horizontal emphasis. This is considered acceptable.
- 10.97 In terms of fenestration design, the D&C officer has noted that the windows would have a deeper recess than the existing, which would introduce a greater degree of shadow to the façade and would not match the flatness of the 1950s modernist original design. The applicant’s team has responded that the proposal is a modern interpretation that evokes the character of the existing 1950s building. The proposal is not intending to be a replica of the existing building and as such, a deeper recess is proposed for the fenestration. Having considered the comments made by the D&C officer, and the applicant’s team, it is judged that windows with a deeper recess can be supported in principle, the details of the windows design would need to be further assessed (in consultation with the D&C officer) and agreed prior to commencement of development. This is secured in **condition 3**.
- 10.98 To the rear, the proposed western elevation would comprise of similar external materials to the principal elevation, including the same brickwork and windows design. The D&C officer commented on the blank boxes on the western side of the upper floors, which is considered to be a diminishment in architectural design when compared to the original. The applicant’s response is that due to the location of the core, it is not possible to provide windows to this section of the elevation. Taking into account the appearance of the existing western elevation and the fact that this elevation is of less visibility and importance than the front, this proposed design is considered acceptable. Details of the windows, stone surrounds would need to be submitted and agreed by officers, this is secured by **condition 3**. Details and specification of green wall system is secured under **condition 32**.
- 10.99 The proposed set back third floor would be primarily in glazing to provide a visually “lighter” appearance and a contrast to the appearance of the main building. The new roof would be constructed in zinc to make the roofline appear to be more slender. On the same level, it is also proposed to install a balustrade over the top of the parapet wall to facilitate the external terrace at front. Due to its set back from the front elevation, it would be less visible and would not adversely affect the appearance of the building nor the character and significance of the Upper Street (North) conservation area, or setting of other nearby listed buildings.
- 10.100 Overall, it is considered that the proposed development would have an acceptable appearance and the material details and samples would need to be submitted to and agreed by the council prior to the commencement of the development. This would be secured by planning condition (**condition 3**).

Design, Conservation and Heritage Summary

- 10.101 The proposed demolition and ground floor façade retention has been thoroughly assessed, all consultation comments and relevant material considerations have been taken into account. Justification for retaining the ground floor façade (greatest significance) and demolishing the remainder of the non-designated heritage asset (upper floor front façade has some significance) has been provided. This includes: the heritage assessment which demonstrated the preservation of the greatest significance of the non-designated heritage asset through the retention of the ground floor facade, and the structural information which set out the structural

and usability constraints of all the retention options considered. In this regard the balanced judgement reached is that the main areas of significance are retained and having regard to the significance of the asset, which is at the lower end of the scale subject to sufficiently high quality replacement building and sufficient planning benefits, the degree of demolition in this instance could be accepted.

10.102 The proposed new building elements would have an acceptable scale, massing and appearance. The materials and detailing proposed are contextual and high quality. It is considered that the proposal would contribute to local character and distinctiveness of the place, and the proposal is considered to be acceptable in terms of design, conservation and heritage subject to condition to secure the details of the external materials. The proposal would preserve the setting, significance and historic interest of the nearby listed buildings and Upper Street (North) conservation area (CA19).

Inclusive Design

10.103 The new London Plan 2021 policy GG1 requires that development must support and promote the creation of a London where all Londoners can move around with ease and enjoy the opportunities the city provides. Further, it supports and promote the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

10.104 The Inclusive Design principles are set out in LP policy D5 which states that development proposals should achieve the highest standards of accessible and inclusive design.

10.105 Locally, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they:

- i) provide for ease of and versatility in use;
- ii) deliver safe, legible and logical environments;
- iii) produce places and spaces that are convenient and enjoyable to use for everyone, and
- iv) bring together the design and management of a development from the outset and over its lifetime

10.106 The Council's Inclusive Design SPD further sets out detailed guidelines for the appropriate design and layout of existing proposed new buildings.

10.107 The key inclusive design considerations are as follows:

Access

10.108 The site is solely accessed from Upper Street. Due to the proposed retention of the existing ground floor façade, the two existing ground floor entrances would be made level for ease of access. The northern entrance would provide access to the main office reception and the southern entrance is for access to the back of house area, including the cycle and refuse storage, and the substation at basement level.

10.109 As mentioned in the design section above, the main entrance doors are proposed to be retained and it has an existing opening of 1350mm, which exceeds the minimum width of 1000mm for clear opening. The doors would be increased in height to accommodate the new lowered ground floor level to omit the existing stepped access. The applicant also confirms that the doors can be automated, in line with the Inclusive Design Officer's comment; details of the automated door systems would be secured through **Condition 21**.

Circulation

10.110 It is noted that the two mezzanine levels would be accessed via a short flight of stairs from ground floor and they would have no level access from the street level. The applicant has

proposed to provide stair-lifts as a solution to overcome this issue. No objection to the proposal in this regard and further details would be secured under **condition 21**.

- 10.111 The proposals comprise of two lifts which would serve the building, one of them would be an evacuation lift, with a set of fire escape stairs. An additional oversized lift would provide level access between the ground and lower ground levels, and it would be primarily used for access to cycle and refuse storage. It is considered that the proposed lifts and stair arrangement is acceptable.

Cycling facilities

- 10.112 In terms of cycle parking, the proposal includes 26 double stacked spaces at the basement BoH area, and a large cycle parking space (2.8mx1.5m) that would also be suitable for parking and charging a mobility scooter. In addition, 2 sheffield stands will be assigned to blue badge holders with 1 oversized single stacked space. This is secured in **Condition 22**.

Accessible Parking

- 10.113 It is noted that there are controlled parking spaces directly outside the site on Upper Street that are suitable for drop-offs but not for all-day parking.
- 10.114 In terms of disabled parking, the council requires adequate provisions to be made for accessible parking to ensure that its car free policies (CS10 and DM8.5) does not disadvantage older or disabled people. The Council would seek provision of accessible parking bay as per the requirement under policy DM8.5 and the Planning Obligations SPD; as the proposal is car free and does not comprise any provision of accessible parking, a financial contribution toward the cost of provision will be secured to enable the Council to install the accessible parking spaces, or to carry out other accessibility improvements within the immediate vicinity. This is secured within the Heads of Terms of the S106 agreement in **Appendix 1**.

Accessible showers/toilets

- 10.115 There is provision of accessible shower/toilet at the basement level, the specification of the accessible shower was designed in accordance with Approved Document M for shower room with toilet facilities. There are also accessible toilets proposed at every level, which is in line with the Inclusive Design Officer's recommendation.

Inclusive Design summary

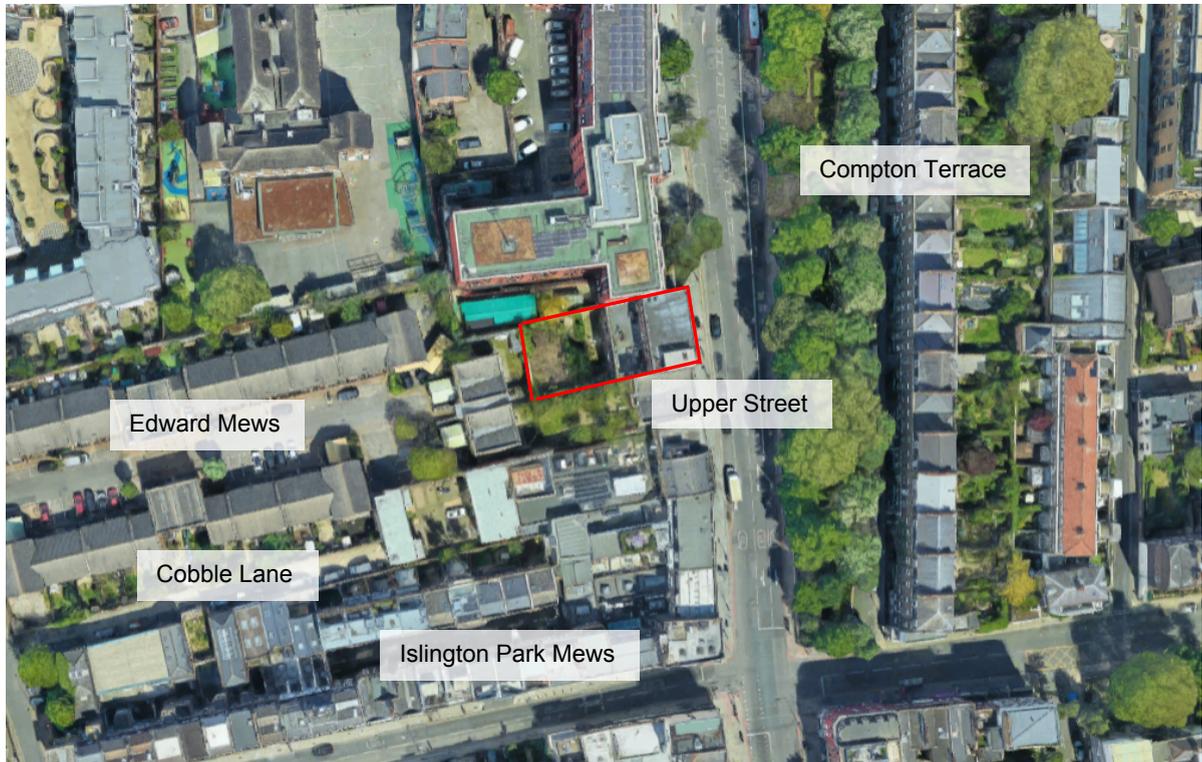
- 10.116 Overall, it is considered that the proposal would meet the relevant inclusive design objectives within the Development Plan to ensure that it would provide an inclusive and accessible environment for the future occupiers.

Neighbouring Amenity

- 10.117 The NPPF para 127F states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. 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.
- 10.118 London Plan Policy D3 part D states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.
- 10.119 Development Management Policies DM2.1 and DM6.1 which require all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.

10.120 The closest residential properties which could potentially be affected by the development are:

- Upper Street
- Edwards Mews
- Cobble Lane
- Islington Park Mews
- Compton Terrace



Map showing the site (red) and the surrounding residential properties

Daylight, Sunlight and Overshadowing

- 10.121 To assess the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.122 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'
- 10.123 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 10.124 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

Daylight Guidance

- 10.125 The BRE Guidelines stipulate that... "the diffuse daylighting of the existing building may be adversely affected if either:

- The VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.
 - The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).
- 10.126 At paragraph 2.2.7 of the BRE Guidelines it states: “If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”
- 10.127 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.128 At paragraph 2.2.8 the BRE Guidelines state: “Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.
- 10.129 Paragraph 2.2.11 states: “Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.” The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.
- 10.130 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is “in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

Sunlight Guidance

- 10.131 The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: “*If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected.*”
- 10.132 This will be the case if the centre of the window:
- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
 - Receives less than 0.8 times its former sunlight hours during either period and;
 - Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.”
- 10.133 The BRE Guidelines) state at paragraph 3.16 in relation to orientation: “A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due

south is likely to be perceived as insufficiently sunlit.”

10.134 The guidelines go on to state (paragraph 3.2.3):

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

10.135 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasises that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Overshadowing Guidance

10.136 The BRE Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: ‘gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains’.

10.137 At paragraph 3.3.17 it states: “It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

Assessment

10.138 The Applicant has submitted a Daylight and Sunlight report prepared by Lumina, dated 15 September 2020. The report and addendums consider the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.

10.139 The report concludes that the only properties relevant for assessment are as follows:

- 7, 8, 9 and 10 Compton Terrace
- 17 Edwards Mews
- 18-22 Edwards Mews
- 216 Upper Street

10.140 It is noted that the internal layout of neighbouring properties have not been found and therefore, the assessment was carried out based on an assumed layout for the buildings identified above. Officers have examined the submitted daylight/sunlight information and the maps submitted appear to be accurate in terms of the location of the windows tested in the assessment. As such, it would be reasonable to assess all the windows and rooms on the basis that they are serving habitable rooms.

Impacts to Daylight

10.141 Due to the significant separation distance between the site and the Compton Terrace properties, it was found that the VSC values would have negligible change (from 0% to 0.81%) with less than a 1% loss of daylight. There is also no loss of daylight distribution shown in the analysis.

10.142 In regard to Edwards Mews, the submitted report indicates that a total of 3 windows assessed would fail the BRE criteria relating to VSC and 3 rooms served by those windows would fail BRE

criteria relating to NSL.

10.143 The transgressions that are reported in the assessment are outlined further below.

Edwards Mews (nos. 17, 18 -22)

10.144 The transgressions are reported for reference in the below table:

Table 1		Vertical Sky Component			No Skyline (Daylight Distribution)			
Room Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
17 Edwards Mews								
Ground Floor								
R1 / W1	Unknown	23.54	21.77	7.5%	6.5	4.4	4.4	0
R2 / W2	Unknown	22.54	21.11	6.38%	11.49	10.94	10.94	0
R2 / W3	Unknown	11.66	11.66	0.47%				
First Floor								
R1 / W1	Unknown	24.90	23.29	6.46%	6.5	4.89	4.89	0
R2 / W2	Unknown	25.15	23.67	5.88%	11.49	11.18	11.18	0
R2 / W3	Unknown	33.63	33.54	0.27%				
18-22 Edwards Mews								
Ground Floor								
R1 / W1	Unknown	26.13	19.11	26.86%	13.58	11.41	7.6	33.37%
R2 / W2	Unknown	26.81	20.41	23.88%	14	13.48	10.76	20.17%
R3 / W3	Unknown	27.08	22.61	16.54%	14	13.79	12.86	6.75
R4 / W4	Unknown	25.19	21.66	14.02%	13.58	12.6	11.38	9.62
First Floor								
R1 / W1	Unknown	29.66	22.97	22.55%	13.58	12.47	9.18	26.25%
R2 / W2	Unknown	30.77	24.69	19.76%	14	13.84	11.72	15.3
R3 / W3	Unknown	31.48	27.38	>27%	14	13.9	13.31	4.26
R4 / W4	Unknown	30.03	26.84	10.62%	13.58	13.21	12.35	6.45

10.145 As shown in table 1 above, 3 windows and associated rooms assessed would see reductions in VSC and DD over BRE guidelines. The windows would see a minor transgression between 22.55 to 26.86% for VSC which is considered marginally above the BRE target of 20%. For daylight distribution, the ground floor room R1/W1 would be worse affected at 33.37%, which is a considerable reduction, whilst the other two rooms would see a minor transgression at 20.17% and 26.25% respectively.

10.146 Whilst there are transgressions found in the daylight/sunlight assessment, it is noted that the retained VSC values are relatively high (between 19.11 and 22.97) and therefore, whilst it is judged that the impact is likely to be noticeable, there would be adequate amount of daylight retained. This minor breach of BRE guidance is considered to be material and would need to be taken into account in the planning balance assessment.

216 Upper Street

10.147 The daylight impact towards 216 Upper Street has been reviewed and it is noted that the rear windows would retain a good level of daylight VSC value.

Table 2		Vertical Sky Component			No Skyline (Daylight Distribution)			
Room Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
216 Upper Street								
First floor								
R1 / W1	Unknown	29.11	22.95	21.17%	8.79	8.49	6.96	18.10
R2 / W2	Unknown	31.15	27.88	>27%	9.20	8.80	8.47	3.75
Second Floor								
R1 / W1	Unknown	31.78	24.30	23.54%	8.79	8.56	7.07	17.28
R2 / W2	Unknown	36.18	33.38	>27%	9.20	8.88	8.71	1.96

10.148 As shown in table 2, two windows assessed would see reductions in VSC over BRE guidelines. The windows would see a minor transgression between 21.17 and 23.54% for VSC which is marginally above the BRE threshold of 20%. The daylight distribution test has shown that all the rooms tested would comply with the BRE guidelines.

10.149 Whilst the reduction of the two windows would be larger than 20%, it is considered that the extent of breaches are relatively minor and the retained VSC values are high (22.95 to 24.30), officers consider that an adequate amount of daylight would remain should planning permission be granted.

Summary of Daylight Impacts

10.150 The proposed development would result in some level of reduction of daylight, albeit none of the windows/rooms would be severely impacted by the proposed development. The transgressions weigh against the scheme in the planning balance.

Impacts to Sunlight

10.151 In accordance with the BRE guidance, only windows facing within 90 degrees of due south need to be assessed. Based on all the windows assessed, it is considered that proposal would meet the BRE guidelines in sunlight terms.

Overshadowing

10.152 The applicant's consultant has provided information in the assessment of overshadowing in accordance with the BRE guidance. The neighbouring garden space at 18-22 Edwards Mews has been reviewed and it is noted that there would be minimal impact (less than 1% reduction) in terms of overshadowing, and the majority (81%) of the garden would still be able to receive more than 2 hours of sun on the ground and therefore the proposal would be in line with the BRE guidance.

Daylight, Sunlight and Overshadowing Summary

10.153 A comprehensive assessment of the proposed development on surrounding windows and rooms to nearby dwellings has been undertaken in accordance with BRE guidance and practice. The BRE guidelines must be viewed flexibly and considering the wider adherence to the required standards of all other tested windows the impact on this room can be accepted. A small number of neighbouring properties would see some reduction in daylight received, however this is considered at the lower end of the spectrum.

Overlooking and privacy

10.154 The supporting text to Policy DM2.1 states at paragraph 2.14 that 'to protect privacy for

residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.

- 10.155 The proposed development includes no residential accommodation or habitable rooms, therefore, the 18m separation requirement is not directly relevant to this case.
- 10.156 The existing building already comprises of windows on the western elevation which overlook the neighbours at Edwards Mews; the proposed development also comprise of west facing windows, the shortest separation distance is approximately 15m. Although the proposed building would be sited closer to the Edwards Mews properties, it is worth noting that there would be less western facing windows on the proposed elevations when compared to the existing. Therefore, it is judged that the proposed commercial development would not result in unacceptable level of overlooking impact towards the adjoining occupiers at Edwards Mews.
- 10.157 In regard to the occupiers at 216 Upper Street, the proposed development would comprise south facing windows on the ground (upper and lower mezzanine) and lower ground level, and therefore, it is judged that the proposed windows would not result in unacceptable overlooking towards the occupiers at no.216, which are located above the ground floor level.
- 10.158 A small green roof is proposed to be located at the rear on the first floor level, it is approximately 10sqm and would only project 1.53m towards the rear from the west elevation. Given the green roof would be implemented it is not anticipated that the area would be used as an amenity space. **Condition 12** is recommended to ensure that the green roof would only be accessed for maintenance reason to ensure that it would not pose any adverse impact towards the adjoining neighbours.
- 10.159 One neighbour has mentioned that the proposed development would unacceptably overlook the neighbouring properties at Islington Park Mews; having reviewed the proposal and the separation distance between the site and the properties at Islington Park Mews, it is considered that there is sufficient separation distance (approximately 40m) between the buildings and that no harm would be caused.
- 10.160 Overall, the proposal is not considered to unduly affect the neighbours privacy and the proposed building would not result in unacceptable overlooking towards the adjoining neighbours.

Outlook and enclosure

- 10.161 The proposed development would be sited 15m away from the Edwards Mews properties at ground floor level, taking into account the setting of the site and the distance between the existing properties, it is considered that the proposed development would not pose unacceptable harm to the adjoining neighbours in terms of outlook nor perceived sense of enclosure.
- 10.162 An occupier at no.216 raised concerns towards the proposal in terms of the potential amenity impact.. Whilst it is acknowledged that the proposal would be extended further to the rear of the site which would be visible from the rear of no.216, it is not considered that the proposal would give rise to an unacceptable level of enclosure as the properties at no.216 do not directly face the proposed building.
- 10.163 Therefore, in view of the siting of the existing building in relation to neighbouring residential properties, and the separation distances, it is considered that the proposed development would not result in any unduly harmful loss of outlook or creation of undue sense of enclosure.

Construction Impacts

- 10.164 It is anticipated that the construction of the proposed development would cause some degree of

noise and disruption affecting neighbouring residents. The development site is on Upper Street adjacent to the Council Municipal Offices (MO), with residential use seemingly structurally connected at 216 Upper Street, and construction deliveries having to be taken on Upper Street across the very busy footway. The submitted draft CMP is generic in nature and this needs to be a site specific document paying reference to Islington's CoPCS.

- 10.165 A final Construction and Environmental Management Plan would be required to be submitted to and approved by the Council prior to the commencement of work in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity, this is secured under **condition 9**. The Council would also secure a financial contribution £2,082 towards construction monitoring.
- 10.166 Outside planning legislations there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

Noise and disturbance

- 10.167 The proposed development would comprise basement level accommodation, it is noted that the site is in close proximity to the Victoria Line and Highbury and Islington Station. There are a number of noise complaints relating to Victoria line operation near the south Highbury and Islington Station, and the train noise is clearly audible in the basement of 222 Upper Street. This will affect the use of the office space and the use as a quiet environment would be impacted; to ensure that the potential ground borne noise impact towards the proposed office accommodation, including the affordable workspace at the lower ground level would be adequately mitigated, the Acoustic Officer has recommended a condition (**no.11**) to ensure that the internal ground borne noise level would not exceed 40dB $L_{Amax,s}$ for the lower ground level office accommodation. The Inclusive Economy Team has been consulted in regard to this and no objection was raised.
- 10.168 The development includes a new rooftop plant area with a substantial amount of building services plant involved. The background noise survey has two measurement positions on the roof of the current building, it may be the case that the background noise levels at the residential properties on Edwards Mews is a little lower than this, with increased screening if a larger building at 218 is built. However, there is already a lot of plant on the rear flat roof with no complaints listed. The Acoustic Officer has recommended a condition to minimise noise impacts for nearby receptors (**condition 19**).
- 10.169 Furthermore, a report is required to be submitted post installation of the plant equipment, with on-site measurements to verify that the above criteria is achieved (**condition 20**).
- 10.170 Officers consider that subject to the recommended conditions the proposal will not result in unacceptable impacts in terms of noise.

Light pollution

- 10.171 Paragraph 180 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation. The site has been long established as a commercial building since the 1950s, the proposal would not alter the commercial nature of the site and therefore, it is not recommended that the hours of occupation of the office development to be restricted. However, the proposal raises the possibility of night time light pollution occurring, should office staff need to work outside normal office hours; due to the proposed intensification of the site and the short distance to adjoining residential properties the cumulative impact is likely to be greater than existing and therefore, it is considered that measures to mitigate any adverse light pollution impact are necessary.
- 10.172 To address this, **condition 14** is recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaries closer to the facades or lighting fittings controlled through the use of sensors.

- 10.173 It is considered that these measures would ensure the extent of light being used within the building is reduced and help minimise any impact on neighbouring properties, and address any light pollution concerns.

Neighbouring amenity summary

- 10.174 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity and would be in accordance with the relevant policies including LP policy D3, and IDMP policies DM2.1 and 6.1.

Biodiversity, Landscaping and Trees

- 10.175 LP policy G1 states that development proposals should incorporate appropriate elements of green infrastructures that are integrated into London's wider green infrastructure network. Policy G5 further states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 10.176 ICS policy CS15 and IDMP policy DM6.5 state that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.
- 10.177 An Arboricultural Impact Assessment was submitted (Martin Dobson Associates, 25 Sept 2020) with a Tree Survey and an Arboricultural Method Statement.
- 10.178 The site is not within a conservation area and the trees on site are not protected by a Tree Preservation Order. However, one tree to the south of the property has been assessed and considered to be a category B tree and of moderate value. It is located within a conservation area. It is suggested in the report that the retaining wall and boundary wall between the two sites would prevent roots of the tree from entering the site. The branches will need to be cut back by approximately 1.5m.
- 10.179 The Council's Tree Officer has reviewed the proposal and advised that there will be no impact to the tree located in the neighbouring property within the CA. It is already at a significantly higher ground level than the existing part-basement level, separated by a retaining wall and the proposed expansion of the basement will not involve any impact on the tree. Therefore, officers consider that the proposal would not adversely affect the trees nearby.
- 10.180 The applicant has submitted details of green roofs and balconies in support of the application. Green roofs are proposed to the rear of the building to provide additional green coverage of the site and mitigate the loss of the undeveloped yard at rear, which is welcomed by officers.
- 10.181 The proposed green roofs would enhance the biodiversity and ecological value of the site. The proposed green roofs would need to be provided prior to occupation of the building to ensure it would promote and enhance the biodiversity of the site and surrounding area, details of the green roofs are specified and secured by **Condition 12**.
- 10.182 The proposal also incorporates a green wall to the rear elevation to provide further greening of the site. The provision of a green wall is supported by officers, and further details (secured by **condition 32**) would be required to ensure that the provision of green walls is maximised on site, and that it would be supported by an adequate planting, irrigation and maintenance to ensure that the green wall system can deliver long term environmental benefit to the site and the surrounding area.
- 10.183 The ecological assessment shows that there is very low biodiversity value on this site, the

council's Nature and Conservation team has reviewed the proposal and recommended that the development incorporate bird boxes to enhance biodiversity of the site where appropriate.

- 10.184 The applicant has agreed to provide five swift bricks at the rear wall which is accepted by the Nature and Conservation Team in principle, the details and specification of the swift bricks would need to be secured by **condition 17**.
- 10.185 Overall, it is considered that subject to conditions, the proposed development would provide the maximum reasonable level of green infrastructure on site, and the proposal would be in accordance with London Plan policy G7, and Islington's policies CS15 and DM6.5.

Health and Air Quality

- 10.186 Policy 7.14 of the London Plan states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs)). IDMP Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.187 Of additional concern cumulatively in London is the impact of the number of concurrent construction projects underway and the resultant harm to air quality. The application is supported by an Air Quality Assessment (prepared by eb7 dated 16 Oct 2020) to analyse the potential impacts on local air quality associated with the construction and operation of the proposed office development at 218 Upper Street.
- 10.188 The report concluded that subject to the implementation of a Dust Management Plan, the impacts will be effectively minimised, and in regard to the operational phase of the development, the traffic generated by the development is considered to be very limited and would demonstrate air quality natural. It also highlights that the proposals would be car free and most of the trips generated would be through public transport (Note: Transportation impact is assessed separately below).
- 10.189 The Public Protection Team has reviewed the submission and no objection was raised. A dust management plan would be required to set out mitigation measures for dust and PM10 releases and should form part of the Construction and Environmental Management Plan. This is secured by **condition 9**.
- 10.190 A neighbour has raised concern that asbestos may be present in the basement of the existing building, which may cause a health impact during demolition. If any asbestos is found in the existing building, the removal would need to carefully proceed in accordance with the relevant legislation outside the planning system, and the details would need to be submitted as part of the Construction and Environmental Management Plan to ensure that the applicant has taken all reasonable steps to conform to relevant guidance and legislations.

Energy and Sustainability

- 10.191 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 148, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 10.192 The NPPF para 153 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for

decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

- 10.193 LP policy GG6 seeks for London to become a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.
- 10.194 LP policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.
- 10.195 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:
- connect to local existing or planned heat networks
 - use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
 - use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
 - use ultra-low NOx gas boilers
- 10.196 Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.
- 10.197 Policy SI 4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure; The submitted energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 10.198 Core Strategy Policy CS10 requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.199 IDMP Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.
- 10.200 The applicant has submitted the relevant details within an Energy Statement prepared by DSA Engineering dated Jan 2021 (version 4).

Carbon Emissions

- 10.201 The London Plan sets out a CO₂ reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.
- 10.202 Based on SAP10 carbon factors, a saving of 49.7% is estimated, against a Part L 2013 baseline. This meets the London Plan target. No objection was raised from the Energy Officer in this regard.
- 10.203 In terms of Islington's policies, the council requires onsite total CO₂ reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible.
- 10.204 The initial submission indicates that the development would achieve an overall reduction of 27.6% of total emissions, which meets the council's target. No objection was raised from the Energy Officer.

Zero Carbon Policy

- 10.205 As mentioned above, the London Plan Policy SI 2 stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.
- 10.206 The council's Environmental Design SPD states that "*after minimising CO₂ emissions onsite, developments are required to offset all remaining CO₂ emissions (Policy CS10) through a financial contribution*", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO₂ to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.
- 10.207 The latest Energy Statement quotes an offset contribution of **£23,460**, based on residual emissions of 25.5 tonnes, which includes both the regulated and unregulated CO₂ emissions. The Energy Officer confirmed that this value is correct.

BE LEAN – Reduce Energy Demand

- 10.208 IDMP policy DM 7.1 (A) states "*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*" It further states that "*developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy*".
- 10.209 The proposed U-values for the development are walls = 0.15, roof = 0.16, floor = 0.18 and windows = 1.3. The applicant has confirmed that an air handling unit will be used to provide mechanical ventilation with heat recovery. Therefore, the Energy Officer has accepted 3m³/hr/m² to be an appropriate value for air permeability.

Overheating and Cooling

- 10.210 IDMP Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling

shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

- 10.211 The Energy and Sustainability statements both indicate that dynamic thermal modelling has been carried out, using CIBSE TM52 methodology. The results from TM52 modelling have been provided and it shows that all elements of the development are anticipated to pass the overheating criteria.
- 10.212 In terms of cooling, active cooling is proposed for the development and evidence of TM52 thermal modelling has been submitted by the applicant during the application stage. The council would not normally support installation of active cooling, unless it is clear that other levels of the cooling hierarchy have been maximised, but the risk of overheating still remains.
- 10.213 The applicant has submitted the overheating modelling and has confirmed that the modelling provided does already assume the presence of active cooling, however, further results based on the building modelled without active cooling have now been provided. The result shows that large areas of the development will be prone to overheating and therefore, the Energy Officer has accepted the use of active cooling for this particular development.

BE CLEAN - Low Carbon Energy Supply

- 10.214 In terms of energy (heating and cooling) supply, it is proposed that space heating and cooling will be provided to the development via an air source heat pump system. Hot water will be provided via point-of-use electric heaters in toilets and kitchen sinks, while showers will be served via a calorifier served by air source heat pump.
- 10.215 The submitted Energy Statement rules out connection to a District Energy Network, as there are no existing or committed heat networks within 500m of the development. This is accepted by the Energy Officer.

Site-wide communal system/network and design for district network connection

- 10.216 IDMP Policy DM7.3C states “major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.”
- 10.217 The Council’s Environmental Design Guide states that to enable this and to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development.
- 10.218 With regards to future proofing, it is indicated that riser space will be provided for future pipework between the rooftop space and plant room in the lower ground floor, where space has also been identified for a future plate heat exchanger. The Energy Officer is satisfied with the information submitted and no further information is required at this stage.

Shared energy networks

- 10.219 Islington policy DM 7.3D states “Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.”
- 10.220 The Energy Statement has not been able to identify any opportunities for shared heating networks in the vicinity and this is considered acceptable.

CHP/CCHP or alternative low carbon on site plant

- 10.221 In accordance with the London Plan hierarchy (see 4.1 above) where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).
- 10.222 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes."
- 10.223 On-site CHP is not proposed, on grounds of low heat loads and carbon factors; this is considered to be acceptable by the Energy Officer.

BE GREEN – Renewable Energy Supply

- 10.224 The Mayor's SD&C SPD states "although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible."
- 10.225 The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets."
- 10.226 The proposal would incorporate air source heat pump as a low and zero carbon technology, as well as inclusion of PV panels at the roof level. A solar PV array of 48m² and ~9.12kWp output has been proposed, and the proposed roof drawings now reflect this. The proposed renewable energy technologies are supported by the Energy Officer.

BREEAM - Sustainable Design Standards

- 10.227 Council policy DM 7.4 A states "Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding".
- 10.228 The council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification".
- 10.229 The BREEAM pre-assessment shows the development achieving a rating of 'Excellent' as required, with an overall score of 75.95%. This offers a fine margin of comfort over the minimum 70% required to achieve an 'Excellent' rating. It is recommended that the applicant target as many of these potential credits as possible, in order to ensure an 'Excellent' rating is achieved. This is secured through **Condition 18**.

Draft Green Performance Plan

- 10.230 IDMP policy DM7.1 and the Environmental Design SPD 8.0.12 – 8.0.18 states "applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy." The council's Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.
- 10.231 A draft Green Performance Plan has been provided. The applicant has provided further details in relation to the Data Collection, Analysis and Reporting section of the Plan. The submission is

considered sufficient by the Energy Officer and no further information is required at this stage. A full Green Performance Plan would be required to be submitted post occupancy and therefore, this would be secured by a section 106 agreement.

Circular Economy

- 10.232 LP Policy SI.7 'Reducing waste' states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
- 10.233 The emerging SDMP policy S10 states that all developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible to minimise construction waste.
- 10.234 The proposal comprises of significant building works, as only the existing ground floor façade is proposed to be retained. Most of the existing building would be demolished and the applicant is required to demonstrate that materials extracted from demolition can be re-used where possible, and that the building will adapt to change over its lifetime. The development also needs to minimise the environmental impact of materials through the use of sustainably-sourced, low impact and recycled materials. These details were not submitted with the application, therefore, it is recommended that a green procurement plan is secured by **condition 3**.

Sustainable Drainage

- 10.235 LP Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.
- 10.236 ICS Policy CS10 requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. IDMP Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.
- 10.237 The proposal would also need to demonstrate achieving all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required. This is secured in **condition 18**.
- 10.238 The Council's Sustainability Officer has reviewed the proposal and has welcomed the reduction of proposed runoff rates to 3.4 l/s, although the proposal is above the council's 50l/s/ha target (2.7 l/s in this case), the proposal would represents a 93% betterment when compared to the existing building. The provision of proposed green/blue roofs should be implemented prior to occupation of the development and this is secured by **condition 12**.

Basement Development

- 10.239 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E). It outlines that all basement development will need to be appropriate and proportionate to its site and context.

- 10.240 Structural stability is a material consideration for the Local Planning Authority insofar as the requirement to consider the potential risk and effects a proposal may have upon property, infrastructure and the public, as set out in Planning Practice Guidance. For clarity, this does not require the council to approve a technical solution for a development proposal, but rather to confirm that these issues have been sufficiently evaluated and responded to in a design and ensure that this process has been undertaken by a suitably qualified and experienced professional.
- 10.241 Furthermore, emerging SDMP policy DH4 - Basement development; insists basements must be designed to safeguard the structural stability of the existing building, nearby buildings, trees, and any infrastructure. The proposed basement should respond to the scale, function and character of the site and its surrounds. Where large basements are proposed, the resulting intensity of basement use may be out of keeping with the domestic scale, function and character of its context. Basement development should be proportionate, subordinate to the above ground building element, and reflect the character of its surrounds.
- 10.242 A Structural Method Statement ('SMS') prepared by Heyne Tillett Steel dated 29 October 2020, was submitted in support of the application. In accordance with Appendix B of Islington's Basement Development SPD, the Structural Method Statement was signed by a chartered Structural Engineer and includes details regarding a desk study, site investigations, design, impact assessment and construction monitoring.
- 10.243 The SMS highlights that the proposed structure would be reinforced concrete construction with flat slabs (beam free space) and columns on a 8 x 8m grid. The basement would be formed within the existing basement box, with perimeter underpins to reduce the basement level. A ground bearing raft slab is proposed to avoid the necessity of piling operations.
- 10.244 A ground movement assessment was carried out and it was concluded that damage exhibited for each of the adjacent structures during the various phases of development are confined to Category 1 (very slight) to 0 (negligible). This is in line with the acceptable limits set out within the Basement Development SPD.
- 10.245 The proposed development is considered to be in accordance with the Basement Development SPD. The Chartered Structural Engineer who certified this SMS shall be retained for the duration of the construction work to monitor the safety of all construction stages of the development. This will be secured in **condition 30** in the event of permission being granted.

Highways and Transportation

Policy Context

- 10.246 The NPPF para 108 states that applications should ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Development proposals should also ensure that any significant impacts from the development on the transport network or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.247 Chapter 10 of the LP relates to highways and transportation. LP policy T4 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of the same policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 10.248 Locally, IDMP policy DM8.1 states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, policy DM8.2 states that proposals are required to meet the transport needs of the

development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.

- 10.249 The site is well located in relation to public transport and has a Public Transport Accessibility Level (PTAL) of 6a (Excellent). The site is approximately 250 metres from the Highbury and Islington Station, which provides train services on the Victoria Line, Overground and National Rail. The site is also located at relative proximity to a number of bus routes on Upper Street, Holloway Road and St. Paul's Road.
- 10.250 The proposed site is located on Upper Street, which forms part of the Transport for London Road Network (TLRN). TfL is the highway authority for the TLRN and are therefore concerned about any proposal which may affect its performance and/or safety.

Proposal

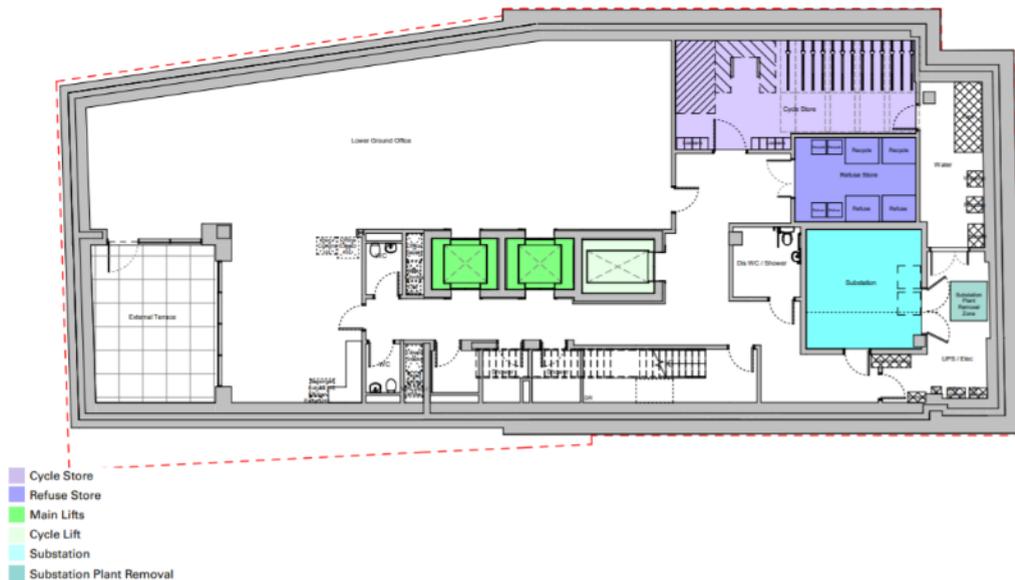
- 10.251 The access of the building is solely from Upper Street and there is no vehicle entrance to the site. The development is proposed to be car free, with no vehicle parking proposed on-site.
- 10.252 In regard to disabled parking, the proposal would rely on the existing resident parking bays, short stay bays and designated disabled parking bays within the vicinity, in which blue badge holders would be able to use without charge or restriction.
- 10.253 In terms of cycle parking, it is proposed to provide on-site cycle parking at lower ground level with a cycle lift to provide step free access from ground floor. There is no provision of on-site visitors' cycle parking, however, the submission has highlighted that there are a number of on-street cycle parking areas exist at close proximity to the site.
- 10.254 The application is supported by a Transport Statement (Prepared by Motion – 6 Oct 2020) which assessed the highways and transportation impact of the proposal.

Vehicle parking

- 10.255 No vehicle parking is proposed on-site, this is considered acceptable and in line with Islington's policies CS10 and DM8.5. TfL has reviewed the application and has strongly supported the car free nature of the proposal.
- 10.256 The site is accessed from Upper Street and the section of pavement outside the site is raised, with parking bays located directly in front of the site. The road forms part of TfL's Red Route and has prohibited stopping on Monday – Saturday 7am – 7pm, except loading (max 20 mins) and blue badge users (max 3 hours).
- 10.257 In regard to disabled parking, a financial contribution of £4,000 is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by TfL or the Council's Highways Officer. The financial contribution is to be secured within the s.106 agreement.
- 10.258 Subject to the above, it is satisfied that the proposal is acceptable in terms of vehicle parking.

Cycling

- 10.259 In terms of cycling, LP Policy T5 states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. The proposed cycle store provides 26 doubled stacked spaces, with 1 oversized single stack accessible space, 2 sheffield stands and 1 extra large space for a tricycle.



Details of cycle and other BoH facilities at lower ground floor. (Extract from Design and Access Statement)

- 10.260 In total, there are 32 spaces provided for the development which exceeds the requirement under IDMP appendix 6 as well as London Plan standards. As assessed in the Inclusive Design section above, the proposed cycle facilities are considered acceptable and a condition (**no.22**) is recommended for the facilities to be installed and ready to use prior to occupation of the site.
- 10.261 The provision of the cycle welfare facilities, including showers and lockers is strongly supported by TfL. A larger lift is proposed to provide access to the cycle store at the lower ground level. It is considered that the cycle lift is large enough to accommodate all types of cycles, including adapted cycles for disabled people and cargo bikes. Consultees from TfL has reviewed the proposal and raised no objection in this regard.
- 10.262 There is no short stay cycle storage proposed for visitors, as the front of the site is not under the ownership of the applicant and this section of the Upper Street pavement is very busy, adding further cycle parking stands on the pavement may result in unacceptable clutter which would adversely affect the flow of pedestrian traffic at the front of the site. It is further noted that there are some existing cycle stands located at the front of 222 Upper Street and adjacent to the application site, which are available for public use.
- 10.263 Having reviewed the proposal and the advice from TfL, it is considered that the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP policy T5 and IDMP policy DM8.4.

Servicing and waste management

- 10.264 IDMP policy DM8.6 states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, it requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.265 There are parking bays at the front of the site which allows loading of up to 20 minutes. The applicant has provided a swept path analysis for delivery and servicing vehicles accessing/egressing the loading bay to ensure highway safety is maintained in line with the Mayor's Vision Zero Objective. The information was reviewed by TfL and no objection was raised.

- 10.266 The submitted Delivery and Servicing Plan states that tenants will be encouraged to source deliveries from suppliers/operators registered with FORS, which is supported by TfL, who encourages the use of freight operators with FORS silver or gold membership as it is imperative that road safety measures are considered, and preventative measures delivered through the construction and operational phases of the development. The building manager will work with occupiers to manage the arrival of deliveries and arrange deliveries outside of peak hours.
- 10.267 Based on the comments above, TfL raised no objection to the proposal and has advised that a final Delivery and Servicing Plan be submitted prior to the occupation of the development to ensure that the proposal would have an acceptable servicing arrangement prior to occupation of the building. This is secured under **condition 10**.
- 10.268 In terms of waste management, the proposed office development would require 4.76m³ of waste storage (based on the proposed GIA 1,831sqm) in which 50% of the capacity would need to be dedicated for recycling storage.
- 10.269 The proposal comprises of 4x1100L bins, and 4x 120L bins, to provide a total capacity of 4,880L to meet the projected demand. Similar to the cycle storage, access to the refuse storage would be via the goods lift which is large enough to accommodate a 1100L bin with a porter. The bins will be brought up to the pavement level on collection day, which will be carried out via the existing loading bays to the front of the building on Upper Street.
- 10.270 Overall, officers accepted the provision of refuse and recycling storage and the associated access, such arrangement would be secured by **condition 23** to ensure that they are implemented prior to the occupation of the building and that the facilities would need to be maintained throughout the lifetime of the development.

Construction impacts

- 10.271 A Framework Construction Management Plan has been submitted alongside this application. TfL has recommended that a Construction Logistics Plan (CLP) should be secured by condition to ensure that the logistics of the construction works are appropriate and would not adversely affect the local highway network.
- 10.272 TfL has recommended that no skips or construction materials shall be kept on the footway or carriageway of the TLRN at any time. Should the applicant wish to install scaffolding or a hoarding on the footway whilst undertaking this work, separate licences would be required with TfL, an informative is added to remind the applicant.
- 10.273 It is noted construction deliveries will operate on a 'just in time' basis and all deliveries to the site will be pre-booked via a delivery management system, this is supported by TfL, who added that this system should be designed to manage deliveries outside of peak hours.
- 10.274 Therefore, it is recommended that a Construction Logistics Plan be submitted as part of a Construction and Environmental Management Plan (**condition 9**), to ensure that the proposal would make all reasonable efforts during the construction phase of the development, to avoid unacceptable impacts to neighbour amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.275 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £2,082 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Travel Plan

- 10.276 A Travel Plan (prepared by Motion 6 Oct 2020) has been submitted and this has been reviewed by TfL, who raised no objection. It is recommended that the Travel Plan is secured, monitored and reviewed through a section 106 agreement.

Highways and Transportation Summary

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

Fire Safety

- 10.278 LP policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
- 10.279 The applicant has submitted a concept Fire Strategy Report (produced by OFR Fire and Risk Consultants) to demonstrate that the design of the proposal has been informed by a qualified fire consultant during the process. This is considered to be acceptable.

Safety and security

- 10.280 Whilst the site only has access points from Upper Street, it is noted that the local area is mixed with commercial and residential uses. One of the neighbours has raised concern in regard to the safety and security of the building and the surrounding area. To ensure that the proposed building would be secure and meet the relevant crime prevention objectives, the Metropolitan Police have requested that the scheme meets Secured by Design accreditation.
- 10.281 The Crime Prevention Officer advised that there is a wide variety of crime types on Upper Street, due to its proximity to the underground stations and the vibrant night time economy, which play a huge part in attracting a large number of people into the area. It is recommended that when designing the external façade, it is important to ensure there are no deep recesses where someone could bed down for the night or use for drug taking/urination.
- 10.282 The existing ground floor façade would be largely retained with no recessed entrance, which is welcomed in terms of safety and prevention of anti-social behaviour. The proposal would bring the site back into an active use which is also likely to provide a greater level of passive surveillance to the street. It is recommended that the development achieve the relevant Secured by Design accreditation, and this is recommended under **condition 24**.

Planning Obligations and CIL

- 10.283 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.284 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through

a s.106 agreement.

- 10.285 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.
- Affordable workspace on-site provision
 - Compliance with the Council's Code of Local Procurement
 - 1 construction training placements (or if it can be demonstrated that this is not possible, a £5,000 contribution towards placements elsewhere).
 - Employment and training contribution – Operation of development of £10,261
 - Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £2,082
 - Accessible parking contribution of £4,000.
 - Carbon Offsetting payment of £23,460 (index linked).
 - Submission of, and compliance with, a Green Performance Plan
 - Submission of a Travel Plan
 - To enter Section 278 agreement with Transport for London to undertake the highways works required for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer).
 - The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

Planning Balance Assessment

- 10.286 Paragraph 47 of the NPPF dictates that "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 10.287 The proposed development is considered acceptable in principle and in land use terms, the scheme would provide additional office floorspace to the Angel and Upper Street Key Area, as well as the designated Highbury Corner and Barnsbury Employment Growth Area. Moreover, the proposal would also provide an opportunity to bring the vacant site back into active use, which would positively contribute to the vitality of the high street. This is considered to be a public benefit which weighs in favour of the scheme.
- 10.288 The scheme would comply with policies relating to energy, sustainability, green infrastructure, accessibility and highways.
- 10.289 There is a degree of conflict with policies relating to the extent of the proposed demolition. The removal of the upper floor façade is considered to cause some harm to the significance of the non-designated heritage asset. Given the significance of the building is at the lower end of the scale and having regard to the retention of the ground floor façade (of the greatest significance to the building) as well as having regard to the planning benefits as set out below, a balanced judgement is reached to support these proposals. The proposal can be considered to meet the tests of the NPPF in this regard, including paragraph 197 which relates to non-designated heritage assets.
- 10.290 Further, the assessment has also identified that the proposal would have a degree of conflict in relation to amenity (policy DM2.1) and specifically in relation to daylight/sunlight impacts. This has been carefully examined and while some of the adverse daylight/sunlight impact are considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints; it is considered that the level of harm to neighbouring amenity would not be significant to justify a warrant of refusal of planning permission on this ground.
- 10.291 The bulk, scale and massing as well as the detailed design of the new part 3, part 4 storey office building is considered to be acceptable. It is considered to preserve the setting of nearby Grade I and Grade II listed buildings due to its moderate scale and sensitive design. Additionally, the Upper Street (North) conservation area character and appearance would be preserved by the

replacement building. However it is vital that the details of the new building and the construction method are carefully managed to ensure that the new development would successfully integrate with the retained elements, so that the proposal would achieve an architectural coherence and preserve the significance of the building.

10.292 It should be recognised that the scheme also delivers benefits which should be afforded weight. These have been discussed throughout the report, and include:

- Provision of new office floorspace (1,831sqm GIA) within the Employment Growth Area;
- Increase in employment density and number of employees at the site, as well as the relevant jobs and training contributions set out in the Planning Obligations SPD;
- A new building which is capable in delivering high quality office accommodation for the future occupiers;
- Refurbishment to the retained facade at ground floor level to improve its appearance from the existing condition;
- Provision of on-site affordable workspace which exceeds the minimal floorspace requirement to support the council's objectives in delivering an inclusive and diverse local economy;
- Improvements to the energy efficiency of the operation of the building as well as contributions to bring the development to a net zero carbon state.

10.293 Therefore on balance, officers consider that the aforementioned public benefits outweigh the less than substantial heritage impact identified in relation to the proposed demolition of section of the upper front façade to this locally listed building (non-designated heritage asset). As noted above, the proposed replacement building is considered to be sensitively designed in terms of scale and mass and detailed design so as to preserve the character and appearance including the setting of the nearby designated heritage assets.

11. CONCLUSION

11.1 As set out in the above assessment, the proposal has been assessed against the development plan and the comments made by residents and consultees.

11.2 The proposed commercial development and change of use of the site are considered to be acceptable as the office use is considered to be an appropriate use, which is supported by the Development Plan. The provision of affordable workspace exceeds the policy requirements in terms of size and secures the space at peppercorn rent for a term of 10 years. This is policy compliant and a public benefit.

11.3 Having regard to the NPPF (paragraph 197) a balanced judgement has been reached based on the scale of harm to the non-designated heritage asset and the relative significance of the building. The proposal would retain the ground floor façade of the locally listed building which is considered to represent the most significance of the building. The façade of the upper floors would be lost and this would cause some harm to the significance of the building. However the proposed replacement building to is designed with an appropriate scale, massing and design approach for the sites sensitive context.

11.4 In terms of energy, the proposed development would represent significant improvement to the existing building in energy efficiency. The proposal would also have acceptable impacts on highways, sustainability and inclusive design.

11.5 Consequently, it is considered that on balance, the proposed development would comply with the relevant national, regional, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents). Sufficient weight has been given to material planning considerations in reaching this decision including the NPPF. Regard has been given to the emerging Local Plan policies however given the stage of development and number of objections in relation to employment and affordable workspace policies little weight is attributable at this time.

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Affordable workspace on-site provision
- Compliance with the Council's Code of Local Procurement
- 1 construction training placements (or if it can be demonstrated that this is not possible, a £5,000 contribution towards placements elsewhere).
- Employment and training contribution – Operation of development of £10,261
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £2,082
- Accessible parking contribution of £4,000.
- Carbon Offsetting payment of £23,460 (index linked).
- Submission of, and compliance with, a Green Performance Plan
- Submission of a Travel Plan
- To enter Section 278 agreement with Transport for London to undertake the highways works required for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer).
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement Of Development
	<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
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Cover letter – Lichfields 30 Oct 2020; Site location Plan 18066-SQP-A-20-1240 rev P0; Proposed Lower Ground Floor Plan 18066-SQP-A-20-1206 rev P1; Proposed Lower Ground Mezzanine Plan 18066-SQP-A-20-1207 rev P0; Proposed Ground Floor Plan 18066-SQP-A-20-1200 rev P0; Proposed First Floor Plan 18066-SQP-A-20-1201 rev P0; Proposed Second Floor Plan 18066-SQP-A-20-1202 rev P0; Proposed Third Floor Plan 18066-SQP-A-20-1203 rev P0; Proposed Roof Plan 18066-SQP-A-20-1204 rev P1; Proposed Section AA 18066-SQP-A-20-1210 rev P1; Proposed Section BB 18066-SQP-A-20-1211 rev P0; Proposed East Elevation 18066-SQP-A-20-1220 rev P1; Proposed West Elevation 18066-SQP-A-20-1221 rev P1; Proposed North Elevation 18066-SQP-A-20-1222 rev P0; Proposed South Elevation 18066-SQP-A-20-1223 rev P0; Affordable workspace and shared facilities GIA 18066-20-1280 dated 23 April 2021</p> <p>Planning Statement – Lichfields Oct 2020; Air Quality Assessment v2 – EB7 16 Oct 2020; Daylight Sunlight Report – Lumina 15 Sept 2020; Additional overshadowing study - Lumina received 7 Jun 2021; Additional daylight assessment - Lumina received 10 Jun 2021; Delivery and Servicing Management Plan Final rev B – Motion 6 Oct 2020; Swept Path Analysis Delivery Vehicles 1810055-TK01 dated 8 Jan 2021; Design and Access Statement – Squire & Partners Sept 2020; Ecological Impact Assessment Report number 1311/1 – Green Environment Consultant updated Sept 2020; Energy Statement – DSA Engineering January 2021; Flood Risk Assessment and Drainage Strategy Report rev 02 – Heyne Tillett Steel Sept 2020; Drainage Strategy Report Addendum dated March 2021 Framework Construction Management Plan Final rev B - Motion 6 Oct 2020; Framework Travel Plan Final rev A - Motion 6 Oct 2020; Green Performance Plan Issue 01 - Hurley Palmer Flatt received 15 Feb 2021; Heritage, Townscape and Visual Impact Assessment – Lichfields 20 Oct 2020; Historic Assessment – Montagu Evans Oct 2020; Operational Waste Management Plan Issue 02 – Hurley Palmer Flatt 15 Oct 2020; Plant Noise Assessment 18/0628/R2 rev 2 – Cole Jarman 7 Jan 2021; Sustainable Design & Construction Statement Issue 01 – Hurley Palmer Flatt Oct 2020; Transport Statement Final rev B - Motion 6 Oct 2020; Tree survey, Arboricultural Impact Assessment and Arboricultural Method Statement - Martin Dobson Associates 25 Sept 2020; Archaeological Desk Based Assessment - Pre-Construct Archaeology Oct 2020, Basement Impact Assessment rev P03 – Heyne Tillett Steel 29 Oct 2020</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and</p>

	the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
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.</p> <p>The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including a sample panel of proposed brickwork showing the colour, texture, facebond and pointing to be provided on site) b) window treatments (including sections and reveals) to a scale of at least 1:10; c) doors to a scale of at least 1:10; d) roofing materials; e) balustrading treatment (including sections); f) signage area(s) in the façade; g) Green Procurement Plan; g) 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.</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	Details of façade retention (Details)
	<p>CONDITION: No development (including demolition works) shall take place unless and until a method statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include details of the safety and stability of the building fabric to be retained on the site (including any immediately adjoining neighbouring structures) and details of how the retained fabric/façade(s) shall be supported and protected throughout the period of demolition and construction works.</p> <p>The demolition and construction and the retention and protection method(s) shall be carried out strictly in accordance with the method statement so approved and all retained building fabric shall be supported and protected as such for the duration of the works.</p> <p>REASON: To ensure that the retained façade(s) are satisfactorily supported and protected during the construction phase.</p>
5	Recording of historic asset prior to demolition (Details)
	<p>CONDITION: No demolition works shall take place unless and until a recording of the historical significance and photographic record of the existing building(s) has been submitted to and approved in writing by the Local Planning Authority. The recording shall include (but not be limited to):</p> <ul style="list-style-type: none"> a) historical photographs (both external and internal) plus a record of the sources used; b) historical and recent drawings, map evidence and written records that record the historical development of the site; c) any artefacts and/ or samples or environmental evidence found during assessment and demolition d) assessment and analysis of the results; and e) proposals from the investigating expert for an appropriate level of publication and dissemination of the results dependent on what is found. <p>REASON: In the interests of capturing a documentary record of buildings to help the understanding of our past and to assist in future planning.</p>
6	Historic features removed and reinstated (Details)
	<p>CONDITION: No works shall commence unless and until the following item(s)/historic feature(s) have been carefully removed and stored under cover in a secure place and written confirmation</p>

	<p>given to the Local Planning Authority of the item(s) removed and their location:</p> <p>a) Decorative coin door handles on east elevation b) Decorative roundels above second floor windows on east elevation</p> <p>The removed items shall be reinstated in a manner, location and to a timetable as agreed in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
7	Shopfront design (Details)
	<p>CONDITION: Detailed drawings in respect of the following, shall be submitted to and approved by the Local Planning Authority prior to the relevant part of the works commencing on site:</p> <p>a) Proposed shopfront (scale 1:20) b) Details of the shopfront windows, architraves, doors and other details (scale 1:5) c) Glazing bar profiles (scale 1:2)</p> <p>The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
8	Roof Level Structures (Details)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, acoustic screening, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area, and to protect neighbouring amenity.</p>
9	Construction and Environmental Management Plan (Details)
	<p>CONDITION: No development shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London.</p> <p>The Construction and Environmental Management Plan shall set out the measures proposed to ensure demolition and construction will be undertaken in a manner which does not cause harm to the amenity of nearby occupiers, pedestrian or highway safety and shall include:</p> <p>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;</p>

- 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;
- i) Details of measures taken to prevent noise disturbance to surrounding residents;
- j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;
- k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception);
- l) Details as to how safe and convenient vehicle access will be maintained for neighbouring sites at all times, including emergency service vehicles;
- m) Details as to how neighbour amenity impacts arising specifically from the proposed basement and foundations will be minimised;
- n) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;
- o) 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) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register <https://nrmm.london/usernrmm/register> prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

The report shall assess the impacts during the preparation and construction phases of the development on Upper Street and 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 CEMP must refer to the new LBI Code of Practice for Construction Sites. The CEMP shall specify the hours of construction, vehicle movements are restricted to take place outside of the peak times of 8am-10am and 4pm and 6pm. It should also provide details on method of demolition, quiet periods and noise mitigation.

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

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

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

10	Servicing and Delivery Plan (Details)
	CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.

	<p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
11	Sound insulation (Details)
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The sound insulation and noise control measures shall achieve the following internal noise targets:</p> <p style="padding-left: 40px;">Ground borne noise shall not exceed 40dB $L_{Amax,s}$ as measured in the centre of any office rooms (including affordable workspace) at lower ground floor level</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To mitigate the potential ground borne noise generated from the operation of London Underground underneath the site and to ensure that the internal office environment is acceptable.</p>
12	Green roofs (Compliance)
	<p>CONDITION: The proposed green/blue roofs hereby approved shall be installed as per the details shown within the approved plans and the Drainage Strategy Addendum dated March 2021.</p> <p>The approved green/blue roofs shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation. They shall be shall be designed, installed and maintained in a manner that meets the following criteria:</p> <p>a) green roofs shall be biodiversity based with extensive substrate base (depth 120 -150mm); b) laid out in accordance with plans hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The green/blue roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency, and shall be maintained as such thereafter. The mix of species shall be selected based on the recommended list set out Appendix 2 of the Environmental Design SPD 2012.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
13	Solar Photovoltaic Panels (Details)
	<p>CONDITION: Prior to the commencement of superstructure works on site, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> - Location; - Area of panels; - Design (including elevation plans); and - How the design of the PVs would not adversely affect the provisions of green roofs on site

	<p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
14	Lighting (Details)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted.</p> <p>These measures include:</p> <ul style="list-style-type: none"> • Automated roller blinds; • Lighting strategies that reduce the output of luminaires closer to the façades; • Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
15	Rainwater/Greywater recycling (Details)
	<p>CONDITION: Details of the rainwater/greywater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
16	Piling Method Statement (Details)
	<p>CONDITION: No piling shall take place until a Piling Method Statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
17	Bird and Bat Nesting Boxes (Details)
	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of superstructure works, details of bird and bat boxes shall be submitted and approved by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, 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>
18	<p>BREEAM (Details)</p> <p>CONDITION: No occupation shall take place until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that all business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than "Excellent".</p> <p>The proposal would also need to demonstrate how they will achieve all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required.</p> <p>No building shall be occupied until a final Certificate has been issued certifying that the highest feasible BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.</p> <p>Reason: To ensure that the development achieves the highest feasible BREEAM rating level to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p>
19	<p>Plant Equipment (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>The development shall be carried out strictly in accordance with the scheme prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
20	<p>Plant equipment - Post-Installation Verification (Details)</p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 19. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
21	<p>Inclusive Design (Details)</p> <p>CONDITION: All inclusive design measures identified within the application submission shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>Further details on the following points shall be submitted and approved in writing by the Local Planning Authority and installed prior to first occupation of the development hereby approved:</p> <p>a) the firefighting strategy and how the needs of disabled people has been addressed including details of refuge areas;</p> <p>b) accessible cycle storage;</p>

	<p>c) ambulant WC d) automated doors e) evacuation lift f) stair lift (for the access to mezzanine floors) g) mobile scooter storage and charging point</p> <p>The inclusive design measures shall be retained as such in perpetuity.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
22	Cycle parking (Compliance)
	<p>CONDITION: The details of cycle facilities set out in section 5.10 of the Design and Access Statement (prepared by Squire & Partners Sept 2020) shall be installed prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
23	Refuse and Recycling (Compliance)
	<p>CONDITION: The details of refuse storage facilities set out in section 5.10 of the Design and Access Statement (prepared by Squire & Partners Sept 2020) shall be provided prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
24	Secured by Design (Compliance)
	<p>CONDITION: Notwithstanding the approved plans and documents, prior to superstructure works commencing of the development hereby approved, the development shall achieve Secured by Design - Commercial Development accreditation. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
25	Restriction of PD rights - Class E to residential (Compliance)
	<p>Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</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>
26	Restriction of office use (Compliance)
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office use. The building hereby approved shall only be used for office use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent</p>

	<p>Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in 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 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 (Employment Growth Area). This would allow the Council to retain control over the change of use of the building in the future and to secure an appropriate balance of uses, and ensure that the availability of a range of workspaces to support the delivery of economic growth within the borough.</p>
27	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
28	No Plumbing or Pipes (Compliance)
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the northern external elevation of the building hereby approved.</p> <p>REASON: To ensure that such plumbing and pipes would not detract from the appearance of the building, the character and historic significance of the area.</p>
29	Restricted use - roof terrace (Compliance)
	<p>CONDITION: The third floor roof terrace on the hereby approved (drawing ref 18066-SQP-A-20-1203) shall not be used for any purpose except as an ancillary outdoor space in association with the office use (Class E(g)(i)).</p> <p>The roof terrace hereby approved shall not operate outside the hours of:</p> <p>0800 to 1900 hours Monday to Friday</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policy DM2.1 of Islington's Development Management Policies 2013.</p>
30	Basement Excavation Inspection and Monitoring (Compliance)
	<p>CONDITION: The development shall be constructed in accordance with the approved Basement Impact Assessment and Structural Methodology Statement rev.P03 dated 29/10/2020.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) with relevant experience shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with Council's Basement Development SPD.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
31	Flat Roofs (compliance)
	<p>CONDITION: With the exception of the third floor roof terrace in relation to condition 29, the flat roofs of the development hereby approved shall not be used as amenity spaces and shall not be accessed other than for maintenance.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected.</p>

32	Green walls (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, provision of green/brown walls shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <ul style="list-style-type: none"> a) how the extent of green/brown walls has been maximised b) details of planting system and maintenance of the walls <p>The green walls shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>

List of Informatives:

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Car-Free Development
	INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
4	Roof top plant
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
5	Construction works
	Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
6	Highways Requirements - TfL
	If during the works, any of the construction activities would encroach into TfL highway, the applicant will need to agree a licence with TfL: https://tfl.gov.uk/info-for/urban-planning-and-construction/our-land-and-infrastructure/highway-licences . The licence would also include any protective measures during construction and re-instatement requirements, once the hoarding or scaffolding is removed and protective measures during construction. If changes are proposed to TfL highway, the applicant would need to agree them via a S278 https://tfl.gov.uk/info-for/urban-planning-and-construction/transport-assessment-guide/highway-works

7	Secured by Design:
	You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.
8	Fire Safety
	It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on Building Control@islington.gov.uk .
9	Thames Water - surface water
	Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services
10	Thames Water - works near sewers
	If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes .
11	Thames Water - groundwater discharge
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk . Please refer to the Wholesale; Business customers; Groundwater discharges section

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and Development Management Policies 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

1 Planning London's Future - Good Growth

- GG1** Building strong and Inclusive Communities
- GG2** Making best use of land
- GG5** Growing a good economy
- GG6** Increasing efficiency and resilience

2 Spatial Development Patterns

- SD6** Town centres and high streets
- SD7** Town centres: development principles and Development Plan Documents

3 Design

- D3** Optimising site capacity through the design-led approach
- D4** Delivery good design
- D5** Inclusive Design
- D11** Safety, security and resilience to emergency
- D12** Fire safety
- D13** Agent of Change
- D14** Noise

6 Economy

- E1** Offices
- E2** Providing suitable business space
- E3** Affordable workspace
- E9** Retail, markets and hot food takeaways
- E11** Skills and opportunities for all

7 Heritage and Culture

- HC1** Heritage conservation and growth
- HC3** Strategic and Local Views

8 Green Infrastructure and Natural Environment

- G1** Green Infrastructure
- G5** Urban Greening
- G6** Biodiversity and access to nature
- G7** Trees and woodlands

9 Sustainable Infrastructure

- SI1** Improving air quality
- SI2** Minimising greenhouse gas emissions
- SI3** Energy Infrastructure
- SI4** Managing heat risk
- SI5** Water infrastructure
- SI7** Reducing waste and support the circular economy
- SI12** Flood risk management
- SI13** Sustainable drainage

10 Transport

- T1** Strategic approach to transport
- T2** Healthy streets
- T3** Transport capacity, connectivity and safeguarding
- T4** Assessing and mitigating transport impacts
- T5** Cycling
- T6** Parking
- T6.2** Office parking
- T6.5** Non-residential disabled persons parking
- T7** Deliveries, servicing and construction
- T9** Funding transport infrastructure through planning

11 Funding the London Plan

- DF1** Delivery of the Plan and Planning Obligations

B) Islington Core Strategy 2011

Spatial strategy

- CS5** Angel and Upper Street

- CS11** Waste
- CS13** Employment Spaces
- CS14** Retail and services

Strategic Policies

- CS8** Enhancing Islington's character
- CS9** Protecting and Enhancing Islington's Built and Historic Environment
- CS10** Sustainable Design

CS15 Open space and green infrastructure

Infrastructure and Implementation

CS18 Delivery and Infrastructure

C) Development Management Policies June 2013

2 Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage
- DM2.5** Landmarks

4 Shops, culture and services

- DM4.6** Local Shopping Areas
- DM4.8** Shopfronts

5 Employment

- DM5.1** New business floorspace
- DM5.4** Size and affordability of workspace

6 Health and open space

- DM6.1** Healthy development
- DM6.5** Landscaping, trees and biodiversity
- DM6.6** Flood prevention

7. Energy and Environmental Standards

- DM7.1** Sustainable design and construction statements
- DM7.3** Decentralised Energy Networks
- DM7.4** Sustainable design standards
- DM7.5** Heating and cooling

8. Transport

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

9. Infrastructure

- DM9.1** Infrastructure
- DM9.2** Planning obligations
- DM9.3** Implementation

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Basement development (January 2016)
- Development Viability (January 2016)
- Environmental Design (October 2012)
- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Planning Obligations (Section 106) (December 2016)

London Plan

- Crossrail Funding (March 2016)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- Planning for Equality and Diversity in London (October 2007)

Emerging Islington Local Plan Policies

The following policies are considered relevant to the site and this application:

Strategic and Development Management Policies

- PLAN1** Site appraisal, design principles and process
- SP4** Angel and Upper Street
- SC3** Health Impact Assessment
- B1** Delivering business floorspace
- B2** New business floorspace
- B4** Affordable workspace

- T1** Enhancing the public realm and sustainable transport
- T2** Sustainable Transport Choices
- T3** Car-free development
- T4** Public realm
- T5** Delivery, servicing and construction

B5 Jobs and training opportunities
R1 Retail, leisure and services, culture and visitor accommodation
R4 Local Shopping Areas
S1 Delivering Sustainable Design
S2 Sustainable Design and Construction
S3 Sustainable Design Standards
S4 Minimising greenhouse gas emissions
S5 Energy Infrastructure
S6 Managing heat risk
S7 Improving Air Quality
S8 Flood Risk Management
S9 Integrated Water Management and Sustainable Drainage
S10 Circular Economy and Adaptive Design

DH1 Fostering innovation and conserving and enhancing the historic environment
DH2 Heritage assets
DH3 Building heights
DH4 Basement development
DH5 Agent of change, noise and vibration
DH7 Shopfronts
ST1 Infrastructure Planning and Smarter City Approach
ST2 Waste
ST3 Telecommunications, communications and utilities equipment
ST4 Water and wastewater infrastructure

Appendix 3 – DRP comments



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Our ref: Q2019/3383/DRP

Date: 03 July 2020

Dear Dennis,

ISLINGTON DESIGN REVIEW PANEL

RE: 218 Upper Street, London (pre-application ref: Q2019/0970/MJR)

Thank you for attending Islington's Design Review Panel meeting on 16th June for a follow-up third review of the above scheme. The meeting was held virtually on Zoom due to the restrictions relating to the Covid-19 pandemic. The proposed scheme under consideration is for the demolition of the existing building and the erection of a 4 storey building (plus extended basement and rooftop plant) incorporating the retained ground floor shop frontage to provide office floorspace (officer's description).

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. The scheme was reviewed by Richard Portchmouth (Chair), Dorian Crone, Stephen Archer and Charles Thomson on 16th June 2020, including a presentation by the development team followed by a question and answer session and discussion of the proposals at the offices of the London Borough of Islington. There was no site visit as this was a third review. The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

Panel's observations

Principle of adaptation or demolition

In response to the Panel's request for further justification and studies to evidence the need for demolition of the bank building under DRP2, the Design Team included a structural options appraisal in their presentation to the Panel.

The Panel considered the three structural options – (1) full retention of the building with refurbishment and extension; (2) retention of the front façade with the building's structure demolished behind; and (3) retention of just the ground floor – in the context of their previous position, which is that the existing building is one of inherent architectural quality that contributes positively to the townscape and setting of the conservation area, and so should be treated as a non-designated heritage asset (of a quality worthy of local listing).

The Panel's opinions were varied regarding the acceptable extent of demolition. Some members maintained, as in the last review, that there had not been adequate evidence provided that the

building could not be retained and adapted. They recognised that the existing down stand beams on the upper floors were a constraint in terms of servicing the existing building, however, they considered that this was not overwhelming justification for the demolition of the upper storeys and structure of a non-designated heritage asset. They suggested that a more heritage-led and sustainable approach ought to be taken, however, they did state that should clear and convincing justification be made as to why the building could not be refurbished, Option 2 (retaining the entire front façade) might be acceptable on balance. This view was not unanimous and another member felt Option 3 (the retention of just the ground floor shopfront) was a satisfactory response to the site having considered the information supplied.

Design of proposed replacement building

Notwithstanding the extent of demolition and retention of the existing building, the Panel offered the following observations on the proposed replacement building.

Height, bulk, mass

The Panel welcomed the reduced floor to ceiling heights of the proposed building, which has had the benefit of lowering the parapet of the building on the Upper Street elevation as well as slightly reducing the overall mass of the building. They also welcomed the redesigned roof form which has been amended so as to be more slender and orthogonal in plan.

Detailed design

The Panel considered that the latest iteration of the fenestration to the first and second floors, had successfully evoked the spirit of the original building and was more sympathetic to the scale of the façade than in previous reviews. However, they also commented that the large plate glazing that would form the 4th storey extension appeared to be out of scale with the rest of the building. It was suggested that the 'ABA' rhythm of the fenestration on the lower levels ought to be reflected in the bays of the plate glazing, which would have the benefit of reducing the scale of the extension when viewed from Compton Terrace.

Impact on neighbouring properties

The Panel remained concerned about the scale and mass of the building with regards to its impact on the sunlight and daylight amenity to the mews building directly behind the site. Based on the information supplied by the consultant Lumina London Limited, the Panel was satisfied that the latest proposal would have a better daylight/sunlight impact towards the neighbours than the DRP2 scheme. However, they noted that there are still three minor breaches (>20% loss, in breach of the BRE guidance) on both VSC and Daylight Distributions at 18-21 Edwards Mews. They urged the Design Team to continue to revise the scheme to further reduce the impact on those residents.

Summary

Overall the Panel considered that this iteration of the proposals was a satisfactory and more elegant evocation of the original bank building, and that the Design Team had successfully revised the scheme to complement the proportions and order of the retained shopfront. They advised further revisions to the fourth storey extension were needed in terms of the arrangement of its fenestration, and felt the daylight/sunlight impacts are outstanding issues to be revisited by the Design Team.

That being said, as stated by the Chair, it was clear that a consensus regarding the principle of demolition had not been reached by the Panel. On this matter they advised that greater justification for the demolition of the building would be required, and that this would have to be balanced against the public benefit of the proposals as the scheme continues to be refined.

Confidentiality

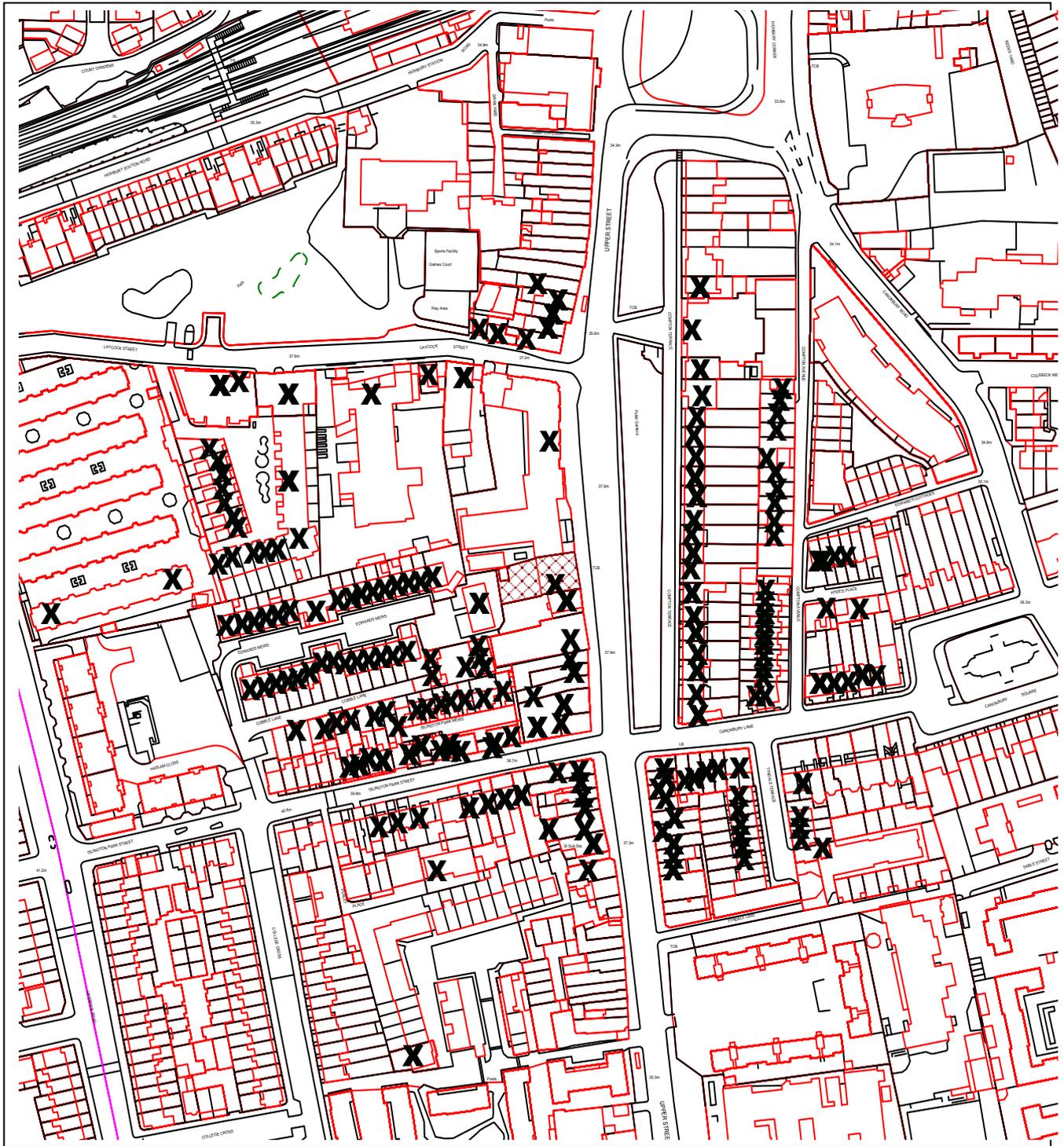
Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in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

Yours sincerely,

Emma Lawrence

Design Review Panel Coordinator
Design & Conservation Deputy Team Manager

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