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## **AGENDA FOR THE PLANNING SUB COMMITTEE A**

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Members of the Planning Sub Committee A are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD - Islington Town Hall on, **12 July 2021 at 7.30 pm.**

Enquiries to : Zoe Lewis  
Tel : 020 7527 3486  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 2 July 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](mailto:enquiriesplanning@islington.gov.uk).**

### Committee Membership

Councillor Khondoker (Chair)- Highbury West;  
Councillor Woolf (Vice-Chair)- Canonbury;  
Councillor Clarke - St George's;  
Councillor Jackson - Holloway;  
Councillor Klute - St Peter's;

### Wards

### Substitute Members

Councillor Chowdhury - Barnsbury;  
Councillor Convery - Caledonian;  
Councillor Hyde - Caledonian;  
Councillor Ibrahim - Highbury West;  
Councillor Kay - Mildmay;  
Councillor Khurana - Tollington;  
Councillor Nathan - Clerkenwell;  
Councillor North - St Peter's;  
Councillor Picknell - St Mary's;  
Councillor Poyser - Hillrise;  
Councillor Wayne - Canonbury;  
Councillor Williamson - Tollington;

Quorum: 3 councillors



**A. Formal Matters**

**Page**

1. Introductions
2. Apologies for Absence
3. Declarations of Substitute Members
4. Declarations of Interest

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

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

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

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

**\*(a) Employment, etc** - Any employment, office, trade, profession or vocation carried on for profit or gain.

**(b) Sponsorship** - Any payment or other financial benefit in respect of your expenses in carrying out duties as a member, or of your election; including from a trade union.

**(c) Contracts** - Any current contract for goods, services or works, between you or your partner (or a body in which one of you has a beneficial interest) and the council.

**(d) Land** - Any beneficial interest in land which is within the council's area.

**(e) Licences**- Any licence to occupy land in the council's area for a month or longer.

**(f) Corporate tenancies** - Any tenancy between the council and a body in which you or your partner have a beneficial interest.

**(g) Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

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

5. Order of Business
6. Minutes of Previous Meeting

<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	East-West Community Nursery St Luke's Open Space	9 - 28
2.	Jean Stokes Community Hall, Coatbridge House, Carnoustie Drive, London, N1 0DX	29 - 50
3.	West Library, 107 Bridgeman Road, Islington, London, N1 1BD	51 - 68

**C. Consideration of other planning matters**

**D. Urgent non-exempt items (if any)**

Any non-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.

**E. Exclusion of press and public**

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

**F. Confidential/exempt items**

**G. Urgent exempt items (if any)**

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

**Date of Next Meeting:** Planning Sub Committee A, 6 September 2021

**Please note all committee agendas, reports and minutes are available on the council's website: [www.democracy.islington.gov.uk](http://www.democracy.islington.gov.uk)**

**WEBCASTING NOTICE**

This meeting will be filmed by the Council for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

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

In addition, the Council is obliged by law to allow members of the public to take photographs, film, audio-record, and report on the proceedings at public meetings. The Council will only seek to prevent this should it be undertaken in a disruptive or otherwise inappropriate manner.

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## **PROCEDURES FOR PLANNING SUB-COMMITTEES**

### **Planning Sub-Committee Membership**

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

### **Order of Agenda**

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

### **Consideration of the Application**

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

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

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

### **What Are Relevant Planning Objections?**

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

**For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Ola Adeoye/Zoe Lewis on 020 7527 3044/3486. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing [enquiriesplanning@islington.gov.uk](mailto:enquiriesplanning@islington.gov.uk).**



# Public Document Pack Agenda Item A6

London Borough of Islington

## Planning Sub Committee A - 4 May 2021

Minutes of the meeting of the virtual Planning Sub Committee A held on 4 May 2021 at 7.30 pm.

**Present:**      **Councillors:**      Picknell (Chair), Poyser (Vice-Chair), Clarke and Convery

### Councillor Angela Picknell in the Chair

**167**      **INTRODUCTIONS (Item A1)**

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

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

Apologies were received from Councillor Ismail.

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

There were no declarations of substitute members.

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

Councillor Picknell declared that Item B5 – South Library, 115-117 Essex Road was in her ward.

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

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

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

**RESOLVED:**

That the minutes of the meeting held on 22 March 2021 be confirmed as an accurate record of proceedings and the Chair be authorised to sign them.

**173**      **AMBLER PRIMARY SCHOOL, 80 BLACKSTOCK ROAD, LONDON, N4 2DR (Item B1)**

Single storey side extension to existing outbuilding (block D) located to the west of the site to provide 2 no. additional new rooms (3 total) comprising of a sensory circuit room, work room and a sensory room with disabled toilets.

(Planning application number: P2020/2122/FUL)

In the discussion the following points were made:

- A member queried whether the sub-committee could ask the applicant to install a sensory garden. The planning officer advised that the sub-committee could only consider the planning application that had been submitted but he could write to the school and ask if they would consider this. A member asked that ward councillors be emailed about this too.
- In response to a member's question about security lighting and cameras, the planning officer advised that none were proposed and any additional lighting would likely require planning permission.
- A member commented that although there would be a loss of 9sqm playspace, the benefits of the scheme outweighed the loss.

Councillor Clarke proposed a motion for the planning officer to write to the school asking that they consider installing a sensory garden and copy in the ward councillors. 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 and submitted representations and objections, planning permission be granted subject to the conditions and informative set out in Appendix 1 of the officer report and that the planning officer write to the school as detailed above.

174

**LAND AND ACCESS WAYS REAR OF 13-27 COWCROSS STREET, LONDON, EC1M 6DR (Item B2)**

Routing of power cable from Denmark House in to Cowcross Yard and the installation of 7 no. in-ground power sockets.

(Planning application numbers: P2020/1390/FUL and P2020/1431/LBC)

In the discussion the following point was discussed:

- In response to an objector's concern about access through a private alleyway, the legal officer advised that if there was a private right of way this was a private matter for the landowners. The planning officer stated that this was a civil matter outside of planning and was not considered as part of the report. However, if planning permission was granted, an informative on this matter could be included.

Councillor Poyser proposed a motion to add an informative to state that access to the alleyway was a civil matter. This was seconded by Councillor Clarke 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 and listed building consent be granted subject to the conditions set out in Appendix 1 of the officer report and the informative set out above.

[During this item Councillor Convery had to take an urgent phone call. He therefore had not heard all of the item and following legal advice he did not take part in the voting on this item.]

**175**      **LAND AND ACCESS WAYS REAR OF 13-27 COWCROSS STREET, LONDON, EC1M 6DR (Item B3)**

Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week for a further 3 years. (Temporary Planning permission previously granted P2019/1744/FUL 01/08/19). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only.

(Planning application number: P2020/1687/FUL)

In the discussion the following points were made:

- The planning officer advised that two further objections had been submitted.
- In response to a member's question about vehicles using the site, the planning officer advised that there would be no more than 13 gazebo/vehicle stalls at any one time.
- In response to a member's question about the water supply being drinking water, the applicant confirmed that there would be an accessible source of water on site but each vendor would also be required to bring their own water. The trading policy had been updated to accommodate the Covid rules.
- A member asked whether the land was all private land and whether this meant planning was the principal form of regulatory control and was advised that this was the case.
- A member asked about enforcement and the planning officer advised that if a member of the public or councillor notified officers of a breach, this would be investigated.
- The planning officer stated that minor changes had been made to the Operation Management Plan and condition 7 sought further details to be submitted.
- In response to a member's question, the planning officer advised that the design and conservation team had been consulted and had raised no objections to the scheme.
- Generators not being used was welcomed by members.
- In response to questions from members about limiting the size of vehicles, the planning officer stated that Condition 9 could be amended to define the size of the vehicular spaces. The applicant requested that the wording should not require the applicant to submit details prior to operation as they wanted to begin trading as soon as possible.

Councillor Picknell proposed that Condition 9 be amended to define the size of the vehicular spaces with the wording delegated to officers in consultation with the chair. This was seconded by Councillor Poyser and carried.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee and 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 with condition 9 amended as above with the wording delegated to officers in consultation with the chair.

[During this item Councillor Convery had to take an urgent phone call. He therefore had not heard all of the item and following legal advice he did not take part in the voting on this item.]

176

**PRIOR WESTON PRIMARY SCHOOL, GOLDEN LANE CAMPUS, 101  
WHITECROSS STREET, LONDON, EC1Y 8JA (Item B4)**

Retrospective planning permission for the retention of the existing 8 no. floodlights attached to existing columns associated with the use of the existing Multi Use Games Area, to provide an outdoor playspace for the school's children until 8.00pm Monday to Fridays only.

(Planning application number: P2020/1842/FUL)

In the discussion the following points were made:

- The planning officer stated that a further objection had been received in relation to noise pollution, impacts on neighbouring properties and the suggestion that hours be reduced to 6pm. The points raised were addressed in the report.
- A member asked why planning permission was being sought up to 8pm if the facility was just being used by the school. The planning officer advised that this time had been requested, public protection had raised no concerns and there had been no complaints submitted since the original consent had been granted.
- Members discussed the difference in light emission between the four floodlights approved previously and the eight floodlights proposed. The planning officer stated that advancements in lighting technology made the light easier to direct and control and there would be less lightspill. The applicant stated that the advancements in technology meant that having the eight lights would reduce the level of light pollution by 50%.
- Members discussed the use of light sensors. The applicant stated that controls were in a tamper-proof box so could not be overridden. The light dropped by 50% five minutes before they were due to go out.
- The proposal would benefit the children at the school.

**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 set out in Appendix 1 of the officer report.

**177**     **SOUTH LIBRARY, 115-117 ESSEX ROAD, LONDON, N1 2SL (Item B5)**

Proposed works, including repairs and alterations to the existing external roofs of the South Library to prevent further water ingress and to provide permanent safe access for future repair and maintenance by inclusion of a fall restraint system

(Planning application numbers: P2021/0335/FUL and P2021/0353/LBC)

In the discussion the following point was made:

- A member commented that the building needed protecting and the application was policy compliant.

**RESOLVED:**

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

**178**     **ANY OTHER BUSINESS**

Councillor Picknell was thanked for her work as Chair of Planning Sub-Committee A.

The meeting ended at 9.00 pm

**CHAIR**

**WORDING DELEGATED TO OFFICERS IN CONSULTATION WITH THE CHAIR**

**MINUTE 174**

**LAND AND ACCESS WAYS REAR OF 13-27 COWCROSS STREET, LONDON, EC1M 6DR**

**INFORMATIVE:** You are reminded that the use of the alleyway beneath Denmark House and its accessibility to the public is a civil matter between freeholders and cannot be controlled by the Local Planning Authority via the planning process.

**MINUTE 175**

**LAND AND ACCESS WAYS REAR OF 13-27 COWCROSS STREET, LONDON, EC1M 6DR**

**AMENDED CONDITION 9:** Notwithstanding the hereby approved plans, the use of temporary generators is prohibited. Vehicles operating as a stall within the market hereby approved shall be no larger than 5m long x 2.5m wide and engines shall be turned off at all times whilst the market is in operation.

**REASON:** To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity in terms of noise, odour and pollution.

## Schedule of Planning Applications

PLANNING COMMITTEE - Monday 12 July, 2021

### COMMITTEE AGENDA

**1 East-West Community Nursery St Luke's Open Space**  
Mitchell Street  
London  
EC1V 3QD

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**2 Jean Stokes Community Hall**  
Coatbridge House  
Carnoustie Drive  
London  
N1 0DX

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**3 West Library**  
107 Bridgeman Road  
Islington  
London  
N1 1BD

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**1 East-West Community Nursery St Luke's Open Space**  
Mitchell Street  
London  
EC1V 3QD

**Application Number:** P2021/0613/FUL

**Ward:** Bunhill

**Proposed Development:** Erection of a new single storey replacement modular building to accommodate Bright Start early childhood services.

**Application Type:** Full Planning Application

**Case Officer:** Ross Harvey

**Name of Applicant:** Mr Matt Ireland

**Recommendation:**

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**2 Jean Stokes Community Hall**  
Coatbridge House  
Carnoustie Drive  
London  
N1 0DX

**Application Number:** P2021/1456/FUL

**Ward:** Caledonian

**Proposed Development:** Change of use of basement from ancillary estate management use to an amalgamated use with the ground floor as a community centre (Use Class F2), together with the erection of single storey ground floor extension to the front with associated external ramp, access, landscaping and ancillary facilities including bike storage, toilets, shower and changing facilities.

**Application Type:** Full Planning Application

**Case Officer:** Richard Smith

**Name of Applicant:** Mr Jerry Dillon

**Recommendation:**

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**3 West Library  
107 Bridgeman Road  
Islington  
London  
N1 1BD**

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**Application Number:** P2021/1470/LBC

**Ward:** Caledonian

**Proposed Development:** Refurbishment of the West Library vacant first floor room (135sqm) into a youth employment and support hub, including lift access, toilets and associated works. (Full planning application also submitted ref:P2021/1466/FUL).

**Application Type:** Listed Building (Council's Own)

**Case Officer:** Claire Sutton

**Name of Applicant:** Jerry Dillon

**Recommendation:**

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### PLANNING COMMITTEE REPORT



<b>PLANNING SUB COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	12 July 2021	<b>NON-EXEMPT</b>	

Application number	P2021/0613/FUL
Application type	Full Planning
Ward	Bunhill
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	Bunhill & Clerkenwell Core Strategy Key Area Central Activities Zone Bunhill & Clerkenwell Finsbury Local Plan Area Article 4 Direction A1-A2 (Rest of Borough) Article 4 Direction B1(c) to C3 Heathrow Safeguarding Area Finsbury Local Plan Site Allocation – BC12 Finsbury Leisure Centre
Licensing Implications	None
Site Address	East-West Community Nursery St Luke's Open Space, Mitchell Street, London, EC1V 3QD
Proposal	Erection of a new single storey replacement modular building to accommodate Bright Start early childhood services.

Case Officer	Ross Harvey
Applicant	Lewis Ashley Group
Agent	Lewis Arren Design Studio

#### 1. RECOMMENDATION

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

## 2. SITE PLAN (Site outlined in red)



**Image 1: Site Location Plan (outlined in red)**

### 3. PHOTOS OF SITE/STREET



**Image 2:** Aerial view looking south



**Image 3:** View the application site from Mitchell Street (pre-existing)

### 4. SUMMARY

- 4.1 Planning permission is sought for the erection of a single storey modular building to accommodate Bright Start early childhood services. The building replaces a similar sized nursery building which was removed from the site in December 2020. The proposed building will be in situ for a temporary period for three years.
- 4.2 The main considerations in this assessment include the impact of the proposals on the character and appearance of the wider streetscene and nearby heritage assets as well as safeguarding the amenity levels of the adjacent and nearby residential properties.
- 4.3 The proposed modular building will be of the same footprint and height as the pre-existing building and will not facilitate an increased intensification of the nursery (Use Class E(f)) use. The proposals have been amended to incorporate an improved cladding material, utilising timber instead of composite wood-like cladding.
- 4.4 It is considered that the overall scale and detailed design of the proposals are acceptable subject to full specification and staining of the timber cladding being submitted to and approved by the Local Planning Authority.

- 4.5 It is considered that the proposal would not give rise to neighbouring amenity concerns beyond the pre-existing situation at the site. It is noted that the proposed building will incorporate a generous setback from Mitchell Street, allowing for a large buffer between the nursery use and the nearest residential properties to the south.
- 4.6 Conditions are recommended to ensure that the existing onsite trees are maintained and protected during construction.
- 4.7 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is known as the East West Community Nursery and is situated on the northern side of Mitchell Street immediately adjacent to Bunhill Energy Centre to the west and the Finsbury Leisure Centre to the north and east. The site is currently vacant and having recently contained a single storey nursery building.
- 5.2 The property is not situated within a Conservation Area, nor does it contain any locally or statutorily listed buildings. The St Luke's Conservation Area is within close proximity to the east of the site. The Grade II Listed Helmet Row and St Luke's Church are also within close proximity to the southeast of the site. The surrounding area consists of predominantly commercial uses and multi-unit housing within a mixture of new build developments, mid-20<sup>th</sup> century properties and 18<sup>th</sup>-19<sup>th</sup> century buildings. Several main bus routes operate along Central Street to the west and Old Street to the south. Old Street Station is also easily accessible approximately 500m from the application site.

## **6. PROPOSAL (in detail)**

- 6.1 Temporary planning permission is sought for the erection of a new single storey modular building. The proposed new building would cover a similar footprint to the pre-existing nursery and utilise the existing access ramps already in situ. The proposed building would have an overall height of 3.8m and would be set significantly back from Mitchell Street, with the main entrance onto a pedestrian route through the Finsbury Leisure Centre. Amendments have been received during the application consideration, with a timber clad finish proposed rather than the 'timber effect composite cladding' initially proposed.
- 6.2 The proposed modular building will house Bright Start early childhood services to Islington children under 5 and their families. Bright Start services are coordinated and delivered by Islington Council, Whittington Health and other key council and voluntary sector partners working with families in the area. Bright Start provides activities, support and advice for families from pregnancy – age 5 in order to reduce stressors and build resilience for children, families and communities. The applicant has confirmed that the use of the building will be for a similar number of occupants (30 people) as the previous modular building and that the proposals do not represent an intensification of the site. The old East West Community Nursery building was removed in December 2020. It is understood that the local area has good provision for daycare/child nurseries and that there is demand for the services/activities offered within the proposed modular building.
- 6.3 As the proposed building would occupy the same footprint as the pre-existing building, the proposals do not include the removal of any trees.
- 6.4 It is understood that the proposed building would be needed for a minimum of two years and temporary planning permission is sought for a period of three years.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS

- 7.2 P121687 - Certificate of Lawfulness (existing) in connection with the established use of the East West Nursery (Class D1). **Approved** 08/10/2021
- 7.3 P120982 - Creation of gate within the existing boundary fence separating the nursery from Mitchell Street and laying of paving to provide fire escape access. Reinstatement works to the western boundary of the site following removal of existing fire escape in this location. **Approved** with conditions 05/07/2012

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to 182 occupants of adjoining and nearby properties on 12/03/2021. A site notice and press advert were also displayed. The initial public consultation exercise expired on 11/04/2021. A second public consultation exercise was undertaken due to the change in description of the development. The letters sent to neighbouring residents stated that the second consultation period expired on 24 June 2021. However, a second site notice and press adverts were also displayed, which states an expiry date of the 11 July 2021.
- 8.2 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing this report, **no comments** had been received from the public with regards to the application.

### Internal Consultees

- 8.3 **Design and Conservation Officer:** No objections in principle. Concerns raised regarding increased footprint, inactive elevation onto the public footpath to the north and lack of existing elevations and sections.  
*Officer Comment: The applicant has confirmed that the proposed windows are to the necessary specification required. While larger window openings were considered, these were dismissed due to the need to install roller shutters to larger windows and the subsequent appearance of the building.*
- 8.4 **Tree Officer:** No objections subject to a pre-commencement condition for a Tree Protection Plan to ensure that facilitation and development works do not encroach into tree protection areas
- 8.5 **Inclusive Design Officer:** Provision of 1 cycle parking space per 3 staff members to cater for both staff and parents should be provided. Step leading out onto the grassed area should be changed to a ramp. Contrasting colour for door and frame should be used for main entrance. It should be ensured that the entry phone system is at suitable height for wheelchair users.

## 9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

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

## **Development Plan**

- 9.9 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 9.10 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Bunhill & Clerkenwell Core Strategy Key Area
  - Central Activities Zone
  - Bunhill & Clerkenwell Finsbury Local Plan Area
  - Article 4 Direction A1-A2 (Rest of Borough)
  - Article 4 Direction B1(c) to C3
  - Heathrow Safeguarding Area

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

## **Emerging Policies**

### **Draft Islington Local Plan 2019**

- 9.12 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination, consultation on pre-hearing modifications took place from 19 March to 9 May.
- 9.13 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.14 Emerging policies relevant to this application are set out below:
- Policy PLAN1 – Site appraisal, design principles and process
  - Policy SC1 – Social and Community Infrastructure
  - Policy DH1 – Fostering innovation and conserving and enhancing the historic environment
  - Policy G4 – Biodiversity, landscape design and trees
  - Policy H2 – Heritage assets
  - Policy DH5 – Agent-of-change, noise and vibration
  - Site Allocation BC4 - Draft Islington Bunhill and Clerkenwell Area Action Plan 2019
- 9.15 The site is also identified within Islington's Draft Local Plan, Bunhill and Clerkenwell Area Action Plan (September 2021 as Site Allocation BC4: Finsbury Leisure Centre.

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Neighbouring Amenity including sunlight/daylight and noise pollution
- Transport including servicing and deliveries
- Other issues

### Land Use

10.2 The current lawful use of the property is Class E (f) (formerly D1). The temporary building would replace former the East West Nursery building, which occupied the site until December 2020. The proposal would occupy a similar building footprint and utilise the existing access ramps. The facilities would be required for a 36 month period. The proposals would not facilitate an intensification of the Class E(f) use on site, and would be occupied to the extent of the previous building (30 children/parents).

10.3 The provision of the replacement facility would continue to provide a social infrastructure use at the site. Development Management Policy DM4.12 is supportive of new social and community infrastructure provision. Policy DM4.12C sets out criteria for new social infrastructure, which must:

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

10.4 The proposed modular building would continue to serve the local community, is located in a highly accessible location, provides an accessible building and would complement the surrounding residential, commercial and leisure centre uses. The proposed facility would provide Bright Start activities and services for families (parents and children attending together), rather than operating as a traditional childcare/nursery. The previous nursery building was removed in December 2020, with no re-provision since this time. It is considered that due to the temporary nature of the building/use and that it re-provides a social infrastructure use on the same site, the proposed use is acceptable and that the Class E (f) use provide suitable flexibility for other social infrastructure uses.

10.5 Policy S3 of the London Plan 2021 supports the retention of education facilities and the enhancement of facilities for educational purposes. It states under Part C that '*Development proposals should ensure that there is no net loss of education or childcare facilities, unless it can be demonstrated that there is no ongoing or future need.*

10.6 Whilst the proposals do not facilitate the creation of any additional nursery floorspace, the retention of the Use Class E(f) is supported by the Islington Development Management Plan and the London Plan 2021 and is therefore acceptable in land use terms. Notwithstanding this, The Town and Country Planning (Use Classes) Regulations were amended on 1<sup>st</sup> September 2020. Prior to this the existing and proposed floorspace was considered D1 (Non-residential institutions). The amended Use Class regulations omit the former Use Classes D1 and introduces a new Use Class E, which encompasses various D1 and D2 uses, together with many other town centre uses. Whilst the proposals retain social infrastructure, it is considered that other alternative Class E uses would not be appropriate at this site. The newly introduced Class E includes potential noise generating uses such as shop, restaurant and office. The application has not been accompanied by any supporting information to justify the use of the site as anything other than Class E(f) and, as mentioned above, the retention of the existing social infrastructure use is considered appropriate in this instance. As no information has been submitted with the application to demonstrate that

alternative Use Class E occupiers would be appropriate on this site, a condition restricting the operation of the proposed modular building to Use Class E(f) has therefore been recommended.

- 10.7 The application site is located within Site Allocation BC12 of the Finsbury Local Plan 2013 and is proposed Site Allocation BC4 within the Draft Islington Bunhill and Clerkenwell Area Action Plan 2019. The site allocations identify the wider Finsbury Leisure Centre site for redevelopment, and together with Policy BC1 of the Finsbury Local Plan support the provision of community and nursery uses at the site. Notwithstanding this, the proposed temporary building also takes account of the site allocation.

## **Design**

### *Site and Policy Context*

- 10.8 Core Strategy Policy CS9 states that 'high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive'.
- 10.9 Islington's Planning Policies and Guidance encourage high quality design which complements the character of an area. In particular, policy DM2.1 of Islington's adopted Development Management Policies requires all forms of development to be high quality, incorporating inclusive design principles while making a positive contribution to the local character and distinctiveness of an area based upon an understanding and evaluation of its defining characteristics.
- 10.10 The UDG provides guidance on how urban design principles should be applied to ensure that new development successfully contributes to making the borough a better place. It is applicable to all new developments, including alterations and extensions to existing buildings.

### *Scale and Massing*

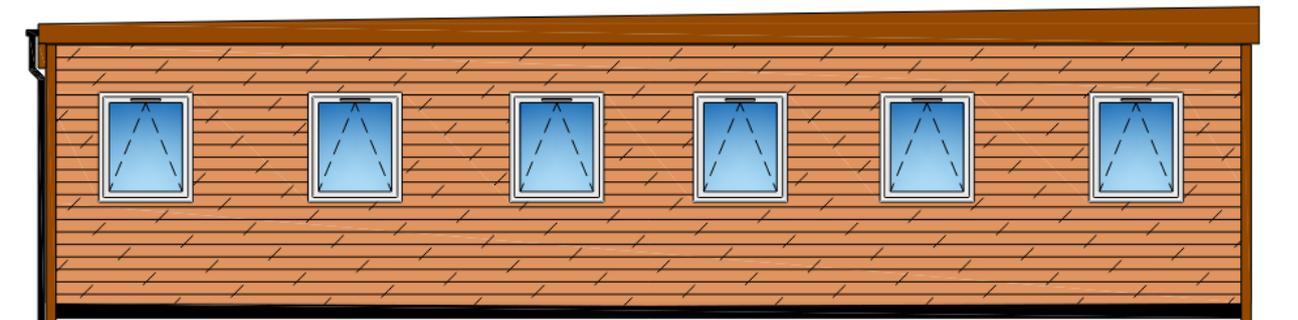
- 10.11 The application site is not situated within a conservation area. However, it is within a historically sensitive location, with a Grade II Listed Building nearby on the southern side of Mitchell Street and the Grade II Listed St Luke's Church and its gardens nearby to the east. The application property is also well vegetated and contains several good quality trees. Careful consideration of the proposed building and its visual impact on the surrounding character of the site is therefore required.



**Image 4:** Proposed South Elevation (looking towards Mitchell Street)



**Image 5:** Proposed North Elevation



**Image 6:** Proposed Side Elevation

10.12 The proposed building would be constructed to a similar footprint as the previous East West Community Nursery Building, and would utilise existing ramps which remain in situ. The proposed height of the building is 3.8m, which is consistent with the previous building that occupied the site until December 2020. The proposed building would be set back from Mitchell Street, deep into the wider Finsbury Leisure Centre Site.

10.13 The proposal would be modest in scale and massing, particularly given its consistency with the previous nursery building that occupied the site. This modest single storey scale, together with the siting of the building deep into the leisure centre side would reduce any potential visual impacts from Mitchell Street. Whilst the proposals will be highly visible from the public footpath within the wider leisure centre site, it is noted that the proposed siting is consistent with the previous nursery building and it would have a modest scale framed by planting and football pitches. While the building would be visible in longer private views it's modest scale and siting amongst the sports facilities is such that it would not be overly prominent.



**Image 7:** View of pre-existing modular building from adjacent football pitches to the north

#### *Detail Design/Materials*

- 10.14 The initial proposals for the building included the use of a ‘timber effect’ composite cladding. This was considered a poor quality material. Due to the simple design of the building it is considered that a higher quality finish was required. The scheme has been amended to incorporate timber cladding, which would be similar in design and appearance to the adjacent Bunhill Energy Centre. The alternative cladding is considered acceptable subject to details being submitted of an appropriate staining and/or finish to the timber. Subject to this condition, the materials are considered to be appropriate within the context.
- 10.15 Officers have raised concerns regarding the proposed window arrangements and inactivity to the principle elevation. While an alternative solution with large window openings was presented by the applicant, for security reasons this would necessitate the installation of roller shutters. The alternative solution was not considered appropriate. While the relatively inactive frontage is regrettable, the need for limiting openings into the proposed facility is understood, and together with the temporary nature of the building and active surrounding uses, it is considered to be acceptable in this case.
- 10.16 Overall the proposals are considered acceptable in design terms subject to the full details of the timber cladding being agreed. The proposals would be constructed to a similar height, footprint and siting as the pre-existing modular building and are therefore considered to be in compliance with Development Management Policy DM2.1, and the Islington Urban Design Guide SPD.

#### **Neighbouring Amenity**

- 10.17 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.18 Development Management Policy DM2.1 (part x) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook. Paragraph 2.13 states that the design and layout of buildings must enable sufficient sunlight and daylight to penetrate into and between buildings, and ensure that adjoining land or properties are protected from unacceptable overshadowing. This supporting text goes on to specifically reference relevant guidance prepared by the Building Research Establishment (BRE).

- 10.19 The proposed building would be limited to a single storey and is not within the immediate proximity to residential uses, with the properties opposite the site on Mitchell Street located in excess of 20m from the front elevation. The proposed new modular building would therefore not impact on the amenities of neighbouring occupiers in terms of loss of light, privacy or sense of enclosure.
- 10.20 With regard to noise and disturbance, the use is established at the site and the proposal would not result in an intensified use from the former use of the site. It is anticipated that the use would be in operation during the hours of 8am to 6pm Monday to Friday with some activities also occurring on Saturdays. A condition limiting the use of the site to 8am to 6pm Monday to Saturday would therefore be considered appropriate to further alleviate any potential noise issues to neighbouring residential occupiers. It is also noted that the site is adjacent to sporting facilities to the east and north that are utilised during the evenings.

### **Accessibility**

- 10.21 Policy DM2.2 and the Inclusive Design SPD, seeks to ensure developments provide for ease of and versatility in use and deliver safe, legible and logical environments. In this regard the Design and Planning Statement confirms that the proposal would conform to the requirements of Part M of the Building Regulations and to DDA (Disability Discrimination Act) requirements, and in terms of the refurbishment of the existing building as much as is practical.
- 10.22 The Council's Inclusive Design Officer raised a number of concerns with the proposal in respect of ramp gradient and the use of handrails. It should be noted that the existing in situ ramps will be used. A condition is recommended requiring compliance with Part M of the Building Regulations and that handrails are incorporated into the access ramp.
- 10.23 Overall it is considered that the proposal would be acceptable in regard to the Council's objectives in relation to Inclusive Design.

### **Transport, Servicing and Refuse Arrangements**

- 10.24 The servicing and delivery arrangements for the new building would remain as existing, with servicing taking place through the main entrance and vehicles parking on Central Street.
- 10.25 It is noted that bin store locations are not shown on the submitted drawings. It is understood that waste will be stored and collected in accordance with the existing arrangements on site. Waste will therefore be collected by the Islington Council Waste Collection Service and it is anticipated that the collection point would be via Mitchell Street.
- 10.26 Policy DM8.4C seeks to ensure developments provide cycle parking in accordance with the minimum standards set out in Appendix 6. For community uses such as this Appendix 6 requires storage for 1 cycle per 3 members of staff (available to staff and visitors) be provided. As such, 8 number of cycle parking spaces are required. This policy advises that cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, and conveniently located, adequately lit, step-free and accessible.
- 10.27 Although details of cycle parking have not been submitted, the site has sufficient space for the requisite provision. A condition is recommended requiring the submission of details of cycle parking prior to the first occupation of the building.

### **Landscaping and Trees**

- 10.28 The Councils Arboricultural Officer was consulted during the assessment of the application. Concerns were initially raised regarding the impact on trees along the western boundary of the site due to the plans detailing a larger building footprint to the building removed. However, the plans were updated to accurately detail the use of the existing building footprint. Due to the building using the pre-existing footprint and having the same height as the former building, no concerns are raised regarding the impact to trees, subject to a condition requiring the submission of a Tree Protection Plan.

## 11. SUMMARY AND CONCLUSION

### Summary

- 11.1 The design and scale of the proposed building is consistent with the pre-existing nursery building and is considered acceptable, subject to a condition requiring details of the timber finish to be submitted. The Class E(f) (Creche, day nursery or day centre (not including a residential use) use of the site is established and the proposal would not result in an intensified use of the site that would detrimentally impact upon the amenity of neighbouring occupiers. As such, the proposed development is considered to accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and material considerations being the National Planning Policy Framework and as such is recommended for approval subject to conditions.

### Conclusion

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<p><b>Temporary Permission</b></p> <p>CONDITION: The hereby approved single storey modular building is granted only for a limited period, being 36 months from the issue of this permission. After that date, shall be removed unless further consent has been obtained from the Local Planning Authority.</p> <p>REASON: The temporary consent is such that the Local Planning Authority has a period to monitor noise and other operational management issues (waste management; deliveries) in order to protect amenity of both residential and commercial premises that abut the site</p>
<b>2</b>	<p><b>Approved plans list</b></p> <p>CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Dwg (10)-04 Rev PR1; Dwg (100)-02 Rev P1; Dwg (00)-01 Rev S2</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<p><b>Materials (Details)</b></p> <p>CONDITION: Details and specifications of the timber cladding and its staining/finish shall be submitted to and approved in writing by the Local Planning Authority prior to any construction works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<p><b>Tree Protection Plan (Details)</b></p> <p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage.</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.</li> <li>c. Details of construction within the RPA or that may impact on the retained trees.</li> <li>d. a full specification for the installation of boundary treatment works.</li> <li>e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification.</li> </ol> <p>Details shall include relevant sections of the scheme.</p>

	<p>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</p> <p>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.</p> <p>h. a specification for scaffolding and ground protection within tree protection zones.</p> <p>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</p> <p>j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires</p> <p>k. Boundary treatments within the RPA</p> <p>l. Methodology and detailed assessment of root pruning</p> <p>m. Reporting of inspection and supervision</p> <p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>
<b>5</b>	<b>Tree Retention (Compliance)</b>
	<p>CONDITION: No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner during the development phase and thereafter within 5 years from the date of occupation of the building for its permitted use, other than in accordance with the approved plans and particulars or as may be permitted by prior approval in writing from the local planning authority.</p> <p>REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.</p>
<b>6</b>	<b>Inclusive Design/Accessibility (Compliance)</b>
	<p>CONDITION: The temporary building and its associated access pathways and ramps, including any necessary handrails, shall comply as far as possible with the requirements of the Inclusive Design in Islington SPD and where appropriate the Building Regulations Approved Documents M.</p> <p>REASON: In the interest of securing acceptable access arrangements.</p>
<b>8</b>	<b>Hours of Use (Compliance)</b>
	<p>CONDITION: The temporary modular building hereby approved shall not operate outside the hours of:</p> <p>8:00am - 18:00pm Monday to Saturday</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

<b>9</b>	<b>Cycle Parking (Details)</b>
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of the development onsite.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>10</b>	<b>Use Class (Compliance)</b>
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (Amendment) (England) Regulations 2020, the temporary modular building hereby approved shall be used only for the Creche, day nursery or day centre (not including a residential use) and not for any other purpose listed within Use Class E (other than Class E (f)) of the Town and Country Planning (Amendment) (England) Regulations 2020.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in the interests of the use of the building within a local shopping area and the amenity of the adjoining neighbours.</p>

#### List of Informatives

<b>1</b>	<p>INFORMATIVE: You are reminded of the need to comply with legislation outside the realms of the planning legislation including Building Regulations, Environmental Regulations (including noise and litter), Inclusive Design etc.</p>
<b>2</b>	<p>INFORMATIVE: The following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>a. BS: 3998:2010 Tree work – Recommendations</li> <li>b. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</li> </ul>

## **APPENDIX 2: RELEVANT POLICIES**

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

### **1. National Guidance**

The National Planning Policy Framework 2019 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have 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, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

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

Policy D4 Delivering good design  
Policy D14 Noise  
Policy S3 Education and childcare facilities

#### **B) Islington Core Strategy 2011**

Policy CS 8 – Enhancing Islington’s character  
Policy CS 9 - Protecting and enhancing Islington’s built and historic environment  
Policy CS 10 – Sustainable Design  
Policy CS 11 – Waste  
Policy CS 18 – Delivery and Infrastructure

#### **C) Development Management Policies June 2013**

Policy DM2.1 – Design  
Policy DM2.2 – Inclusive Design  
Policy DM2.3 - Heritage  
Policy DM4.12 – Social and Strategic infrastructure and cultural facilities

#### **D) Finsbury Local Plan 2013**

Policy BC1 – King Square and St Luke’s  
Policy BC8 – Achieving a Balanced Mix of Uses

### **3. Designations**

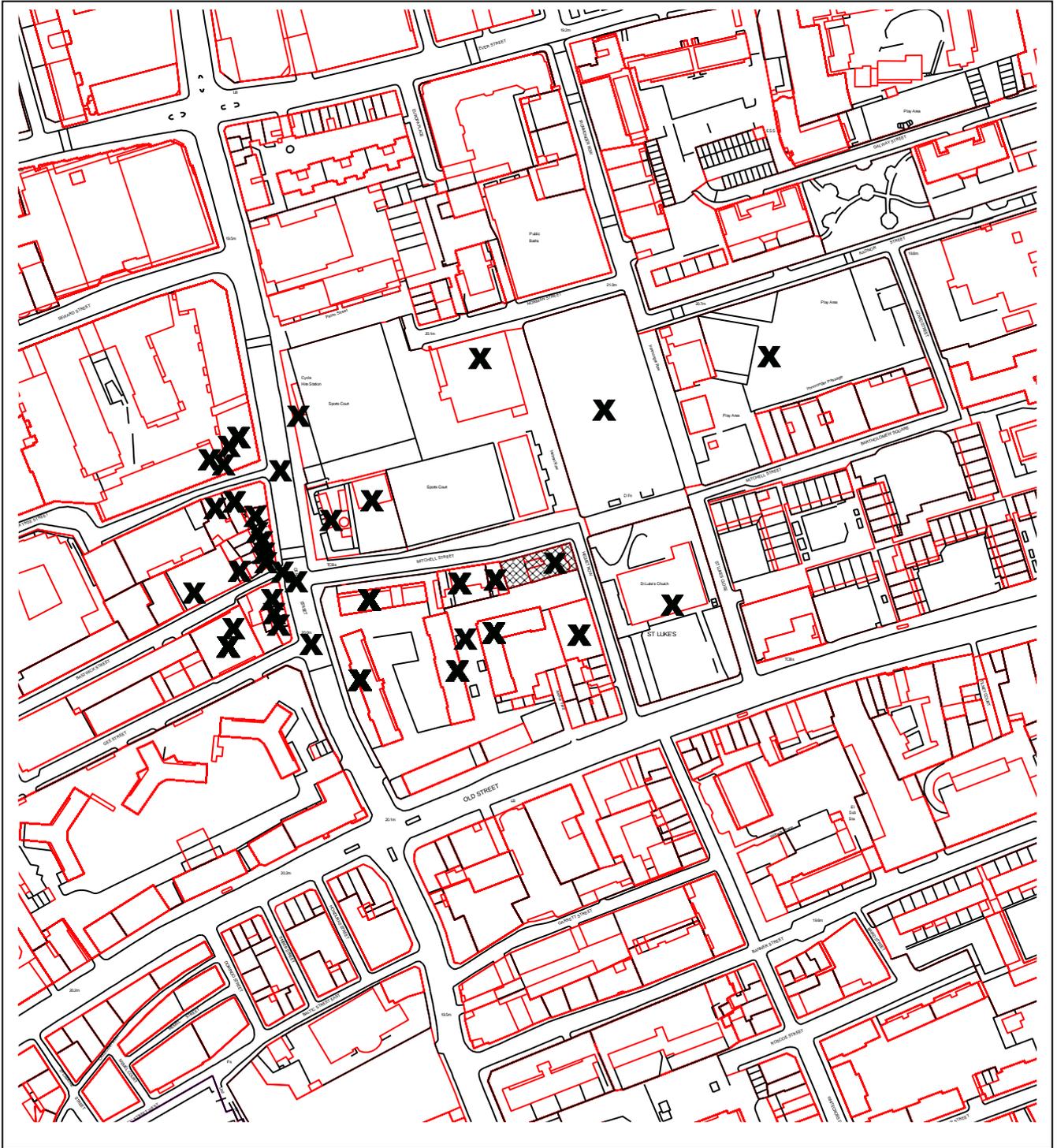
- Bunhill & Clerkenwell Core Strategy Key Area
- Central Activities Zone
- Bunhill & Clerkenwell Finsbury Local Plan Area
- Article 4 Direction A1-A2 (Rest of Borough)
- Article 4 Direction B1(c) to C3
- Heathrow Safeguarding Area
- Site Allocation – BC12 of Finsbury Local Plan

### **4. SPD/SPGS**

Urban Design Guidelines

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# Islington SE GIS Print Template



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P2021/0613/FUL

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### PLANNING COMMITTEE REPORT



<b>PLANNING SUB COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	12 <sup>th</sup> July 2021	<b>NON-EXEMPT</b>

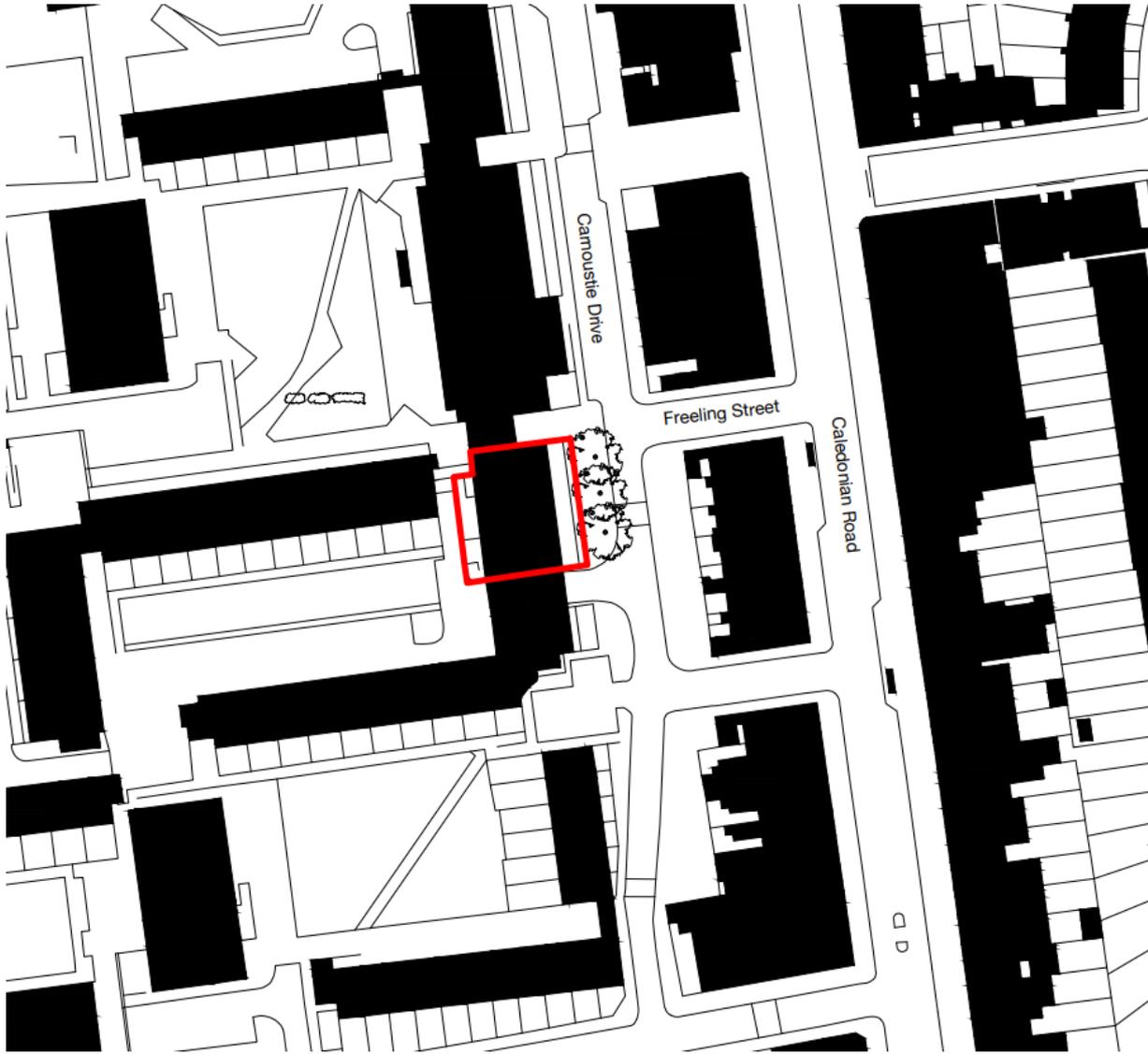
Application number	P2021/1456/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	Unlisted
Conservation area	No
Development Plan Context	Kings Cross & Pentonville Road Core Strategy Key Area Within 50m of Barsnbury Conservation Area Within 100m of a SRN Road Article 4 Direction (A1-A2 – Town Centres) Local Views from Archway Road and Archway Bridge
Licensing Implications	None
Site Address	Jean Stokes Community Hall, Coatbridge House, Carnoustie Drive, London, N1 0DX.
Proposal	Change of use of basement from ancillary estate management use to an amalgamated use with the ground floor as a community centre (Use Class F2), together with the erection of single storey ground floor extension to the front with associated external ramp, access, landscaping and ancillary facilities including bike storage, toilets, shower and changing facilities and associated alterations.

Case Officer	Richard Smith
Applicant	Mr Jerry Dillon
Agent	Public Works Group

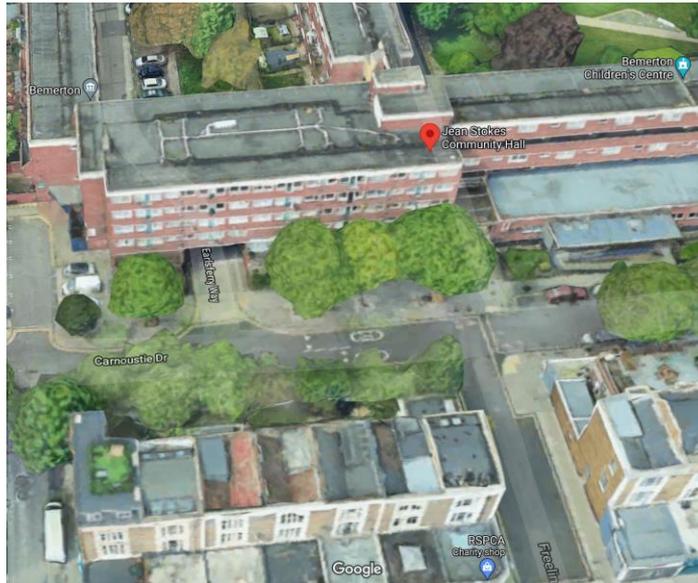
#### 1. RECOMMENDATION

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

2. SITE PLAN (SITE OUTLINED IN RED)



### 3. PHOTOS OF SITE/STREET



**Image 1:** Aerial view facing west



**Image 2:** Photo showing existing building

### 4. SUMMARY

- 4.1 The application seeks planning permission for the change of use of the existing basement from an ancillary estate management use to an amalgamated use with the ground floor as a community centre (Use Class F2). As part of the development, it is proposed to erect a single storey ground floor extension to the front of the existing building with an associated external ramp, access, landscaping and ancillary facilities including bike storage, toilets, shower and changing facilities.
- 4.2 The proposal would result in the loss of an estate management use, ancillary to the wider residential estate, within the basement. However, the loss of this pre-existing use is considered acceptable on balance given the relocation of the pre-existing use elsewhere within the estate and wider borough, the five year vacancy of the the basement , the uplift and renovation of the existing community centre and the benefits of improved facilities for the community and the wider area, such as moving away from a 'hall-for-hire' model to a drop-in multi-purpose hub for community life. The benefits include support services for residents experiencing difficulties and/or prevent difficulties occurring; and providing chances for people to come together with a common purpose and taking part in community group activities, as part of the Council's 'We Are Cally' programme.

- 4.3 The design of the proposed development is considered in keeping with the visual appearance of the building which would be extended and the existing buildings within the application site. It is therefore compliant with Islington Core Strategy (2011) CS8 and CS9 policies, DM2.1, DM2.3, DM4.12 of the Development Management Policies (2013), the Urban Design Guide (2017).
- 4.4 The proposal is considered to not detrimentally impact the amenity of the occupiers of neighbouring properties, the wider public highway network and biodiversity.
- 4.5 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.

## 5. SITE AND SURROUNDINGS

- 5.1 The application site is located in the west side of Carnoustie Drive between the public highways of Story Street and Freeling Street, which lead onto Caledonian Road to the east.
- 5.2 The existing Jean Stokes Community Centre is located on the ground floor level of Coatbridge House, which is a residential block of flats within the Bemerton Estate constructed towards the late 1960's and early 1970's. The building is five stories high plus basement constructed largely of red brick.
- 5.3 The site is not within a conservation area, nor is there any listed buildings within the site or within close proximity. However, it is adjacent to the Barnsbury Conservation Area to the east.
- 5.4 The site is within the Kings Cross & Pentonville Road Core Strategy Key Area. The site can be accessed from Carnoustie Drive by pedestrians and vehicles to the front and also from a side basement access from Earlsferry Way.

## 6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the change of use of the existing basement from an ancillary estate management use (comprising ancillary offices for estate management and community development staff and a base for estate caretakers) to an amalgamated use with the ground floor as a community centre (Use Class F2). As part of the development, it is proposed to erect a single storey ground floor extension to the front of the existing building with an associated external ramp, access, landscaping and ancillary facilities including bike storage, toilets, shower and changing facilities.

## 7. RELEVANT HISTORY:

### *PLANNING APPLICATIONS*

**P030368** – Internal and external alterations (including relocation of main entrance onto Carnoustie Drive with associated steps and ramp) in connection with:

- i. refurbishment of existing nursery;
- ii. provision of offices and ancillary space for 'Sure Start' Centre and
- iii. provision of community centre

### **Approved with conditions 31.07.2003**

**P2014/0515/FUL** – Creation of secondary stair entrance to Jean Stokes Community Hall in place of existing window opening fronting Carnoustie Drive. Main entrance to remain as existing.  
**Approved 18.07.214**

**P2014/4100/COLP** – Replacing partition walls, relocating toilets, new kitchen, replace suspended ceiling, new floor covering. **Approved 08.12.2014**

## 8. CONSULTATION

### Public Consultation

- 8.1 Letters were sent to occupants of 751 no. adjoining and nearby properties at Carnoustie Drive, Kember Street, Tilloch Street, Freeling Street, Story Street, Caledonian Road, Earlsferry Way, Bingfield Street, Pembroke Street, Stranraer Way, Tayport Close, Airdrie Close, Thornhill Square, Thornhill Crescent and Bridgeman Road on 21<sup>st</sup> May 2021. A Site Notice and Press release was also displayed. The initial consultation period ended on 20<sup>th</sup> June 2021.
- 8.2 A further 14 day re-consultation was also carried out on 14<sup>th</sup> June 2021 and the consultation period ended on 25<sup>th</sup> June 2021.
- 8.3 At the time of the writing of this report one comment of support has been received from the public with regard to the application praising the inspiring initiative and thoughtful design.

### Internal Consultees

- 8.4 **Design and Conservation Officer:** At pre-application stage suggested changes with lighter weight design for external ramp and green roof. These are now proposed.
- 8.5 **Inclusive Design Officer:** Welcomed the significant accessibility improvements to the community building but suggested further changes to be more inclusive.
- 8.6 **Environmental Health Pollution Officer:** No objections, subject to a condition requiring the submission of an Operational Management Plan.
- 8.7 **Highways Officer:** No comment, but no objections received at pre-application advice stage.
- 8.8 **Tree Officer:** No objections following amendments to the Arboricultural Method Statement and Tree Protection Plan.

## 9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

### National Guidance

- 9.1 Islington Council (Planning Sub-Committee A), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990)
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance).
- 9.2 National Planning Policy Framework 2019 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 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.

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

### **Development Plan**

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

### **Designations**

- 9.10 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Kings Cross & Pentonville Road Core Strategy Key Area
  - Within 50m of Barsnbury Conservation Area
  - Within 100m of a SRN Road
  - Article 4 Direction (A1-A2 – Town Centres)
  - Local Views from Archway Road and Archway Bridge

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

### **Emerging Policies**

#### **Draft Islington Local Plan 2019**

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

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 relevant to this application are set out below:

- Policy SP2: King's Cross and Pentonville Road
- Policy H1: Thriving communities
- Policy SC1: Social and community infrastructure
- Policy G4: Biodiversity, landscape design and trees
- Policy G5: Green roofs and vertical greening
- Policy DH1: Fostering innovation and conserving and enhancing the historic environment
- Policy DH2: Heritage asset

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Neighbouring Amenity
- Inclusive Design and Accessibility
- Standard of Accommodation
- Highways and Transport
- Refuse
- Landscaping, trees and biodiversity

### **Land Use**

10.2 The National Planning Policy Framework (NPPF) states that Local Planning Authorities should aim to achieve healthy, inclusive and safe places which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas; and
  - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs.
- 10.3 To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
- a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
  - b) take into account and support the delivery of local strategies to improve health, social and cultural well-being for all sections of the community;
  - c) guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs;
  - d) ensure that established shops, facilities and services are able to develop and modernise, and are retained for the benefit of the community; and
  - e) ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.
- 10.4 Planning policies and decisions should consider the social, economic and environmental benefits of estate regeneration. Local planning authorities should use their planning powers to help deliver estate regeneration to a high standard.
- 10.5 The existing community centre (Use Class F2) occupies the ground floor of Coatbridge House, a five-storey (plus basement) residential housing block. The community centre has a gross internal area of 331 sqm, and a net internal area of 214 sqm. The centre currently consists of a large hall, a semi-professional kitchen, and two meeting rooms. There are toilet facilities inclusive of an accessible toilet. The centre has stepped access to the front of the building, and level access to the rear.
- 10.6 In 2015, the centre was refurbished, with the space reconfigured to provide two meeting rooms alongside the main hall. New toilets and a new kitchen were installed, and the centre was redecorated.
- 10.7 The basement space is below the existing community centre, extending beyond the footprint of the centre. It is currently unoccupied, having been used as ancillary offices for estate management and community development staff and a base for estate caretakers during the period that Bemerton Estate was managed by a tenant management organisation, Bemerton Villages Management Organisation. The basement and ground floor spaces have separate entrances at present, with no interconnection.
- 10.8 The basement has remained underutilised and vacant for five years and the proposal therefore seeks to bring this space back into use with a community function. It is therefore proposed to retain the community centre at ground floor level and extend the use into the basement by way of an internal staircase and lift.
- 10.9 The ground floor will continue to be used for the delivery of community activities, services and events. The basement will provide a combination of community facilities (access to and space to use equipment such as printers, sewing machines, tools and craft equipment), workspace for voluntary and community sector organisations who will run activities and services in the centre, and meeting space.

- 10.10 During the period Bemerton Estate was run by the tenant management organisation, there were office-based jobs previously located in the basement which were estate management roles (4 posts in total), plus caretakers' lockers and changing rooms. The estate management and caretaker posts have been relocated to other local authority premises. Estate management is now run from 222 Upper Street, and caretakers working on the Bemerton Estate now use facilities at Selkirk House and Perth House, other residential buildings on the estate. The basement also provided workspace for community and community development activities (1 post). The redesigned building will provide space for equivalent employment within the context of a community centre with F2 class use.
- 10.11 It is also proposed to relocate the entrance of the community centre to the front of the building and construct a single storey extension to provide a new visible reception and seating area with associated staircases and external ramp.
- 10.12 Islington's Development Management Policy DM4.12(C) states that new social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities, must:
- i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling and public transport;
  - ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;
  - iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and
  - iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.
- 10.13 Islington's social infrastructure (such as community and social spaces), strategic infrastructure and cultural facilities are vital to the identity and function of the borough, as well as its attractive and distinctive character. It is essential that this is maintained and enhanced so that the borough retains its diversity and vitality.
- 10.14 As stated above, the use of the basement ceased some five years ago when management of the estate was brought back into Council management. This use was ancillary to the wider estate and its loss is considered acceptable given that the use has been moved elsewhere within the estate/wider borough and given the length of time that the basement has been vacant for, demonstrating that there is no longer a genuine need for the provision of this ancillary space.
- 10.15 Reusing the space for a community use and expanding the Community Centre is considered to be a significant public benefit that would improve, expand on and complement the existing use, character and social infrastructure of the site. In addition, the refurbishment of the space and enhancement of the front elevation will also bring about benefits for the building, wider estate and community. This would be in accordance with the aims of the National Planning Policy Framework, London Plan and Islington Development Management Policies which support proposals which promote and enhance healthy and safe communities. As discussed further in this report, the proposed development will also avoid adverse impacts on the amenity of surrounding uses.
- 10.16 Therefore, in land use terms, it is considered that the expansion of the community centre into the basement at this location would offer a number of significant policy benefits specific to this proposal, subject to compliance with the requirements of Policy DM4.12C, including the design and amenity impact which will be assessed within the body of this report.

## Class F restrictions

- 10.17 The Town and Country Planning (Use Classes) Regulations were updated on 1st September 2020, with former use classes D1 and D2(e) becoming Class F. This enables buildings to have a number of flexible uses and changes to a use within the same class do not require planning permission.
- 10.18 It is considered that some of the other uses that are encompassed by Class F may not be an appropriate use for the site or within the surrounding local context without the submission of further details and mitigation measures.
- 10.19 As such, a condition is recommended restricting other Class F uses of the Use Class Order 2020. Should any of these uses be proposed, this would require the submission of an application and appropriate supporting documentation.

## Design

- 10.20 Coatbridge House is a residential block of flats within the Bemerton Estate constructed towards the late 1960's and early 1970's. The building is five stories high plus basement constructed largely of red brick with a concrete structural frame, commensurate with the surrounding estate.
- 10.21 It is proposed to relocate the entrance of the community centre to the centre of the front elevation of the building and construct a single storey extension to provide a new visible reception and seating area, together with an associated access ramp, staircases and bike stands.
- 10.22 The extension will be approximately 3.8m to 4.2m in height owing to the existing land levels. The single storey extension will project approximately 4.8m from the front elevation of the existing building. The extension will mainly comprise a powder coated metal structure with glazing. The external stairs and access ramp will also be powder coated metal. The flat roof of the front extension will feature a green roof.
- 10.23 The extension will use existing materials and designs found within the estate, with particular regard to the single storey entrance to the Bemerton Children's Centre to the north and adjacent to the site.
- 10.24 Islington's Development Management Policy 2.1 (Design) has been used to assess the acceptability of this proposal. This policy sets out a number of requirements for acceptable design. The key requirements are as follows:
- 10.25 For a development proposal to be considered acceptable it is required to:
- i) be sustainable, durable and adaptable;
  - ii) be safe and inclusive;
  - iii) efficient use of the site and/or building;
  - iv) improve the quality, clarity and sense of space around or between buildings;
  - v) enhance legibility and have clear distinction between public and private spaces;
  - vi) improve movement through areas, and repair fragmented urban form;
  - vii) respect and respond positively to existing buildings, the streetscape and the wider context, including local architectural language and character and locally distinctive patterns of development and landscape;
  - viii) reinforce and complement local distinctiveness and create a positive sense of place;
  - ix) sustain and reinforce a variety and mix of uses.
- 10.26 It is considered that the development put forward meets this criteria and the principle of a single storey front extension is acceptable in this location.
- 10.27 The proposed extension is considered to create a balance with the existing extension at the Bemerton Children's Centre with the materials matching and/or complementing the existing building. The front extension and ramp is lightweight, well designed and open in appearance. The proposed design, scale and massing is considered acceptable.

- 10.28 Whilst the site is not within a conservation area or within close proximity to listed buildings, the site is adjacent to the Barnsbury Conservation Area. Policy DM2.3B states that new developments within Islington's conservation areas and their settings are required to be of high quality contextual design. Therefore, it is important that the proposal would be in keeping with the visual appearance of the host building to which the application relates, the setting of the Barnsbury Conservation Area and wider streetscene.
- 10.29 The application site fronts Carnoustie Drive and faces the rear elevations and boundaries of the commercial and residential properties along Caledonian Road (which are located within the Barnsbury Conservation Area). The rear of these properties largely comprise car parking for the units along Caledonian Road and a variety of brick and rendered rear boundary walls.
- 10.30 Given the existing buildings within the site, which are more modern additions, and the scale of the extension it would not detrimentally impact on the visual appearance or setting of the adjacent Barnsbury Conservation Area.
- 10.31 The Council's Design and Conservation Team did not object at the pre-application stage and very minor amendments have been made to the proposed design to improve the appearance, namely;
- External ramp has a more lightweight design; and,
  - Green roof added to the flat roof of the extension.
- 10.32 The proposal is considered to be in keeping with the visual appearance of the buildings within the application site and wider streetscene, and is considered compliant with policies CS8 and CS9 of the Islington Core Strategy (2011), DM2.1 and DM2.3 of Development Management Policies (2013) and D1, D3, D4 and HC1 of the London Plan (2021), and is acceptable in design terms.

### **Neighbouring Amenity**

- 10.33 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.
- 10.34 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy D14 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing.
- 10.35 Policy D14 (part A) of the London Plan 2021 states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 10.36 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

### *Daylight/Sunlight and Outlook*

- 10.37 The nearest residential properties to the proposed extension are located at upper floor levels, above the proposed front extension. Given the restricted height of the proposal, which would be single storey at ground floor level, and as there are no residential windows at ground floor or basement level, it is not considered to result in any significant loss of daylight/sunlight or outlook to neighbouring residential properties.

### *Privacy*

- 10.38 The proposal is not considered to result in any significant privacy issues to neighbouring properties over and above the existing situation. The openings and windows are located to the north, east and south elevations of the proposed single storey extension which face on to the existing road to the front of the property.

### *Noise*

- 10.39 The proposal is not considered to result in any significant increase in noise to the surrounding area, given that the community hall at ground floor level is existing and as the proposed uses for the basement (equipment such as printers, sewing machines, tools and craft equipment) would not be high sound generating uses. Such equipment would be confined to the basement and therefore separated from residential units. It is also noted that there is currently a sound limiter at the site.
- 10.40 The applicant has confirmed that the use of the centre and facilities would be restricted to the hours of 8:00am – 22:00pm Monday to Sunday, including bank holidays in exceptional circumstances (for example electoral polling station). Ordinarily, the hours of operation will be between 9.00am – 21.00pm.
- 10.41 Following consultation with the Council's Environmental Health Team Pollution Officer it is recommended that a condition be recommended requiring the submission of an Operational Management Plan prior to the use commencing to control noise impacts.
- 10.42 In terms of the impact during the construction period, the scale of development would not ordinarily require the submission of Construction and Environmental Management Plan, which would be more appropriate for larger or more extensive forms of development. However, Islington Council has a code of practice for small-scale construction work and home improvements which developers need to abide by. The code of practice confirms that the hours of working that sites will be allowed to carry out noisy work between 8am and 6pm, Monday to Friday and 8am and 1pm, Saturdays. It recommends that noisy works must not take place outside of these hours including Sundays and public and bank holidays. In the event that the noisy works were to be carried out outside of the recommended hours the Council's website has details of how to inform the Council's Environmental Health Team to investigate the complaint. An informative has been recommended to remind the applicant of the Council's code of conduct.

### Conclusion

- 10.43 Given the above assessment, together with the comments from the Council's Environmental Health Pollution Officer who has raised no objections to the proposal (subject to condition) it is considered to have an acceptable impact on the amenity impact on neighbouring properties, and the proposal is considered to be compliant with Development Management Policies DM2.1.

### **Inclusive Design and Accessibility**

- 10.44 Policy DM2.2 seeks to ensure that all developments demonstrate that they provide for ease of and versatility in use. The Council's Inclusive Design Officer reviewed the proposal and welcomed the significant accessibility improvements to the community centre, which includes the addition of Sheffield cycle stands to the front, wheelchair/buggy storage and accessible shower facilities.

- 10.45 The Inclusive Design Officer recommended a safe drop off with dropped kerb to the highway to the front; a wider landing on the ramp to allow wheelchair users to pass each other; a landing of 1500x1500 clear of any door swing should be provided; the door needs to have an opening weight of less than 30N or be power operated; and an entry phone should be located within reach of wheelchair users and should communicate both audibly and visually.
- 10.46 The recommendations detailed above are noted, however, it is considered that the scheme has an acceptable level of accessibility and includes significant improvements to the layout of the building, such that it is considered acceptable in this case.
- 10.47 The external ramp has a gradient of 1:16; there is sufficient clearance on the landing for the door; and the internal stairs have winders, however, the internal restrictions do not allow for further changes.
- 10.48 Whilst the Inclusive Design Officer has recommended the provision of a safe drop-off point with a dropped kerb to the front, as the site is already an operating community centre, it is not justified to require further parking for the limited uplift in floor area.
- 10.49 In addition to the above, as the highway falls outside the application site, such provision cannot be secured as part of the scheme, but any future occupier will be able to apply for a designated parking bay in this location. Furthermore, private disabled bays cannot be placed on a public highway. An informative is recommended reminding the applicant of the need to apply separately for any alterations to the highway.

### **Standard of Accommodation**

- 10.50 With regards to the standard of accommodation for the users of the ground floor and basement, it is noted that the basement currently has limited access to natural light. However, as this is an existing situation, there is little scope to increase daylight to the basement and as the basement and ground floor are to be amalgamated into one centre, this is considered to be acceptable on balance.

### **Highways and Transport**

- 10.51 Policy DM8.2 seeks to ensure that development proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. In this instance, basement will be used as an integral part of the existing Community Centre at ground floor level, which is to be renovated. It is therefore considered that the proposal would be used mainly for the local community and would not result in an increase in journeys to and/or from the site via personal transport. In addition, the site is in highly accessible location with very good public transport provision (PTAL – 5 (very good)). The Council's Highways Officer has not provided comment. However, no objections were received during the pre-application advice stage.
- 10.52 The provision of secure, sheltered and appropriately located cycle parking facilities (for staff, resident and visitors) will be expected in accordance with Transport for London's guidance 'Cycle Parking Standards – TFL Proposed Guidelines'. Policy DM8.4 of the DMP seeks cycle parking provision that is greater than TFL's requirements. The requirements are set out in Appendix 6 of that document. The minimum number of cycle parking spaces is 1 per 3 staff (for staff and visitors).
- 10.53 The submitted drawings show the provision of six cycle stands to the front of the site, equating to twelve cycle spaces in total (two to each stand). Given the constraints of the site and the limited uplift in floor area, this is considered acceptable on balance.

## **Refuse**

- 10.54 Waste storage facilities are required to be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with Islington's Core Strategy CS11. Development Management Policies DM8.6 seeks that details of refuse and recycling collection be submitted indicating locations for collection vehicles to wait and locations of refuse and recycling bin stores.
- 10.55 The proposed drawings show a refuse area to the rear of the building at basement level. This area is the existing service area for the building. However, a condition is recommended requiring details of the refuse area to be submitted to the Council prior to occupation of the site.

## **Landscaping, Trees and Biodiversity**

- 10.56 Policy DM6.5A seeks to ensure developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats.
- 10.57 A sedum roof has been proposed to the flat roof of the front extension. Whilst this is welcome addition, the Council would require the sedum/green roof to be biodiversity based with an extensive substrate base planting/seeded with a mix of species with a focus on wildflower planting and contain no more than a maximum of 25% sedum. A condition is recommended to secure this.
- 10.58 There are three existing mature trees present to the front of the site. Whilst it is not proposed to remove these trees, they are within the footprint of the works proposed to the front of the building. Following consultation with the Council's Arboriculture Officer it is considered that the three trees are of a significant high value to the streetscape and are in good condition. Therefore, the trees will need to be maintained and any proposed works surrounding the trees should not detrimentally impact upon the trees and their roots. An Arboriculture Impact Assessment has been submitted as part of this application, which has been subsequently amended following consultation with the Council's Arboricultural Officer to amend the foundations within the root protection areas. Officers now find the proposed development to be acceptable and is considered compliant with the objectives of Policy DM6.5.

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 Overall, it is considered that the proposal would provide a public benefit to the local community and will bring a large disused space back into use with an expansion of social infrastructure at the site. The change of use of the basement to a community centre use would not result in the loss of ancillary estate management use as this pre-existing use has been relocated elsewhere. The proposal is therefore considered acceptable in land use terms.
- 11.2 The proposed external alterations and extension to the front are considered to be in keeping with the visual appearance of the host building and wider application site and streetscene, and is considered acceptable in design terms.
- 11.3 The proposal is considered not to result in any significant loss of amenity to occupiers of neighbouring properties, in terms of loss of daylight/sunlight including light pollution, outlook, or noise and disruption. In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

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

### List of Conditions:

<b>1</b>	<p><b>Commencement</b></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>
<b>2</b>	<p><b>Approved Plans List</b></p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>400 Rev A (Proposed lift and Stair), 013 (Demolition Plan – Basement Floor), 015 Rev A (Proposed Ground Floor Plan), 016 Rev A (Proposed Basement Floor Plan), 017 (Proposed Roof Plan), 035 Rev A (Proposed Elevation), 253-JSCC-S01 (Proposed Sections)</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>
<b>3</b>	<p><b>Materials (Compliance)</b></p> <p>CONDITION: The development shall be constructed in accordance with the schedule of materials noted on the approved plans and within the application form. 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>
<b>4</b>	<p><b>Hours of use (Compliance)</b></p> <p>CONDITION: The hereby approved development shall only be used between the hours of 8:00am – 22:00pm Monday to Sunday, unless otherwise agreed in writing with the Local Planning Authority.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
<b>5</b>	<p><b>Details of bin enclosure (Details)</b></p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <ul style="list-style-type: none"> <li>a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosure(s);</li> <li>b) a waste management plan</li> </ul> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>

6	<p><b>Operational Management Plan (Details)</b></p> <p>CONDITION: An Operational Management Plan detailing how the Community Hall and associated spaces will operate shall be submitted to and approved in writing by the Local Planning Authority prior to the use commencing on site. The report shall assess potential impacts during the use on nearby residents and other occupiers together with means of mitigating any identified impacts. The hall and associated spaces shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To protect the amenity of adjoining residential occupiers.</p>
7	<p><b>Restrict Class F Use (Compliance)</b></p> <p>CONDITION: The use of the building hereby approved, shall only be operated as Use Class F2(b) (Halls or meeting places for the principle use of the local community) of the Town and Country Planning (Use Classes) Order 1987 (as amended)).</p> <p>None of the other uses that would otherwise be permitted by the Town and Country Planning (Use Classes) Order 1987 (as amended) or the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order revoking and re-enacting that order, shall be carried out without planning permission having first been obtained from the Local Planning Authority.</p> <p>REASON: To protect the amenity of adjoining residential occupiers.</p>
8	<p><b>Green/Brown Biodiversity Roof (Compliance)</b></p> <p>CONDITION: The biodiversity (green/brown) roof shall be:</p> <p>a) biodiversity based with extensive substrate base (depth 80-150mm);  b) laid out in accordance with plan no. 017 (Proposed Roof Plan) hereby approved; and  c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
9	<p><b>Tree Protection (Compliance)</b></p> <p>CONDITION: The development, tree retention and protection shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment Report (June 2021), installed/carried out prior to works commencing on site, and shall be maintained for the duration of the works.</p> <p>REASON: To protect the health and stability of trees to be retained on the site and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>

**List of Informatives:**

<b>1</b>	<b>Public Protection code of practice</b>
	<p>The applicant would be expected to comply with Islington's Public Protection Noise Service Code of Practice. Within the guidance, the Council allows building works that generate noise to be carried out between the hours:</p> <ul style="list-style-type: none"><li>• 8am – 6pm (Monday to Friday)</li><li>• 8am – 1pm (Saturday)</li><li>• No audible building works on Sunday or Public Holidays</li></ul>

## APPENDIX 2: RELEVANT POLICIES

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

### 1 **National Guidance**

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

- National Planning Policy Framework 2019

### 2. **Development Plan**

The new London Plan was adopted on the 2nd March 2021. The adopted London plan has now full weight and is it is considered a material consideration. The adopted London Plan policies have been fully taken into account.

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

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

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D5 Inclusive design
- Policy D8 Public realm
- Policy D14 Noise
- Policy S1 Developing London's social infrastructure
- Policy E1 Offices
- Policy E2 Providing suitable business space
- Policy E3 Affordable workspace
- Policy HC1 Heritage conservation and growth
- Policy G7 Trees and woodlands
- Policy T5 Cycling
- Policy T6 Car parking
- Policy T7 Deliveries, servicing and construction

#### **B) Islington Core Strategy 2011**

- Policy CS8 Enhancing Islington's Character
- Policy CS9 Protecting and Enhancing Islington's Built and Historic Environment
- Policy CS10 Sustainable Design
- Policy CS11 Waste
- Policy CS13 Employment Spaces
- Policy CS14 Retail and Services

#### **C) Islington Development Management Policies 2013**

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM2.3 Heritage
- Policy DM4.12 Social and Strategic Infrastructure and Cultural Facilities
- Policy DM5.2 Loss of Existing Business Floorspace
- Policy DM6.5 Landscaping, Trees and Biodiversity
- Policy DM7.1 Sustainable Design and Construction

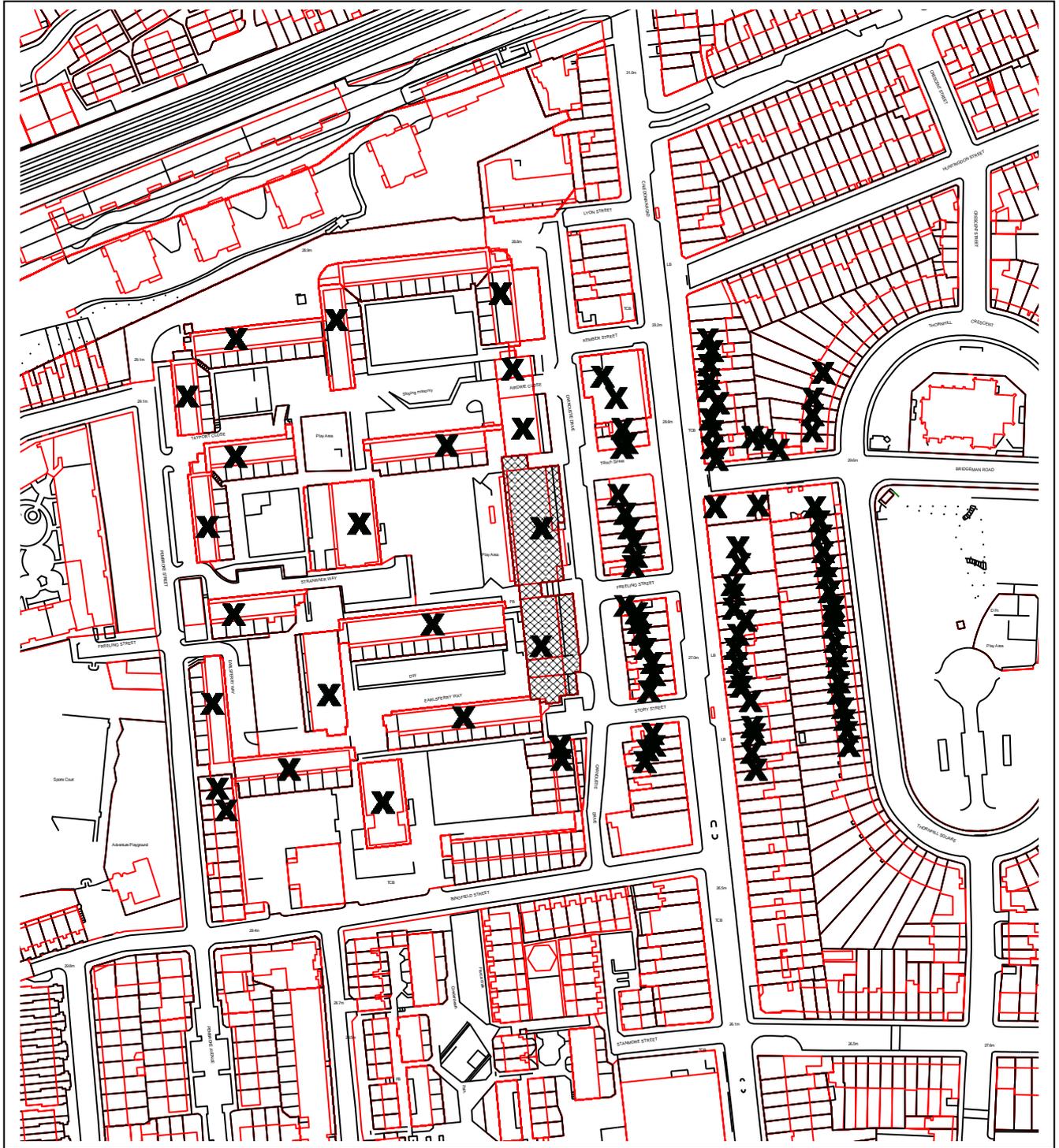
- Policy DM7.2 Energy Efficiency and Carbon Reduction in Minor Schemes
- Policy DM7.4 Sustainable Design Standards
- Policy DM8.4 Walking and Cycling
- Policy DM8.5 Vehicle Parking
- Policy DM8.6 Delivery and Servicing for New Developments
- Appendix 6 Cycling

### **3. Designations**

- Kings Cross & Pentonville Road Core Strategy Key Area
- Within 50m of Barsnbury Conservation Area
- Within 100m of a SRN Road
- Article 4 Direction (A1-A2 – Town Centres)
- Local Views from Archway Road and Archway Bridge

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# Islington SE GIS Print Template



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### PLANNING COMMITTEE REPORT



<b>PLANNING SUB-COMMITTEE A</b>		<b>AGENDA ITEM NO:</b>	
<b>Date:</b>	12 July 2021	<b>NON-EXEMPT</b>	

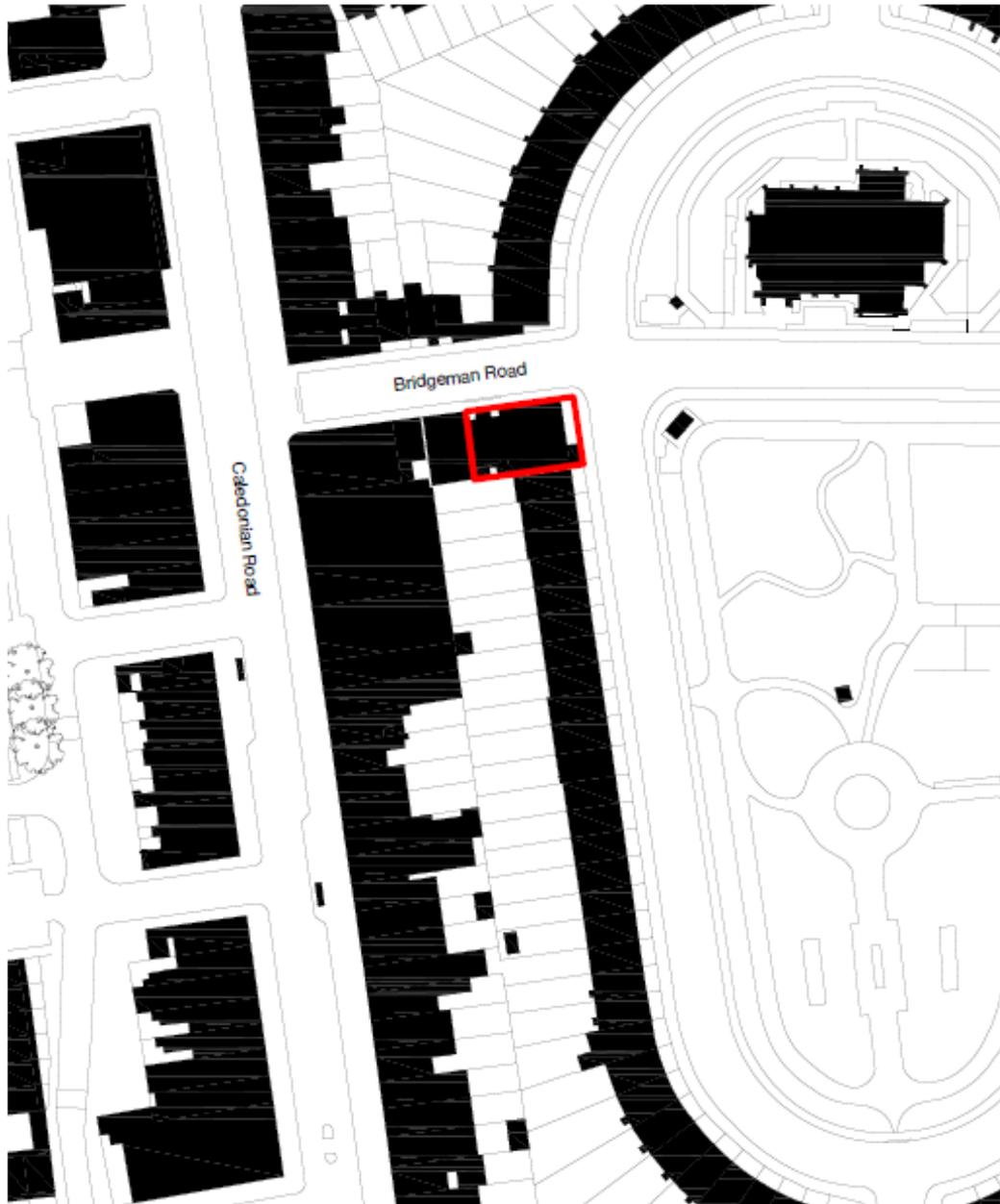
Application number	P2021/1470/LBC
Application type	Listed Building (Council's Own)
Ward	Caledonian
Listed building	Grade II
Conservation area	Barnsbury
Development Plan Context	Conservation Article 4(2) Barnsbury (2) Article 4 Direction A1-A2 (Rest of the borough)
Licensing Implications	None
Site Address	West Library, 107 Bridgeman Road, Islington, London, N1 1BD
Proposal	Refurbishment of the West Library vacant first floor room (135sqm) into a youth employment and support hub, including lift access, toilets and associated works.

Case Officer	Claire Sutton
Applicant	Jerry Dillon
Agent	Public Works Group

#### 1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** listed building consent subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



### 3. PHOTOS OF SITE/STREET



**Image 2:** View from junction of Thornhill Square and Bridgeman Road



**Image 3:** Entrance lobby viewed from stairs (proposed lift location to right of entrance stairs)



**Image 4:** proposed lift location



**Image 5:** First floor reading room, front elevation windows



**Image 6:** First floor reading room, rear elevation



**Image 7:** Existing first floor lobby, proposed lift location (behind radiator, panelling to be removed)



**Image 8:** Existing first floor staff room (proposed toilets location)

### **3. SUMMARY**

- 3.1 The application seeks listed building consent for refurbishment to facilitate the conversion of the existing first floor reading room to create a youth employment and support hub. It also proposes the insertion of a glass lift to enable access from ground to first floor for those with limited mobility, and associated alterations to the toilet facilities.
- 3.2 The proposal is considered to be compliant with the objectives of Policy CS9 of the Islington Core Strategy (2011), and DM2.3 of Development Management Policies (2013). It is therefore considered to preserve the special architectural and historic interest of the Grade II listed building, and is acceptable in design terms.
- 3.3 The proposal is considered to be acceptable and it is recommended that the application be approved subject to conditions.
- 3.4 The application is brought to committee because the site is owned by Islington Council.

### **4. SITE AND SURROUNDINGS**

- 4.1 The site is a Grade II listed building and lies within the Barnsbury Conservation Area.
- 4.2 The building was constructed in 1906 and was funded by the Carnegie Foundation. It is located on the western edge of Thornhill Square, occupying an important corner site, and can be seen from Caledonian Road, to which it is connected by Bridgeman Road.
- 4.3 The building is significant for its architecture and retained floor plan, both of which reflect its status and continued use as a public library. It also has communal value within the locality and makes a positive contribution to the conservation area.
- 4.4 The building retains a high degree of its architectural detailing, including decorative ceilings, panelling, and flooring. Minor alterations to the building have occurred over the years, including a lift from ground to lower ground floor in 2009, and the doors to the reading room. These changes have enabled a greater number of visitors to access the library.

## 5. PROPOSAL (IN DETAIL)

- 5.1 The application seeks to refurbish the first floor reading room and convert it to a youth employment and support hub. This includes the addition of toilet facilities to the first floor and the insertion of a glass lift within the lobby from ground to first floor for those with limited mobility.
- 5.2 The proposed use of the reading room as a youth employment and support hub does not constitute a change of use (remaining within Use Class F.1) and therefore does not require planning permission.

### Revision 1

- 5.3 Minor alterations to the originally submitted plans have been accepted in order to enable level access to the lift, and to alter the opening at first floor level to avoid competing with the status of the reading room.

## 6. RELEVANT HISTORY:

- 6.1 There have been many applications associated with this building. Those relevant are:
- 6.2 P043117 Listed Building Consent application for Works in connection with modifications to West Library to comply with Disability Discrimination Act. GRANTED 16 May 2005.
- 6.3 P081233 Listed Building Consent application in connection with the installation of a passenger lift from ground to basement. GRANTED 5 January 2009.
- 6.4 P091583 Planning Permission application for Alterations to the front elevation to provide direct access to new lift. GRANTED 10 November 2009.
- 6.5 P091584 Listed Building Consent applications for Alterations to the front elevation to provide direct access to new lift. GRANTED 1 February 2010.

## 7. CONSULTATION

### Public Consultation

- 7.1 The proposal has undergone a statutory consultation period of 21 days. A notice and press advert were displayed on site and in the press. The public consultation of the application therefore expired on 27<sup>th</sup> June 2021, however it is the Council's practice to continue to consider representations made up until the date of a decision. At the time of the writing of this report no responses had been received from the public with regard to the application.

### External Consultees

- 7.2 **Historic England:** Notified as the proposal included relevant demolition to a Grade II listed building; HE considered that they did not need to be notified and had no comments on the proposal.
- 7.3 **Joint Committee of National Amenity Societies:** no comments received.
- 7.4 **The Islington Society, The Upper Street Association, and the Thornhill Square Association:** no comments received

## **Internal Consultees**

- 7.5 **Access & Inclusive Design Officer:** the principle of a new lift to access the first floor was acceptable; some amendments to the proposal were needed to comply. These are discussed at point 9.10.
- 7.6 **Building Control Officer:** no comments
- 7.7 **Town Centre Inclusive Economy:** no comments
- 7.8 **Planning Policy:** no comments

## **8. RELEVANT POLICIES**

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

### **National Guidance**

- 8.1 Islington Council (Planning Sub-Committee A), in determining the listed building consent application has the main following statutory duties to perform:
- 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 (Section 16 Planning [Listed Buildings & Conservation Areas] Act 1990 as amended).
  - 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.)
- 8.2 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.
- 8.3 Since March 2014 Planning Practice Guide for England has been published online.
- 8.4 In considering the listed building consent application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.5 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

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

8.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **Development Plan**

8.8 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Designations**

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

- Grade II listed building
- Barnsbury Conservation Area
- Article 4 Direction Barnsbury Conservation Area

### **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

### **Emerging Policies**

#### **Draft Islington Local Plan 2019**

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

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).

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

- Policy DH1 – Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 – Heritage Assets

## 9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Design and Conservation

### Design and Conservation

9.2 Paragraph 193 of the NPPF (2019) 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). Furthermore, at paragraph 196: ‘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.

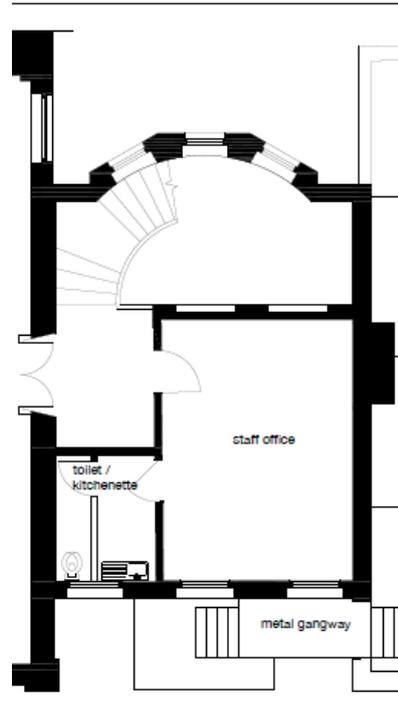
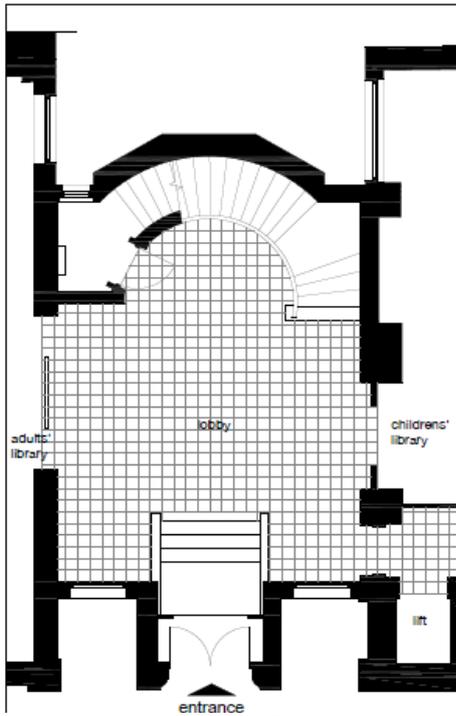
9.3 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London’s Character and Context SPG is also relevant. At the local level, Policy CS9 of Islington’s Core Strategy (CS) 2011 and Policy DM2.3 of Islington’s Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington’s built environment. Taken together, they seek to ensure that proposed works respond positively to existing heritage assets.

9.4 Policy DM2.3 seeks to ensure that the borough’s heritage assets are conserved and enhanced in a manner appropriate to their significance. Development that makes a positive contribution to Islington’s local character and distinctiveness will be encouraged. It seeks to ensure developments within the setting of a listed building are of good quality contextual design. It also seeks to retain, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

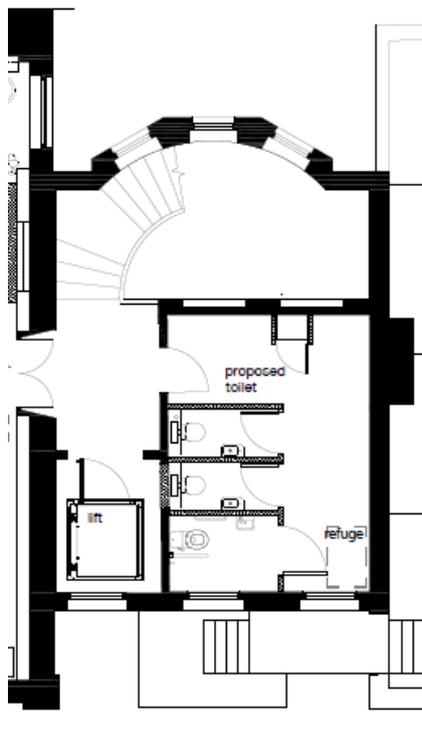
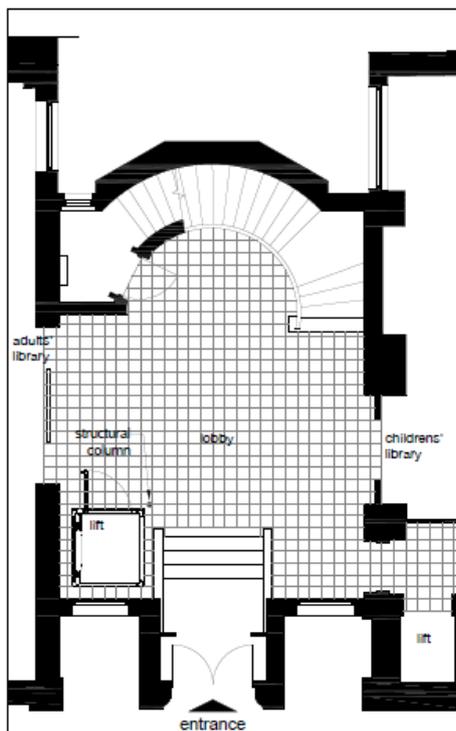
9.5 In accordance with Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

9.6 Policy DM2.3 seeks to ensure that the Borough’s listed buildings are conserved or enhanced

9.7 The proposal includes a number of different internal alterations with an assessment of these elements set out below, followed by the weighing of harm vs. public benefit, as required by NPPF para 196:



**Plan 1:** Existing Ground Floor entrance lobby (left); Existing First Floor lobby and staff room (right)



**Plan 2:** Proposed Ground Floor entrance lobby (left); Proposed First Floor lobby and toilets (right)

*Internal lift*

9.8 The entrance hall has not been radically altered since its construction. It retains the wall panelling and decorated ceiling, as well as the original staircase opposite the entrance. There is an element of symmetry to the hall which is apparent when leaving the building, and this would be eroded by the insertion of the lift. However, the wall materials would be unaffected, and the largely glazed lift would enable these to still be appreciated.

- 9.9 There would be harm to the ground floor ceiling and both floors, as the historic fabric here would be lost. In addition, the wall to the existing toilet and kitchenette at first floor level would be largely removed in order to enable access to the lift. This wall retains historic panelling, which would be removed in its entirety. This would enable light from the front elevation to enter the landing area, which is currently very dark. The architrave details to the reading room and staff room would be retained.
- 9.10 The lift would be visible through the front elevation windows, and these are not proposed to be obscured. At first floor level, this is currently dissected by an internal modern partition wall, which would be removed. The lift is proposed to be mainly glass with structural metal elements, the details of which would be determined under condition. Small alterations to the originally submitted plans were requested by the Council's Access and Inclusive Design Officer to enable the lift to be accessed easily without the necessary structural column hindering progress, and to achieve level access from each floor.



**Image 9:** Indicative image of lift in proposed location (left)

#### *Refurbishment of reading room*

- 9.11 The reading room has had much of its historic detailing removed from the walls, retaining only its segmented barrel-vaulted ceiling and tympanum (internal pediment) over the large windows as points of interest. The heating system is elderly, consisting of high wall-mounted heaters, and the lighting system also needs updating in terms of both style and efficiency. Underfloor heating would be more efficient, and shutters/secondary glazing would reduce heat loss. The refurbishment of the room would be subject to condition, including a full schedule of works with materials.
- 9.12 The room would be repurposed as a fully-accessible youth employment and skills hub. This would require significant updating of services, together with movable furniture to enable the room to be reconfigured as needed.



**Image 13:** Proposed layout for reading room

#### *New toilets*

- 9.13 The existing first floor staff room would be converted to three new toilets, one being accessible. The existing would be retained in situ as a feature within the toilets. A toilet and kitchenette already exist in the proposed lift location; the existing soil pipes can be reused meaning there would be no additional visual clutter to the front elevation.

#### *Weighing harm vs. public benefit*

- 9.14 The loss of historic ceiling, walling, and flooring would be an irreversible harmful alteration to the listed building. Where harm is proposed, there is a requirement for clear and convincing justification to be provided, together with a discussion of alternatives considered. The benefit is required to outweigh the harm, not merely balance it.
- 9.15 Alternative locations for a lift were considered at length, including a lift to the rear of the existing stairs, one within the reading room and lending library, and continuation of the existing lift to avoid having to change lifts when moving between floors. However, these options were considered to be more harmful to the existing plan form, and require at least the same amount of internal fabric loss. The continuation of the existing lift would also have involved an external element on the front elevation, which would have been a significant and detrimental addition.
- 9.16 The building is a significant structure and well-known in the vicinity, already utilised by a variety of users, and the proposed use for the first floor would be an expansion of those community uses within an under-utilised historic space. The opportunity would be taken to improve the energy efficiency of the reading room at the same time, and refurbish the retained historic elements for their continued longevity.

### *Conclusion*

- 9.17 Overall, due to the mitigation measures and public benefits identified above, the proposal is considered to be compliant with Development Management Policy DM2.3.

## **10. SUMMARY AND CONCLUSION**

### **Summary**

- 10.1 The proposed alterations are considered acceptable in principle. The works would enable the building to continue in use as a public building with all areas being fully accessible.
- 10.2 The proposals would cause harm to the heritage asset as historic fabric would be lost through the provision of the lift. However, this is considered to be outweighed by the public benefit of providing access for all to the entire building, including accessible facilities, and reopening the reading room for use as part of a public building.
- 10.3 In accordance with the above assessment, it is considered that the proposed works are consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

- 10.4 It is recommended that listed building consent be granted subject to conditions as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

That the granting of listed building consent be subject to conditions to secure the following:

### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1) (a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Works to Match (Compliance)</b>
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>3</b>	<b>Demolition by Hand (Compliance)</b>
	<p>CONDITION: The demolition works hereby approved shall be carried out by hand or hand tools. No power driven tools shall be employed.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>4</b>	<b>Protection of Internal Features during Construction (Compliance)</b>
	<p>The interior features of the building shall be protected against accidental loss or damage during building work, and no features may be disturbed or removed temporarily or permanently except if so identified on the drawings forming part of this consent.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>5</b>	<b>Schedule of Works First Floor (DETAILS)</b>
	<p>CONDITION: The refurbishment of the first floor hall (reading room) hereby permitted shall not commence until a schedule of works for the repair and restoration of the room has first been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the schedule so approved.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
<b>6</b>	<b>Schedule of Works Lift (DETAILS)</b>
	<p>CONDITION: No works to install the lift hereby permitted shall commence until a schedule of works for all works relating to the lift, including demolition, has first been submitted to and approved in writing by the local planning authority. The works shall be carried out strictly in accordance with the schedule so approved.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>

<b>7</b>	<b>Submission of Details (DETAILS)</b>
	<p>Detailed drawings at a scale of no less than 1:10 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) Full structural details for the lift including over/underrun, appearance, ramp (if necessary) including method for fabric removal  b) Details of new signage including locations and fittings  c) Details of the new plumbing and servicing for the first floor toilets  d) Details of the plumbing and electrical servicing to the first floor hall (reading room) including light and heating fittings  e) Details of any new shutters, acoustic panelling, blinds, or secondary glazing to the existing windows</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>

**List of Informatives:**

<b>1</b>	<b>Other Consents</b>
	<p>INFORMATIVE: This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.</p>
<b>2</b>	<b>Retention of Historic Fabric</b>
	<p>INFORMATIVE: You are reminded that the original historic fabric of the listed building should be retained unless specifically authorised for removal by the Council as part of a listed building consent. Historic fabric which must be retained would include lath and plaster ceilings and walls, floor boards, original skirting boards, dado rails, doors, architraves, historic cupboards, cornices, fireplaces, staircases, windows, etc. Where these elements are in poor condition, repair and restoration could be undertaken by competent workmen, with the minimum amount of intervention to the historic fabric.</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 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **2. Development Plan**

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

#### **a) The London Plan 2021 - Spatial Development Strategy for Greater London**

- Policy HC1 Heritage Conservation and Growth

#### **b) Islington Core Strategy 2011**

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

#### **c) Islington Development Management Policies 2013**

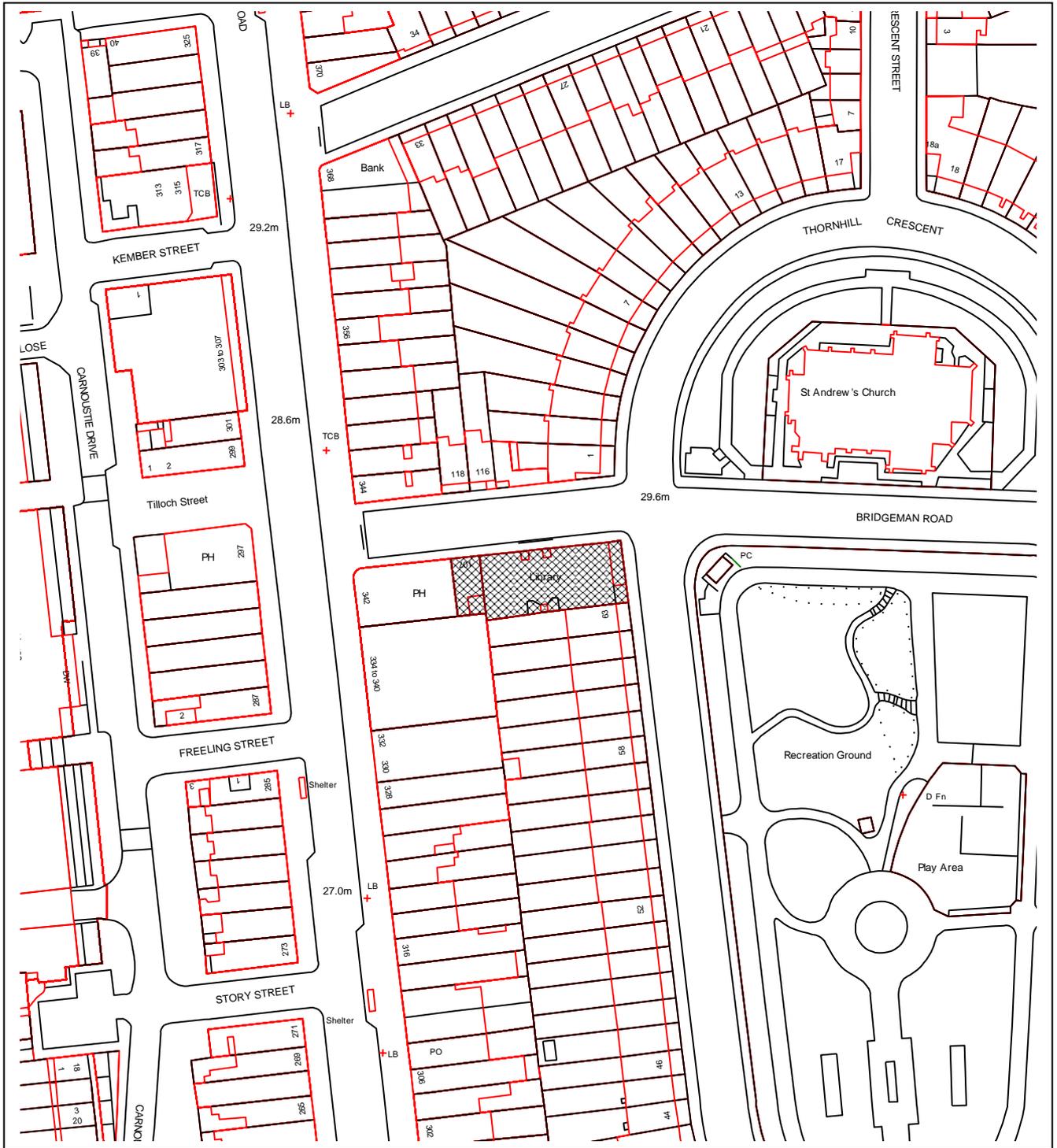
- Policy DM2.3 – Heritage

### **3. Designations**

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

- Grade II listed building
- Barnsbury Conservation Area

# Islington SE GIS Print Template



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