



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

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## AGENDA FOR THE PLANNING SUB COMMITTEE B

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Members of Planning Sub Committee B are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD on, **18 April 2023 at 7.30 pm.**

Enquiries to : Emma Taylor  
Tel : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
E-mail : [democracy@islington.gov.uk](mailto:democracy@islington.gov.uk)  
Despatched : 10 April 2023

### 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 Poyser (Chair)  
Councillor Ibrahim  
Councillor McHugh  
James';  
Councillor Hayes  
Councillor Klute  
Canalside;

### Wards

- Hillrise;  
- Arsenal;  
- St Mary's and St  
- Clerkenwell;  
- St Peter's and

### Substitute Members

Quorum: 3 councillors



<b>A.</b>	<b>Formal Matters</b>	<b>Page</b>
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	1 - 2
6.	Minutes of Previous Meeting	TO FOLLOW

<b>B.</b>	<b>Consideration of Planning Applications</b>	<b>Page</b>
1.	17 Cornwallis Road, London, N19 4LP	3 - 54
2.	186 City Road, London, EC1V 2NT	55 - 94

<b>C.</b>	<b>Consideration of other planning matters</b>	<b>Page</b>
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<b>D.</b>	<b>Urgent non-exempt items</b>	
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Any non-exempt items which the Chair is of the opinion should be considered as a matter of urgency and to consider whether the special circumstances included in the report as to why it was not included on and circulated with the agenda are acceptable for recording in the minutes.

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

<b>F.</b>	<b>Confidential/exempt items</b>	<b>Page</b>
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<b>G.</b>	<b>Urgent exempt items (if any)</b>	
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Any exempt items which the Chair agrees should be considered urgently by reason of special circumstances. The reasons for urgency will be agreed by the Chair and recorded in the minutes.

**Date of Next Meeting:** Planning Sub Committee B, 13 June 2023

**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 Thomas French on 020 7527 6568. 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 AGENDA**

**1 17 Cornwallis Road**  
Islington  
London  
N19 4LP

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**2 186 City Road**  
London  
EC1V 2NT

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**1 17 Cornwallis Road**  
Islington  
London  
N19 4LP

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**Application Number:** P2023/0508/S73  
**Ward:** Tollington  
**Proposed Development:** Section 73 application (minor material amendment) to remove condition 11 of planning permission ref: P2021/1874/FUL dated 28/10/2021. The condition involves the planting of 6x trees within and/or around the site.  
**Application Type:** Removal/Variation of Condition (Section 73)  
**Case Officer:** Samir Benmbarek  
**Name of Applicant:** Mr James Davies  
**Recommendation:**

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**2 186 City Road**  
London  
EC1V 2NT

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**Application Number:** P2022/3596/FUL  
**Ward:** Bunhill  
**Proposed Development:** Creation of new office floorspace (Use Class E(g)) including demolition and replacement of existing fourth, fifth and sixth floors together with the erection of a seventh storey extension, internal and external alterations, plant alongside other associated works. REASON FOR RECONSULTATION: Building height has been reduced and additional information has been provided (Daylight and Sunlight Assessment & Inclusive Design).  
**Application Type:** Full Planning Application  
**Case Officer:** Owen Griffiths  
**Name of Applicant:** C/O Agent  
**Recommendation:**

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**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM No:</b>	
<b>Date:</b>	18 April 2023		

Application number	P2023/0508/S73
Application type	Removal/Variation of Condition
Ward	Tollington
Listed building	Not Listed
Conservation area	N/A
Development Plan Context	AP3 Adventure Playground OS43 Cornwallis Open Space Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	17 Cornwallis Road London N19 4LP
Proposal	<p>Section 73 (minor material amendment) to remove condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL dated 28/10/2021 which granted planning permission for the following:</p> <p>Demolition of existing building and erection of a replacement building for use in connection with the adventure playground and other community uses; erection of refuse facilities and associated works.</p> <p>The condition involves the planting of 6 trees within and/or around the site.</p>

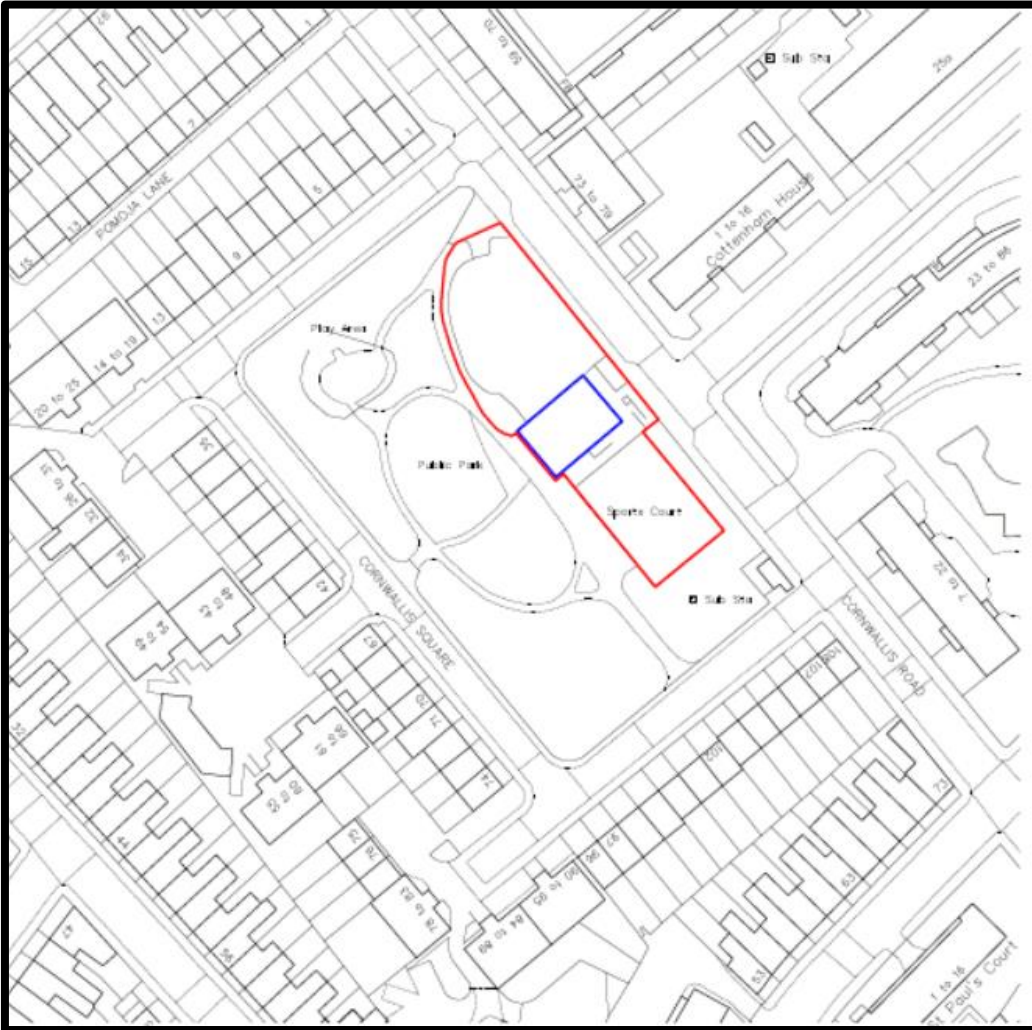
Case Officer	Samir Benmbarek
Applicant	Islington Council- Valentina Sbrana
Agent	Paper House Project- James Davies

**1. RECOMMENDATION**

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

1. Subject to the conditions set out in Appendix 1 (Recommendation B);
2. Subject to the prior completion of a Director's Letter securing the heads of terms as set out in Appendix 1 (Recommendation A)

2. **SITE PLAN (site outlined in red)**



Site Location Plan

**3. PHOTOS OF SITE/STREET**



**Image 1:** View of site looking north.



**Image 2:** View of site looking south.



**Image 3:** Front entrance area with tree approved to be removed.



**Image 4:** Tree approved to be removed.

## **SUMMARY**

- 3.1 This application seeks to remove condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL dated 28/10/2021. The condition requires the planting of 6 trees in and around the application site. This would replace the 3 trees approved to be removed to accommodate the approved development and to plant 3 additional trees.
- 3.2 Following further investigation by the applicant, in conjunction with discussions with the Tree Officer, it has been identified that the site could not reasonably accommodate 6 additional trees. Given the site's located within the wider park, it is proposed that a financial contribution is provided for planting within suitable locations within the wider vicinity (which may be further than the 200m radius as prescribed by condition 11).
- 3.3 Locations within the application site (Cornwallis Adventure Playground) and around the site (the wider Cornwallis Open Space) were discussed between the Capital Delivery Team and officers to meet the requirements of condition 11 and therefore discharge the condition. However, following these discussions it became apparent that the proposed trees were either in an unsuitable location or there were concerns on the future longevity of the trees given their location within a playground. These discussions were considered in respect to the planting of individual trees or the collective planting of the six trees. It was therefore agreed between the applicant and Greenspace that a financial contribution in lieu of the required tree planting and the removal of condition 11 would be required.
- 3.4 The financial contribution would be undertaken by way of a Director's Agreement to secure £6,000 (£1,000 per tree) towards the planting of trees within the Tollington Ward.
- 3.5 The removal of condition 11 (Tree Planting Plan) is considered acceptable and in accordance with adopted planning policy, subject to the recommended planning conditions and Director's Agreement as detailed in Appendix 1.
- 3.6 All other aspects of the extant scheme remain since the granting of planning permission ref: P2021/1874/FUL dated 28/10/2021.

## **4. SITE AND SURROUNDINGS**

- 4.1 The application site is a children's adventure playground located along the south-western side of Cornwallis Road, within Cornwallis Park. The adventure playground and existing building is accessed by a ramp leading up from Cornwallis Road. The adventure playground consists of hard and soft landscaping and play equipment.
- 4.2 The adventure playground has an existing timber framed construction and clad, pitched roof building with a GIA of 190sqm. It is in poor condition owing to wood rot. This building is to be demolished to make way for the proposed development.
- 4.3 The site is designated as an Adventure Playground (AP3) and sits adjacent to Public Open space (OS43) under the Islington Core Strategy 2011 and the Islington Development Management Policies 2013.
- 4.4 The adventure playground building is neither statutorily or locally listed, nor is the site located within a designated conservation area.
- 4.5 The character and use of Cornwallis Adventure Playground and the wider Cornwallis Park is open space with sports, leisure and general use and enjoyment. The adventure playground and park is a focal point of an overall residential character with a mix of typical terraced housing, post-war purpose built blocks and modern residential developments within the adjoining streets.

## 5. PROPOSAL (IN DETAIL)

- 5.1 The application seeks to remove condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL dated 29/10/2021 for:

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

- 5.2 The Committee Report recommended that planning permission be granted subject to condition 10 pertaining to trees, as read as below:

**CONDITION:** If the replacement tree dies, fails to establish, is removed, destroyed, uprooted or becomes seriously damaged or diseased within five years of the date of this consent, it must be replaced with another tree of the same size and species, and in the same location within one year of dying.

**REASON:** To ensure the continued amenity provided by the tree and the planting of an appropriate species.

- 5.3 The application was presented at Planning Sub-Committee B on 30<sup>th</sup> September 2021, where Members recommended approval subject to the revision of condition 10 to permit the removal of the Horse Chestnut tree only (at the north of the site) and the imposition of condition 11 for details of a tree planting plan. Conditions 10 and 11 (as on the approved decision notice (Appendix 3) are as below:

**CONDITION 10:** Planning permission is only hereby granted for the removal of the Horse Chestnut tree as shown on drawing no. PHP COR 01 100 Rev P1 (Existing Ground Floor Plan). All other trees shall be retained unless otherwise agreed in writing by the Local Planning Authority.

**REASON:** To ensure the continued amenity and environmental benefits provided by the trees.

**CONDITION 11):** Notwithstanding the drawings and information approved, prior to first occupation of the hereby approved community building a replacement tree planting plan shall be submitted to the Local Planning Authority and approved in writing. The tree planting plan shall identify:

- a) A minimum of 3 replacement trees that shall be container grown, heavy standard nursery trees. At least one of these trees shall have a minimum stem girth of 14- 16cm and two of these trees shall have a minimum stem girth of 12-14cm. These 3 trees shall be planted within the Cornwallis Adventure Playground / Public Open Space.
- b) A further 3 replacement trees shall also be planted either within the Cornwallis Adventure Playground /Public Open space or within 200m of the boundary of the application site, within the public highway (locations to be agreed prior to planting with the Local Planning Authority) on the tree planting plan(s).
- c) The position, size and species of the replacement trees are to be shown on a submitted tree planting plan which should also be accompanied by a maintenance / management plan (including watering schedule) to cover a minimum period of 5 years. The maintenance/ management plan shall be submitted and agreed in writing by the Local Planning Authority prior to any planting taking place. P-DEC-AP1
- d) Details of soil preparation, staking, irrigation and maintenance of the trees shall also be submitted and agreed in writing by the Local Planning Authority prior to any planting taking place and shall comply with the recommendations contained within BS8545 (2014) Trees: From Nursery to independence in the landscape.
- e) To help the establishment of new trees an irrigation tube or root bag shall be installed at the time of planting as this will help to direct the water to the roots located beneath.

The 6 replacement trees are to be planted within twelve months of the removal of the existing Horse Chestnut tree. The trees shall be maintained and managed in accordance with the agreed Tree Planting Plan details for a minimum 5 year period.

To confirm compliance with this condition a photo of the planted trees should be submitted to the planning tree officer via planning (planning@islington.gov.uk ) quoting the relevant application planning reference. Suitable species for this location could include the following tree species: Silver Maple (Acer saccharinum), Sweet gum (Liquidambar styraciflua), and/or Italian alder (Alnus cordata).

**REASON:** To ensure the continued amenity and environmental benefits provided by the trees and the planting of an appropriate species and to secure an appropriate degree of amenity and biodiversity replacement to the Horse Chestnut tree to be lost, including appropriate replacement canopy cover.

5.4 Condition 12, which also pertains to trees, was attached to the final decision after consideration at Sub-Committee B and reads as follows:

**CONDITION 12:** 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.

**REASON:** In order 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 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.

5.5 To confirm, this application does not seek to vary or amend conditions 10 or 12, nor would these conditions be impacted by the proposed removal of condition 11 from the extant planning permission.

5.6 In lieu of the details to be submitted to discharge condition 11 of planning permission ref: P2021/1874/FUL, the applicant (the Council) seeks to provide a financial contribution for the planting of trees by the Council within suitable locations nearby the site. Nearby locations may be in excess of the "within 200m" radius of the boundary of the application site requirement as directed by condition 11.

## 6. RELEVANT HISTORY

6.1 No. 17 Cornwallis Road (Cornwallis Adventure Playground):

- P2021/1874/FUL- Demolition of existing building and erection of a replacement building for use in connection with the adventure playground and other community uses; erection of refuse facilities and associated works. **Approved with conditions 28/10/2021.**
- P2022/1903/AOD- Approval of details pursuant to condition 5 (Construction Management Plan) of planning permission ref: P2021/1874/FUL dated 28/10/2021. **Approved with no conditions 08/08/2022.**
- P2022/2864/AOD- Approval of details pursuant to condition 3 (materials), 6 (cycle parking), and 8 (green roof) of planning permission ref: P2021/1874/FUL dated 28/10/2021. **Approved with no conditions 06/09/2022.**

## 7. CONSULTATION

### Public Consultation

7.1 Consultation letters were sent to occupants of 354 adjoining and nearby properties on Cornwallis Road, Cornwallis Square, Pomoja Lane, Sussex Clise, Bavaria Road, and Kingsdown Road on 07/03/2023. The public consultation of the application therefore expired on 31/03/2023; however, it is the Council's practice to continue to consider representations made up until the date of a decision.

7.2 At the time of writing this report **2 letters of comment had** been received. The points raised within the representations are summarised below (*with reference to which sections of this report address those particular concerns in brackets*):

#### Trees and Landscaping

- Disappointed that the concerned condition was unrealistic;
- The planted trees under the financial contribution should be planted nearby the site; and  
(Paragraphs 9.9 to 9.18)

#### Internal Consultees

7.3 **Tree Preservation Officer:** No objection following prior discussions on the delivery of trees to the approved development by way of a financial contribution.

### **8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES**

8.1 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.) and;
- As the development is within close proximity 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)).

8.2 National Planning Policy Framework (NPPF): Paragraph 10 states: 'at the heart of the NPPF is a presumption in favour of sustainable development'.

8.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals

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

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

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

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.



- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 Members of the Planning Sub-Committee B must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of 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

### **National Guidance**

- 8.9 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

- 8.10 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.

### **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, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consulted on Main Modifications to the plan running from 24 June to 30 October 2022.
- 8.12 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:

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

8.13 Emerging policies that are relevant to this application are set out in below:

- Policy PLAN1- Site appraisal, design principles and process
- Policy G1- Green infrastructure
- Policy G4- Biodiversity, landscape design and trees

### **Designations**

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

- AP3 Adventure Playground
- OS43 Cornwallis Open Space
- Article 4 Direction A1-A2 (Rest of Borough)

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

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

## **9. ASSESSMENT**

9.1 The main issues arising from this removal of condition relate to:

- Trees and biodiversity

### **DESIGN**

9.2 The removal of condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL does not result in any changes to the design of the site from the extant planning permission. The extant planning permission involved the removal of the Horse Chestnut tree along the north of the site to accommodate the new adventure playground building.

9.3 Condition 3 of the P2021/1874/FUL dated 28/10/2021 was discharged by Approval of Details ref: P2022/2864/AOD on 06/09/2022 which required details of facing materials including corrugated sheeting and cement fibre, window treatment, roofing material, and any other materials to be used.

### **INCLUSIVE DESIGN**

9.4 The removal of condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL does not result in any changes to the inclusive design measures of the site from the extant planning permission. The Horse Chestnut tree was removed as part of the extant permission to facilitate an access ramp to the entrance of the new building.

## **TRANSPORT**

- 9.5 The removal of condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL does not result in any changes in the transport and highways implications of the development.

Condition 5 of P2021/1874/FUL dated 28/10/2021 was discharged by Approval of Details ref: P2022/1903/AOD on 08/08/2022 which required a Construction Management Plan. Condition 6 of P2021/1874/FUL dated 28/10/2021 was discharged by a further Approval of Details ref: P2022/2864/AOD dated 06/09/2022 which required details of cycle parking.

## **ENERGY, SUSTAINABLE DESIGN AND CONSTRUCTION, AND BIODIVERSITY**

- 9.6 The removal of condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL does not result in any changes to aspects of energy or sustainable design and construction from the previously approved scheme.
- 9.7 It is considered that the removal of condition 11 would not adversely impact the biodiversity value that the development brings. Whilst the Horse Chestnut tree would be removed, it has been confirmed to be of limited life expectancy and would need to be felled in the future notwithstanding the scheme. The removal of condition 11 is mitigated by securing a financial contribution for tree planting in suitable locations which would promote wildlife habitats more efficiently than the condition, as discussed in the next section of this report.
- 9.8 Condition 8 of P2021/1874/FUL dated 28/10/2021 was discharged by Approval of Details ref: P2022/1903/AOD on 06/09/2022 which required details of the green biodiverse roof.

## **TREES AND LANDSCAPING**

- 9.9 In the assessment of planning permission ref: P2021/1874/FUL, officers considered that whilst the removal of the Horse Chestnut tree was regrettable, the tree was of low value (category C) and its removal was necessary to accommodate the accessibility improvements from the public highway to the new building. The tree was also of a limited life expectancy and would be required to be removed at some point in the future, regardless of the approved development scheme.
- 9.10 Officers initially recommended a condition to plant a replacement tree to account for the loss of the Horse Chestnut. At Sub-Committee B Members proposed a motion to add a condition for an additional tree of substantial size and for officers to consider whether more tree planting could take place to ensure replacement canopy cover on the site was significant. Following this, condition 11 (Tree Planting Plan) of planning permission ref: P2021/1874/FUL secured a tree planting plan to include: (at minimum) 3 replacement trees that were to be container grown, heavy standard nursery trees; and a further 3 replacement trees to be planted either within the Cornwallis Adventure Playground, the wider Open Space or within 200m of the boundary of the application site.
- 9.11 Prior to the submission of this application, the applicant explored different ways in which the planting of the 6 trees could be implemented; however, there were concerns from Tree and Planning Officers in regard to their successful growth and longevity.
- 9.12 The first concern is within the Adventure Playground, there is limited space for trees to establish and grow, reducing the space for children to play and run around. In addition, there were concerns that given the nature of the Adventure Playground, should there be space for the trees, their longevity would be compromised from general use of the site and proximity to play structures and the building, which would hinder root growth. Tree guards were considered to overcome the concerns of damage from everyday play use; however, officers considered that such measures would appear hostile within this children's play environment.

- 9.13 Within the wider Cornwallis Open Space, there were also concerns that there was not enough space for the trees to grow (either individually or collectively). The existing arrangement for trees within the site has trees located along the perimeters of the site with a substantial cluster of trees to the south. This arrangement facilitates the use of the centre of the Open Space as space for general enjoyment including sport and relaxation with the north-eastern half of the site occupied by the Adventure Playground, associated building and pitch.
- 9.14 It is considered that planting the trees within the open area would not be appropriate as it would deplete the already limited amount of space for general enjoyment by the local community and wider public. Furthermore, it is considered that to plant the trees in line with the existing arrangement would not be feasible as the trees would not have space to grow in proximity to the established trees, and whilst located in the established arrangement, would still encroach upon the remainder of useable open space.
- 9.15 Locations within 200m from the boundary within the public highway were also explored; however, no suitable locations were identified following discussion between the applicant, Tree Officers and Highways Officers.
- 9.16 It is considered that there are significant impediments to successfully discharging and implementing condition 11 of planning permission ref: P2021/1874/FUL, and therefore officers consider it reasonable for this condition to be removed, subject to appropriate mitigation. However, to ensure that sufficient replacement tree planting is made provided for, a financial contribution of £6000 will be secured by way of a Directors Letter. Tree Officers have advised that a fee of £1000 per tree is sufficient to cover the expenses of the tree, planting works and associated investigatory works for the six trees to be secured.
- 9.17 The replacement trees will be planted within suitable locations within Tollington Ward (the application ward) with exact locations to be determined by the Council's Tree Service, and where relevant the Highways Department.
- 9.18 Whilst it is regrettable that the condition to secure the tree plan (including the 6 trees to be planted on or near the site) cannot be achieved, it is considered that the Director's Agreement to secure a financial contribution for tree planting within the local area is a more valuable (and pragmatic) measure to ensure such trees can grow and be established, which would provide amenity benefits. With the financial contribution, the tree planting can be effectively considered and implemented in suitable locations as planned by the relevant departments of the Council. This would mitigate the loss of the Horse Chestnut tree along the north-eastern perimeter of the site to facilitate the works.
- 9.19 In conclusion, the removal of condition 11, subject to the Director's Agreement to secure the financial contribution of £6,000, is considered acceptable in regard to trees and landscaping. Therefore, the S73 application is considered to comply with policy G7 of the London Plan 2021, policy CS15 of the Islington Core Strategy 2011, and policy DM6.5 of the Islington Development Management Policies 2013.

## **PLANNING CONDITIONS AND OBLIGATIONS**

- 9.20 A number of conditions from the extant planning permission have been discharged. As such, the schedule of conditions has been updated to reflect this.
- 9.21 The application is subject to a Director's Agreement to secure a planning obligation to mitigate the tree loss. In this case, it would be a financial contribution of £6,000 (£1,000 per tree) as required under condition 11. To confirm, this would not be a Deed of Variation as the extant permission was not subject to a Director's Agreement.

## **CONCLUSION**

- 9.22 It is recommended that planning permission be granted subject to the conditions and a Directors Agreement securing the Heads of Terms as set out in APPENDIX 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to a Director's Agreement to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/ Head of Service- Development Management:

- Tree planting contribution of £6,000 (£1,000 per tree)

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

That, should the Deed of Planning Obligation not be completed within 8 weeks from the date when the application was made valid or within the agreed extension of time, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

### RECOMMENDATION B

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

#### List of Conditions:

<b>1</b>	<b>IMPLEMENTATION PERIOD (COMPLIANCE)</b>
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  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).
<b>2</b>	<b>APPROVED PLANS LIST (COMPLIANCE)</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  PHP COR 00: 100 P1; 101, PHP COR 01: 100 P1; 101 P1; 200 P1; 300 P1; 302 P1; 303 P1. PHP COR 02: 101 P2; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1, PHP COR 07: 100; 200 P1, Redevelopment of Cornwallis Adventure Playground [by Paper House Project]: Design & Access Statement dated June 2021; Engagement Statement dated June 2021; Proposed Accessibility Options- Configurations A-F dated September 2021; Sustainable Design & Construction Statement dated September 2021 by Paper House Project dated September 2021 & Arboricultural Report by Tim Moya Associated dated June 2021 (Ref. 200934-pd-11).  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.
<b>3</b>	<b>MATERIALS (COMPLIANCE)</b>
	CONDITION: The development hereby permitted shall be carried out with the details so approved under ref: P2022/2864/AOD dated 06/09/2022 and shall be maintained as such thereafter. No change from the approved details therefrom shall take place without the prior written consent of the Local Planning Authority.

	<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>	<b>HOURS OF OPERATION (COMPLIANCE)</b>
	<p>CONDITION: The Adventure Playground building hereby approved shall not operate outside the hours of:</p> <p>08:00- 22:00hrs Monday- Fridays  09:00- 20:00hrs Saturdays  10:00- 20:00hrs Sundays and Bank Holidays</p> <p>The development hereby approved shall not be used in association with the existing adventure playground outside the hours of:</p> <p>08:00- 19:00hrs Monday- Fridays  08:00- 18:00hrs Saturdays, Sundays and Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<b>5</b>	<b>CONSTRUCTION METHOD STATEMENT (COMPLIANCE)</b>
	<p>CONDITION: The development hereby permitted shall be carried out strictly in accordance with the Construction Method Statement (Construction Management Plan (Cornwallis Adventure Playground) by SW Chelsea Construction dated 05/05/2022) approved under ref: P2022/1903/AOD dated 08/08/2022. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
<b>6</b>	<b>CYCLE PARKING PROVISION (COMPLIANCE)</b>
	<p>CONDITION: The bicycle storage area(s) shall be provided strictly in accordance with the details as approved under ref: P2022/2864/AOD dated 06/09/2022, provided/erected prior to the first occupation of the development, and maintained as such thereafter. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>7</b>	<b>SUSTAINABLE DESIGN AND CONSTRUCTION (COMPLIANCE)</b>
	<p>CONDITION: The hereby approved development shall be carried out in accordance with the approved Sustainable Design &amp; Construction Statement by Paper House Project dated September 2021.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>
<b>8</b>	<b>GREEN/BROWN BIODIVERSITY ROOFS (COMPLIANCE)</b>
	<p>CONDITION: The biodiversity roof(s) shall be carried out strictly in accordance with the details as approved under ref: P2022/2864/AOD dated 06/09/2022 and shall be maintained as such thereafter. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</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>

	REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.
<b>9</b>	<b>REFUSE/RECYCLING (COMPLIANCE)</b>
	CONDITION: The dedicated refuse / recycling enclosure(s) shown on drawing no. PHP MLK 02 100 P1 shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.  REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.
<b>10</b>	<b>TREE REMOVAL (COMPLIANCE)</b>
	CONDITION: Planning permission is only hereby granted for the removal of the Horse Chestnut tree as shown on drawing no. PHP COR 01 100 Rev P1 (Existing Ground Floor Plan). All other trees shall be retained unless otherwise agreed in writing by the Local Planning Authority.  REASON: To ensure the continued amenity and environmental benefits provided by the trees.
<b>11</b>	<b>RETAINED TREES (COMPLIANCE)</b>
	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.  REASON: In order 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 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.

**List of Informatives:**

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

<b>3</b>	<b>Community Infrastructure Levy (CIL)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/cil">www.planningportal.gov.uk/cil</a>, and the Islington Council website at <a href="http://www.islington.gov.uk/cil">www.islington.gov.uk/cil</a>. CIL guidance is available.</p>
<b>4</b>	<b>Legal Agreement</b>
	<p>INFORMATIVE: You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</p>



## APPENDIX 2: RELEVANT POLICIES

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

### 1 **National Guidance**

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### 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**

Green Infrastructure and Natural Environment  
Policy G7 Trees and woodlands

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

Strategic Policies  
Policy CS15 Open space and green infrastructure

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

Health and Open Space  
Policy DM6.5 Landscaping, trees and biodiversity

#### **E) Site Allocations June 2013**

Not Allocated

### 3. **Designations**

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

- AP3 Adventure Playground
- OS43 Cornwallis Open Space
- Article 4 Direction A1-A2 (Rest of Borough)

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

The following SPGs and/or SPDs are relevant:

- Planning Obligations 2016

## Appendix 3

### PLANNING COMMITTEE REPORT



# ISLINGTON

Development Management Service  
Planning and Development Division  
Community Wealth Building

<b>PLANNING SUB-COMMITTEE B</b>		
<b>Date:</b>	30 <sup>th</sup> September 2021	

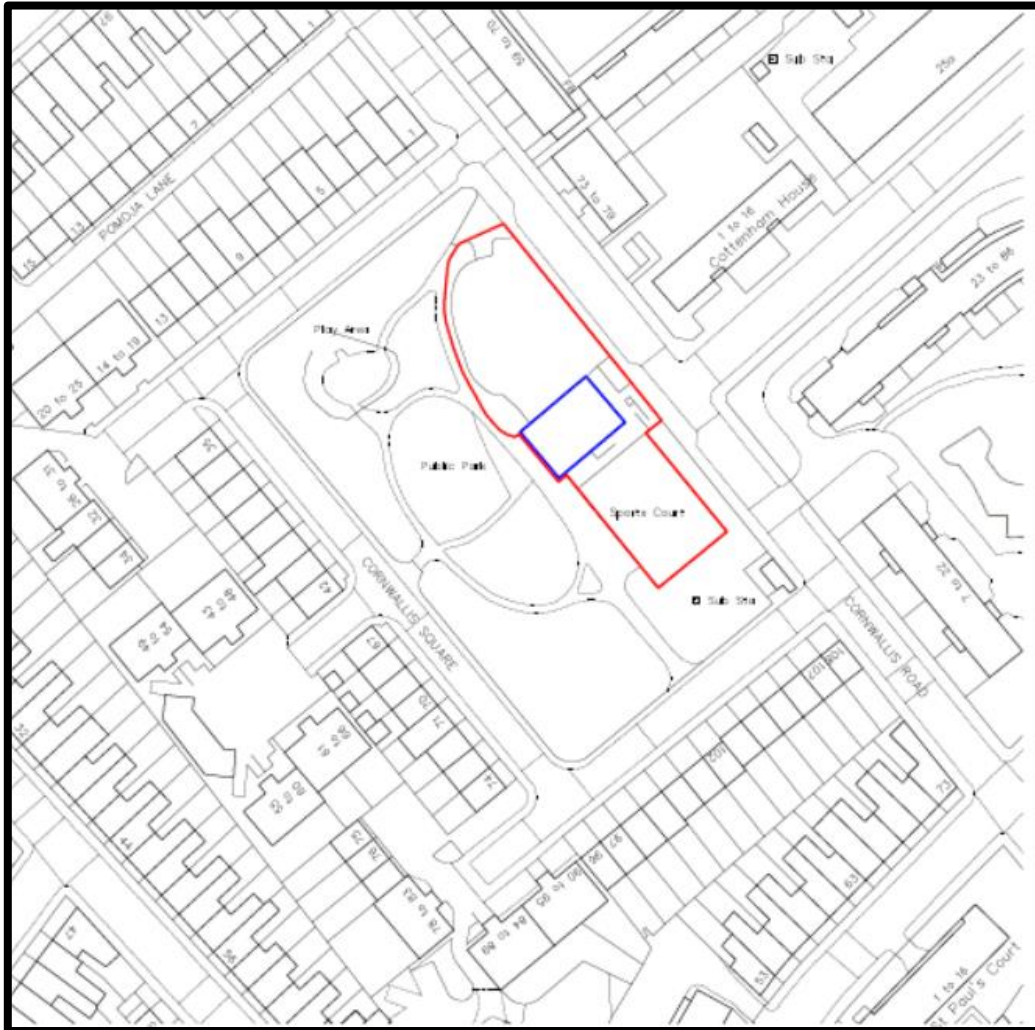
Application number	P2021/1874/FUL (Council own development)
Application type	Full Planning Application
Ward	Tollington
Listed building	No
Conservation area	N/A
Development Plan Context	AP3 Adventure Playground OS43 Cornwallis Open Space Article 4 Direction A1-A2 (Rest of Borough)
Licensing Implications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

Case Officer	Samir Benmbarek
Applicant	Islington Council
Agent	DMH Stallard

#### 1. RECOMMENDATION

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

2. SITE PLAN (site outlined in red)



**3. PHOTOS OF SITE/STREET**



**Image 1:** Aerial view of site looking north.



**Image 2:** Aerial view of site looking south.



**Image 3:** Front elevation of existing building.



**Image 4:** Existing ramp and tree.



**Image 5:** Rear elevation of existing building.



**Image 6:** Interior of existing building.

## **4. SUMMARY**

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

## **5. SITE AND SURROUNDINGS**

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

## 6. PROPOSAL (IN DETAIL)

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

## 7. RELEVANT HISTORY:

### Application Site

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



## 8. CONSULTATION

### Public Consultation

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

#### ***Design***

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

#### ***Trees***

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

#### ***Support***

- Support for the inclusion if the biodiverse roof.

### Internal Consultees

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

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

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

### National Guidance

- 9.1 Islington Council (Planning Sub-Committee B), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);

- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington’s Local Plan, including adopted Supplementary Planning Guidance.)
- 9.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development.
- 9.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
  - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee B must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person’s rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

### **Development Plan**

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

## **Designations**

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

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

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

### Draft Islington Local Plan 2019

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

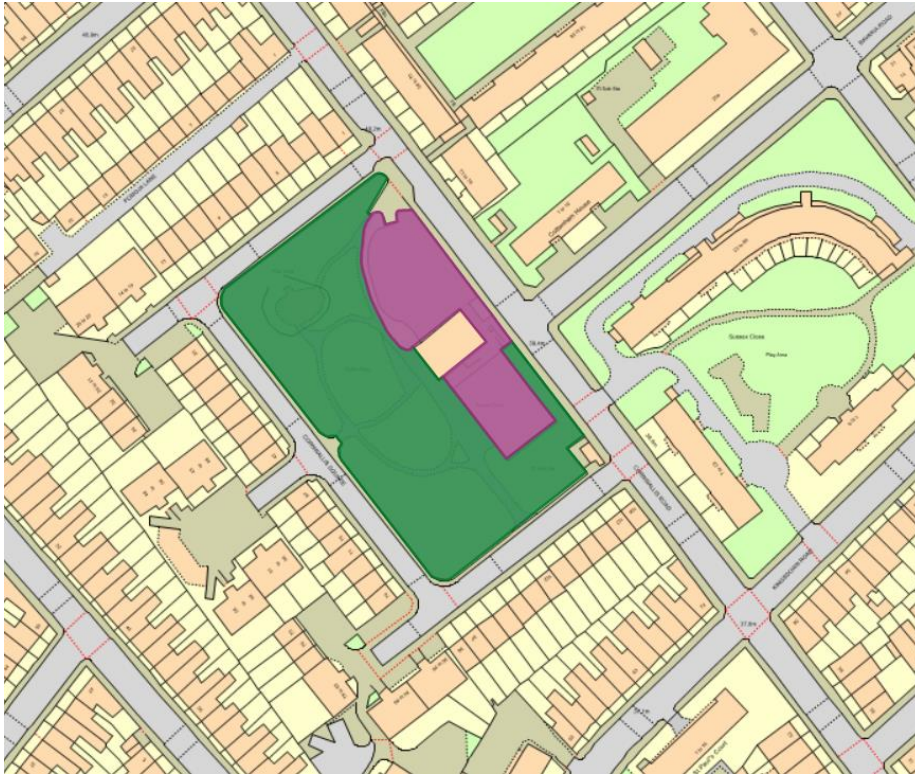
- Policy H1- Thriving communities
- Policy R1- Retail, leisure and services, culture and visitor accommodation
- Policy G1- Green Infrastructure
- Policy G2- Protecting open space
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy T2- Sustainable transport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

## **10. ASSESSMENT**

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

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

## LAND USE



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

- 10.2 The site is a designated adventure playground, providing dedicated play space. Whilst not designated Open Space, the site immediately abuts and provides facilities to complement the designated Open Space at Cornwallis Open Space. The map image below outlines the designation between the Open Space and Adventure Playground (green denotes Open Space, purple denotes Adventure Playground). Policy CS15 of the Core Strategy states that the Council will provide inclusive spaces for residents and visitors, and create a greener borough by protecting all existing local open spaces, including open spaces of heritage value, as well as incidental green space, trees and private gardens.
- 10.3 Policy CS16 of the Core Strategy relates to the borough's play spaces and states that opportunities for play in Islington will be maximised through improving the quality and function of existing play spaces so that they can provide more play opportunities for different age groups and disabled children, particularly in those areas where opportunities for play are currently limited.
- 10.4 Part F of policy DM6.3 reads that the Council will protect existing play space across the borough by resisting their loss, unless:
- I. *a replacement play space of equivalent size and functionality is provided to meet the needs of the local population. Where this is not possible development will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal, and the capacity of other local play spaces shall be increased through a financial contribution to pay for expanded and improved provision that is adequate to meet the needs that the space lost was capable of meeting, plus the needs associated with any uplift or intensification proposed; or*
  - II. *it can be demonstrated robustly that they are no longer required and that their loss would not lead to a shortfall in overall play provision in the local area.*
- 10.5 Part G of the policy states that all of the borough's adventure playgrounds will be protected.

- 10.6 Supporting text within paragraph 6.30 of the Development Management Policies details that given the valuable role of the borough's adventure playgrounds in providing play opportunities, their protection against change is important. The existing amount of formal play provision per child should therefore be maintained.
- 10.7 Whilst policy DM6.3 provides a general protection to all open space, such protection is qualified according to particular designation. In this case, the site is not designated as public open space so whilst recognised as having value, part F of the policy specifies that development on such space can be accepted where replacement space is provided of the equivalent size and functionality to meet the needs of the local population. Where re-provision of the same size and functionality is not possible, this will only be permitted in exceptional circumstances where there are over-riding planning merits to the proposal.
- 10.8 The proposed development would result in a replacement building with an additional 29sqm of external floorspace. This would be technically more than the equal floorspace as expected by policy and a further build within the adventure playground; however, the new building would better facilitate the use of the adventure playground, complement the existing uses and provide internal play/education space, which would result in an improved facility at the site and more opportunities for children and young adults. The introduction of a high quality building would to support the use of the site would be in accordance with the above noted policies.



**Image 8:** Existing and proposed building.

- 10.9 The footprint of the proposed building is 234sqm, which is an increase of the built form from the existing building by 29sqm; however the additional floorspace would be located at the existing front entrance area of the site and not within the existing core play area. There would be no loss of play equipment as a result of the proposed development, which is the key function of the designated adventure playground. The existing use would still function and would be further supported as a result of the development.
- 10.10 The existing timber building has been in existence since the late 1980s and has been known to have been used by the wider community. As well as being used in conjunction with the external equipment for children's play, the building accommodated meetings and workshops by various youth groups as well as space for occasional events by the local community. Such uses would return to the new building which is considered a public benefit overall. The slightly increased building's floorspace with dedicated spaces would also would efficiently accommodate such events in a modern building designed for such purposes.

- 10.11 In summary, the proposed building would also provide wider uses beyond those of the adventure playground and would benefit the community. The building can be used for internal play and recreational spaces, as well as flexible meeting spaces. This would provide accommodation for the local community and welfare groups that used the previous building as discussed above. The building would also contribute to enhanced and improved children's play and development.
- 10.12 The proposal would result in the loss of the existing building at the site, which provides a social infrastructure use. Part A of policy DM4.12 of the Islington Development Management Policies specifies that the Council will not permit any loss or reduction in social infrastructure uses unless:
- i) a replacement facility is provided on site which meets the need of the local population; or
  - ii) the specific use is no longer required on site.
- 10.13 Part C of policy DM4.12 states:
- “New social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities, must*
- *i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling, and public transport.*
  - *ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;*
  - *iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and*
  - *iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.”*
- 10.14 As evidenced by the existing building at the site and its known uses by the community, it is considered that the proposed building would be within a convenient location for the community. Cornwallis Open Space is a focal point of the surrounding residential area. The proposed internal space configuration of the single storey building would help users with accessible needs whilst the proposed development also includes a reconfigured ramp from the public highway to the building. A further analysis on transport accessibility is discussed further on in this report.
- 10.15 When considering the existing building at the site, the proposed development would result in the marginal loss of external open space (designated as Adventure Playground) due to its extension towards the street. However, as noted above, the proposal would provide a new social infrastructure facility at the site that would further support the adventure playground use and community use offer of the site, would provide an appropriate replacement for the demolished building and would support improved access and facilitation of use of play space and open space, particularly in an area of open space deprivation. The quality and functionality of the adventure playground and wider open space would be greatly improved as a result of the development and more accessible to users, which are considered significant benefits of the scheme.
- 10.16 On balance, the proposed development would result in an overall improvement to the quality of play provision at Cornwallis Adventure Playground, which is considered to weigh in favour of the proposal and therefore is supported by officers. The proposal would improve the function of the adventure playground in accordance with policy CS16 of the Islington Core Strategy 2011.

- 10.17 Given that the proposed building would improve play, children's development and community uses and functions, it is considered the proposed development is considered to comply with the broad aims of policies and CS16 of the Islington Core Strategy 2011 and policies DM4.12, DM6.1, and DM6.3 of the Islington Development Management Policies 2013. Whilst the proposed development would comply with the aims of policy CS15, the wider community benefits and enhancement of the user experience of the adventure playground and adjoining public open space are considered to be of a particular and sufficient public benefit to weigh against the minor loss of adventure playground space. Furthermore, the minor loss of space would be located to the frontage of the building.
- 10.18 Overall, the proposed development is considered acceptable in regards to land use; however, overall acceptability is subject to the other considerations within this report.

## DESIGN

- 10.19 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should contribute positively to making places better for people.
- 10.20 Paragraph 131 of the NPPF (2021) states that in determining planning applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 10.21 Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 of the Core Strategy and policy DM2.1 of the Islington Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development
- 10.22 Paragraph 5.68 of the Islington Urban Design Guide (IUDG) reads "*The relationship between the height of building and the street/space they flank is of critical importance. A balance must be found between the need for enclosure. Surveillance and definition and the risk of creating overbearing development that starves the street of light and air.*"
- 10.23 The IUDG states further on in paragraphs 5.76 and 5.77 "*In addition to its height, the scale of a building is also determined by its bulk, width and the manner in which the façade is articulated...Vertical proportions are expressed both in the overall dimensions of a building and in its individual elements, particularly the fenestration, and the manner in which they are composed within the frontage.*"
- 10.24 For new development, the IUDG summarises what is being sought in paragraph 5.78, by reading "*High quality contemporary designs will normally be sought that are skilfully woven into their context and that respect the rhythm, scale and proportions of the existing street frontage. Where the predominant building form in the surrounding area is characterised by narrow plot widths, designs should reflect this.*"
- 10.25 Within the surrounding area, it is observed that whilst there are Victorian terraced housing (with narrow plot widths) towards the northwest; the majority of plots are spacious with wide four storey mid and post-war housing stock as well as larger late 20<sup>th</sup>/early 21<sup>st</sup> century purpose built residential developments. Whilst the existing building is part of its own context as part of the wider Cornwallis Open Space, it can also be considered that the existing building and its plot is akin to and reflects the larger neighbouring housing developments. Whilst a larger development can be accommodated within the adventure playground site, any building should still be of an appropriate and subservient scale to (whilst facilitating) the use of the site as open adventure playground.

- 10.26 The maximum height of the existing building is 3.8m (4.7m when measured from street level) at the roof pitch, lowering to 2.2m at eaves level (3.4m from street level). The building is set back from the perimeter with the public highway by 6.25m.
- 10.27 The proposed building would be single storey at a maximum height of 3.85m (5m when measured from street level) and would occupy a marginally larger area than the existing building in the same location of the adventure playground. In comparison to the existing building, the proposed new build would be brought forward towards the street by 3m, but yet still set 3m back from the highway. The proposed building is considered appropriate as it would maintain a similar impact of bulk as the existing building within the streetscene of Cornwallis Road and longer views down Bavaria Road.

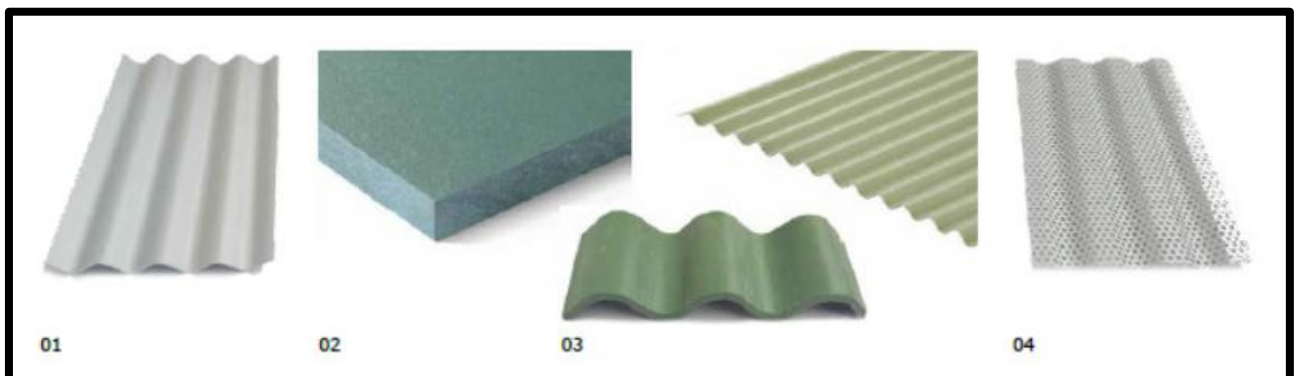


**Image 9:** Visual of proposed building along Cornwallis Road.

- 10.28 Furthermore, the proposal maintains the open character within the street scene characterised by the neighbouring block-like buildings within spacious open plots. Therefore, in reference to paragraph 5.68 of the IUDG, it is considered that the proposed development provides a balanced relationship within the street by through its slightly increased scale and design.
- 10.29 Another factor to consider would be the relationship of the proposed development with the open space that it would flank. The footprint of the new building would be 234sqm which is a minor increase from the existing with the additional bulk not facing the open space. This in conjunction with its single-storey height is considered to be an appropriately scaled building within the adventure playground and adjacent to Cornwallis open space. When seen from within the adventure playground and wider open space, the building would not appear as overbearing, nor enclosing and the need for enclosure (which is acknowledged as of high importance given the nature of the site) is already addressed by the existing boundary wall of the site leading from the building to the outdoor play equipment. The building is an appropriate scale and would remain subservient to the open nature and scale of the adventure playground, reflecting that the prime use of the site remains outdoor children's play and development.



- 10.30 The proposed fenestration at the front elevation facing Cornwallis Road is considered to provide an active presence to the street in combination with the front elevation being moved closer to the street. A full-height door and glazed panelling is proposed at the entrance to the building on top of the modified entrance steps. The new location of the entrance door would align with Bavaria Road in which its presence can be seen within longer views down the street. Whilst protected by metal perforated privacy cladding, the 3x proposed windows on the front elevation also provide activity and surveillance along Cornwallis Road as well as forming an appropriate fenestration design for the building. This is considered an overall improvement from the existing building which appears as a blank front elevation with boarded up windows and doors providing no active frontage or surveillance to the street.
- 10.31 The northwest elevation which faces the adventure playground comprises of majority corrugated metal cladding with full-height doors which is considered acceptable as it would provide open views from the building to the playground providing a safe presence, whilst being of a sympathetic design. This elevation would not be visible from the adjoining street as it would be obscured by the high boundary metal fencing and play equipment with some views from within the wider open space.
- 10.32 The proposed fenestration is considered to reflect vertical proportions of the building in relation to its single storey height. Full windows and doors on its northern elevation would face onto the open space. Whilst also providing an expression of its vertical proportions, the fenestration would also provide an open relationship between the main internal area of the building and the adventure playground space outside. The same considerations also apply to the fenestration facing the football pitch. The elevation facing the open space would be blank; however, there is the opportunity to use the blank façade for some form of creativity further on as evidenced with the existing elevation through the painting of murals and drawings by the adventure playground users.
- 10.33 The proposed materials for the building are coloured corrugated metal cladding, aluminium framed doors, windows and glazing, perforated privacy cladding (to be placed on the windows), and fibre cement roof fascia. The proposed material choice is considered appropriate as given their durability and additionally can be found in other elements across Cornwallis Adventure Playground and Open Space.



**Image 10:** Proposed materials.

- 10.34 Lettering is proposed on the roof fascia of the building on its north-eastern elevation that would read 'CORNWALLIS ADVENTURE PLAYGROUND'. There is no objection the design of the lettering and this considered an appropriate form of signage which would also be used on similar developments within the borough and as such, would bring a common noticeable identity.
- 10.35 In association with the new build, the front entrance area is to be redeveloped in order to provide better accessibility from the public highway along with a new reclaimed low level brick boundary wall. A metal balustrade is also proposed along the ramp and on either side of the entrance steps. Overall, the redevelopment of the front of the site is considered a significant improvement in regards to design (as well as accessibility as discussed further in this report) and to result in a more finished and welcoming appearance in comparison to the existing.

- 10.36 New metal secure fencing and gates are proposed by the football pitch which are not objected to as they are within the context of existing metal fencing.
- 10.37 The proposed development would provide a suitably high standard of design to the local area using appropriate materials in a contemporary design. The proposal is considered to relate well to the context of Cornwallis Adventure Playground and Cornwallis Open Space whilst providing an active presence along the street scene of Cornwallis Road.
- 10.38 Therefore, the proposed development complies with the National Planning Policy Framework 2021, policy D4 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011 and policies DM2.1 and DM2.3 of the Development Management Policies 2013.
- 10.39 Whilst the proposed materials are considered to be appropriate, to ensure that they are of a high quality appearance and finish, a condition will be attached upon approval for details of all facing materials within the proposed development.

### **INCLUSIVE DESIGN**

- 10.40 Policies D5 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in policy DM2.2 of the Islington Development Management Policies 2013, which requires developments to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone.
- 10.41 The proposed development would result in a step-free access from the pavement to the building by way of a replacement and reconfigured ramp. The entrance steps would also be altered and improved. The new access ramp would have a gradient of 1:15, with a width of 1.5m. Whilst this would not accommodate two wheelchairs to pass each other in opposite directions, it would facilitate step free-access to the new building, the play area and the football pitch. The Council's Inclusive Design Officer has reviewed the proposed development who raises no objection. The adaptations of the new building and front entrance are welcomed.
- 10.42 The internals and layout of the replacement building are also considered to be easier to navigate through and use in comparison to the existing building. New adaptations can be installed within the building for accessibility needs when such needs arise.
- 10.43 Given the constraints of the site and the approaches taken to improve accessibility for all users, the proposed development is considered to comply with policy DM2.2 of the Islington Development Management Policies 2013. Furthermore, the proposed development would be considered to overall comply with Part B of policy H4 of the Draft Local Plan which has the same aims as current policy DM2.2.

### **NEIGHBOURING AMENITY**

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

### Daylight, Sunlight and Overshadowing

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

### Outlook

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

### Privacy

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

### Noise and Disturbance

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

### Opening Hours

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

- 10.54 No hours of use restrictions were provided within previous planning permission at this site. A condition is recommended restricting the hours to those noted above. Given the established use of the site as an adventure playground and the hours of use proposed, it is considered that an operational management plan would not be required.

#### Light Pollution

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

#### Safety and Security

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

#### **TRANSPORT**

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

#### **REFUSE AND RECYLING**

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

## **ENERGY, SUSTAINABLE DESIGN AND CONSTRUCTION, AND BIODIVERSITY**

- 10.63 Policy DM7.1 of the Islington Development Management Policies states that 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. In particular, Part C reads "*Major developments, minor developments creating new residential and/or commercial units, and extensions of 100m<sup>2</sup> or greater, shall be accompanied by a Sustainable Design and Construction Statement (SDCS), including where relevant an Energy Statement. The SDCS shall clearly set out how the application complies with relevant sustainable design and construction policies and guidance.*"
- 10.64 The applicant has submitted a Sustainable Design & Construction Statement (SDCS) outlining methods in which the new build would help promote sustainable design standards. The SDCS outlines that the new build would be a high thermal performing and airtight structure which would create an envelope which would minimise the building's operational energy requirements. This is as the building would considerably address heat loss. In turn, this would require less energy to operate the building as energy isn't consumed to replace already lost heat and energy.
- 10.65 Heating and energy would be provided to the building through the incorporation of air source heat pumps and solar PV panels. Fittings are also proposed to be installed within the finishes of the building internally to address energy usage and the borough's targets to become a net-zero borough by 2030. These measures are light fitting that are capable of only acceptable low energy light bulbs, energy labelled white goods that are A+ rated and light fittings that are efficiently greater than 40 lumens per watt. Externally, energy efficient light and security lights with controlled motion sensors are proposed.
- 10.66 The materials for the construction will be locally sourced where possible to minimise adverse environmental impacts through the types of materials as well as the shorter distance supply chain. The longevity and durability of the chosen materials would ensure that the use of additional materials would be lessened during the building's lifetime, thereby lessening harmful environmental impacts from its production and sourcing. All proposed timber for the internal structures and partitions would be specified from PEFC or FSC certified sources.
- 10.67 The development also proposes measures for water management in the form of sustainable drainage systems (SUDS). Forms of SUDS proposed for the new build are the biodiverse roof, bio retention planters, water butts and the use of permeable surfaces. Some of these SUDS also promote biodiversity values such as the biodiverse roof and planters.
- 10.68 The proposed biodiverse green roof would cover an area of approximately 195sqm. Whilst the provision of a bio-diverse green roof is supported, further details are recommended to be submitted to ensure that the proposed roof meets the council's biodiverse values and to secure its longevity. This includes details of plant species, substrate depth, and maintenance.
- 10.69 The proposed development therefore is considered to comply with policies DM6.5, DM7.1 and DM7.2 of the Islington Development Management Policies 2013. A condition is recommended that would ensure that the development is implemented in accordance with the Sustainable Design and Construction Statement to ensure the building's sustainability.

## **TREES AND LANDSCAPING**

- 10.70 The site contains a horse chestnut tree within the front external area which is proposed to be removed to accommodate the accessibility improvements to the new building entrance, including an accessibility compliant ramp. The applicant has submitted an arboricultural report which details that the horse chestnut has been pruned and otherwise damaged and decayed with a limited life expectancy.

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

## **11. SUMMARY AND CONCLUSION**

### **Summary**

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

- 11.5 In accordance with the above assessment, it is considered that the proposed development is, on-balance acceptable and consistent with the policies of the London Plan, the Islington Core Strategy and the Islington Development Management Policies, and associated Supplementary Planning Documents and should be approved accordingly.

**Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions:

<b>1</b>	<b>Commencement</b>
	<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>	<b>Approved Plans List</b>
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>PHP COR 00: 100 P1; 101.          PHP COR 01: 100 P1; 101 P1; 200 P1; 300 P1; 302 P1; 303 P1.          PHP COR 02: 101 P2; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1.          PHP COR 07: 100; 200 P1.</p> <p>Redevelopment of Cornwallis Adventure Playground [by Paper House Project]: Design &amp; Access Statement dated June 2021; Engagement Statement dated June 2021; Proposed Accessibility Options- Configurations A-F dated September 2021; Sustainable Design &amp; Construction Statement dated September 2021 by Paper House Project dated September 2021.</p> <p>Arboricultural Report by Tim Moya Associated dated June 2021 (Ref. 200934-pd-11).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<b>3</b>	<b>Materials (Details)</b>
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Corrugated sheeting and cement fibre</li> <li>b) window treatment (including sections and reveals);</li> <li>c) roofing materials; and</li> <li>d) any other materials to be used.</li> </ul> <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>



<p><b>4</b></p>	<p><b>Hours of Operation (Compliance)</b></p> <p>CONDITION : The development hereby approved shall not operate outside the hours of:</p> <p>08:00- 22:00hrs Monday- Fridays  09:00- 20:00hrs Saturdays  10:00- 20:00hrs Sundays and Bank Holidays</p> <p>The development hereby approved shall not be used in association with the existing adventure playground outside the hours of:</p> <p>08:00- 19:00hrs Monday- Fridays  08:00- 18:00hrs Saturdays, Sundays and Bank Holidays</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p><b>5</b></p>	<p><b>Construction Method Statement (Details)</b></p> <p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> <li>i. the parking of vehicles of site operatives and visitors</li> <li>ii. loading and unloading of plant and materials</li> <li>iii. storage of plant and materials used in constructing the development</li> <li>iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate</li> <li>v. wheel washing facilities</li> <li>vi. measures to control the emission of dust and dirt during construction</li> <li>vii. a scheme for recycling/disposing of waste resulting from demolition and construction works</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
<p><b>6</b></p>	<p><b>Cycle Parking (Details)</b></p> <p>CONDITION: Details of the design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than the 1x cycle spaces proposed.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<p><b>7</b></p>	<p><b>Sustainable Design and Construction (Compliance)</b></p> <p>CONDITION: The hereby approved development shall be carried out in accordance with the approved Sustainable Design &amp; Construction Statement by Paper House Project dated September 2021.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

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

**List of Informatives:**

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

	<p>streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a>.</p>
<b>3</b>	<b>Community Infrastructure Levy (CIL)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/cil">www.planningportal.gov.uk/cil</a>, and the Islington Council website at <a href="http://www.islington.gov.uk/cil">www.islington.gov.uk/cil</a>. CIL guidance is available on the GOV.UK website at <a href="http://www.gov.uk/guidance/community-infrastructure-levy">www.gov.uk/guidance/community-infrastructure-levy</a>.</p>

## APPENDIX 2: RELEVANT POLICIES

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

### 1 National Guidance

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- National Planning Policy Framework 2021

### 2. Development Plan

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

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

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

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

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

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

##### Design and Heritage

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

##### Shops, culture and services

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

##### Health and open space

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

##### Energy and environmental standards

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

##### Transport

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

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

The following SPGs and/or SPDs are relevant:

Islington SPG/SPD

- Urban Design Guide 2019
- Environmental Design SPD

# Appendix 4 : PLANNING DECISION NOTICE



# ISLINGTON

C/O Agent  
c/o DMH Stallard  
Griffin House, 135 High Street  
Crawley  
RH10 1DQ

Development Management Service  
Planning and Development Division  
Environment & Regeneration Department  
**Case Officer:** Samir Benmbarek  
**T:** 0207 527 1857  
**E:** [planning@islington.gov.uk](mailto:planning@islington.gov.uk)  
**Issue Date:** 28 October 2021  
**Application No:** P2021/1874/FUL  
*(Please quote in all correspondence)*

Dear Sir or Madam

## TOWN AND COUNTRY PLANNING ACTS

### BOROUGH COUNCIL'S DECISION: Approve with conditions

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, subject to the condition(s) listed and in accordance with the plans submitted, save insofar as may be otherwise required by the condition(s).

<b>Location:</b>	<b>17 Cornwallis Road, London, N19 4LP</b>		
<b>Application Type:</b>	<b>Full Planning Application</b>		
<b>Date of Application:</b>	28 June 2021	<b>Application Received:</b>	28 June 2021
<b>Application Valid:</b>	28 June 2021	<b>Application Target:</b>	23 August 2021

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

**PLAN NOS:** PHP COR 00: 100 P1; 101, PHP COR 01: 100 P1; 101 P1; 200 P1; 300 P1; 302 P1; 303 P1. PHP COR 02: 101 P2; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1, PHP COR 07: 100; 200 P1, Redevelopment of Cornwallis Adventure Playground [by Paper House Project]: Design & Access Statement dated June 2021; Engagement Statement dated June 2021; Proposed Accessibility Options-Configurations A-F dated September 2021; Sustainable Design & Construction Statement dated September 2021 by Paper House Project dated September 2021 & Arboricultural Report by Tim Moya Associated dated June 2021 (Ref. 200934-pd-11).

### CONDITIONS:

- 1 3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.

**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).

- 2 DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:

PHP COR 00: 100 P1; 101, PHP COR 01: 100 P1; 101 P1; 200 P1; 300 P1; 302 P1; 303 P1. PHP COR 02: 101 P2; 200 P1; 300 P1; 301 P1; 302 P1; 303 P1, PHP COR 07: 100; 200 P1, Redevelopment of Cornwallis Adventure Playground [by Paper House Project]: Design & Access Statement dated June 2021; Engagement Statement dated June 2021; Proposed Accessibility Options- Configurations A-F dated September 2021; Sustainable Design & Construction Statement dated September 2021 by Paper House Project dated September 2021 & Arboricultural Report by Tim Moya Associated dated June 2021 (Ref. 200934-pd-11).

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.

- 3 MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:

- a) corrugated sheeting and cement fibre
- b) window treatment (including sections and reveals);
- c) roofing materials; and
- d) any other materials to be used.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

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.

- 4 HOURS OF OPERATION (COMPLIANCE): The development hereby approved shall not operate outside the hours of:

08:00- 22:00hrs Monday- Fridays  
09:00- 20:00hrs Saturdays  
10:00- 20:00hrs Sundays and Bank Holidays

The development hereby approved shall not be used in association with the existing adventure playground outside the hours of:

08:00- 19:00hrs Monday- Fridays  
08:00- 18:00hrs Saturdays, Sundays and Bank Holidays

REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

- 5 CONSTRUCTION METHOD STATEMENT (DETAILS): No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. loading and unloading of plant and materials
- iii. storage of plant and materials used in constructing the development
- iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- v. wheel washing facilities
- vi. measures to control the emission of dust and dirt during construction
- vii. a scheme for recycling/disposing of waste resulting from demolition and construction works.

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

REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.

- 6 CYCLE PARKING PROVISION (DETAILS): 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 any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 1x cycle spaces.

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.

REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.

- 7 SUSTAINABLE DESIGN AND CONSTRUCTION (COMPLIANCE): The hereby approved development shall be carried out in accordance with the approved Sustainable Design & Construction Statement by Paper House Project dated September 2021.

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

REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.

- 8 GREEN/BROWN BIODIVERSITY ROOFS (DETAILS): Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:
- a) biodiversity based with extensive substrate base (depth 80-150mm);
  - b) laid out in accordance with plan PHP COR 02 101 P2 hereby approved; and
  - c) planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).

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.

The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.

- 9 REFUSE/RECYCLING PROVIDED (COMPLIANCE): The dedicated refuse / recycling enclosure(s) shown on the approved drawings shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.

REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.



- 10 TREE REMOVAL (COMPLIANCE): Planning permission is only hereby granted for the removal of the Horse Chestnut tree as shown on drawing no. PHP COR 01 100 Rev P1 (Existing Ground Floor Plan). All other trees shall be retained unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the continued amenity and environmental benefits provided by the trees.

- 11 TREE PLANTING PLAN (DETAILS): Notwithstanding the drawings and information approved, prior to first occupation of the hereby approved community building a replacement tree planting plan shall be submitted to the Local Planning Authority and approved in writing. The tree planting plan shall identify:

- a) A minimum of 3 replacement trees that shall be container grown, heavy standard nursery trees. At least one of these trees shall have a minimum stem girth of 14-16cm and two of these trees shall have a minimum stem girth of 12-14cm. These 3 trees shall be planted within the Cornwallis Adventure Playground / Public Open Space.
- b) A further 3 replacement trees shall also be planted either within the Cornwallis Adventure Playground /Public Open space or within 200m of the boundary of the application site, within the public highway (locations to be agreed prior to planting with the Local Planning Authority) on the tree planting plan(s).
- c) The position, size and species of the replacement trees are to be shown on a submitted tree planting plan which should also be accompanied by a maintenance / management plan (including watering schedule) to cover a minimum period of 5 years. The maintenance/ management plan shall be submitted and agreed in writing by the Local Planning Authority prior to any planting taking place.
- d) Details of soil preparation, staking, irrigation and maintenance of the trees shall also be submitted and agreed in writing by the Local Planning Authority prior to any planting taking place and shall comply with the recommendations contained within BS8545 (2014) Trees: From Nursery to independence in the landscape.
- e) To help the establishment of new trees an irrigation tube or root bag shall be installed at the time of planting as this will help to direct the water to the roots located beneath.

The 6 replacement trees are to be planted within twelve months of the removal of the existing Horse Chestnut tree. The trees shall be maintained and managed in accordance with the agreed Tree Planting Plan details for a minimum 5 year period.

To confirm compliance with this condition a photo of the planted trees should be submitted to the planning tree officer via planning ([planning@islington.gov.uk](mailto:planning@islington.gov.uk) ) quoting the relevant application planning reference. Suitable species for this location could include the following tree species: Silver Maple (*Acer saccharinum*), Sweet gum (*Liquidambar styraciflua*), and/or Italian alder (*Alnus cordata*).

REASON: To ensure the continued amenity and environmental benefits provided by the trees and the planting of an appropriate species and to secure an appropriate degree of amenity and biodiversity replacement to the Horse Chestnut tree to be lost, including appropriate replacement canopy cover.

- 12 RETAINED TREES (COMPLIANCE): 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.

REASON: In order 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 in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan.

Your attention is drawn to any **INFORMATIVES** that may be listed below

- 1 The following British Standards should be referred to:
  - a. BS: 3882:2015 Specification for topsoil
  - b. BS: 3998:2010 Tree work - Recommendations
  - c. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs
  - d. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces)
  - e. BS: 4043:1989 Recommendations for Transplanting root-balled trees
  - f. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations
  - g. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf).
  - h. BS: 8545:2014 Trees: from nursery to independence in the landscape - Recommendations
  - i. BS: 8601:2013 Specification for subsoil and requirements for use

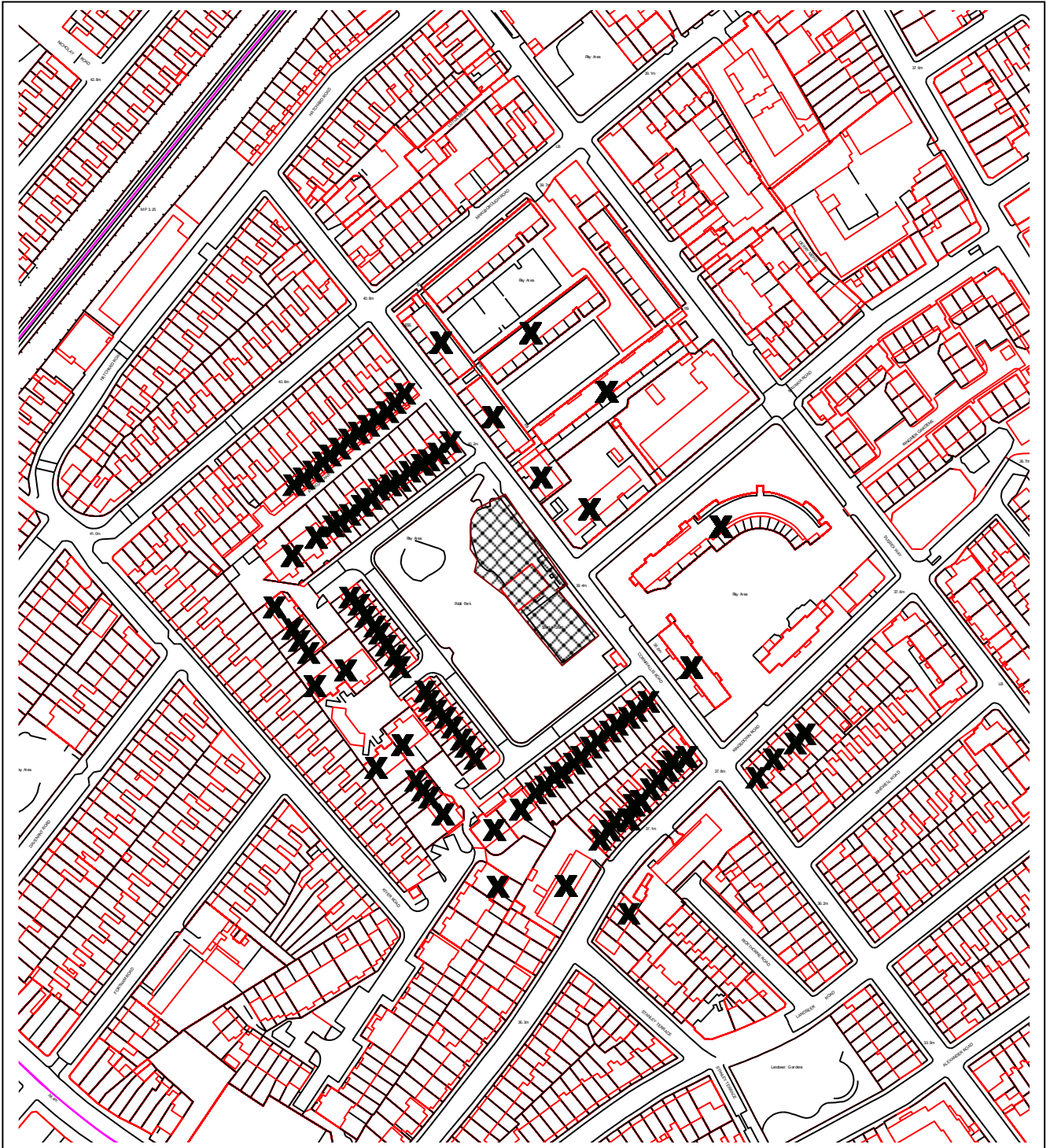
Certified that this document contains a true record of a decision of the Council

Yours faithfully



**KAREN SULLIVAN**  
**SERVICE DIRECTOR - PLANNING AND DEVELOPMENT**  
**AND PROPER OFFICER**

# Islington SE GIS Print Template



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**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	18 <sup>TH</sup> April 2023	

Application number	P2022/3596/FUL
Application type	Full Planning Application
Ward	Bunhill
Conservation area	Moorfields Conservation Area
Development Plan Context	Core Strategy Key Area – Bunhill & Clerkenwell; Conservation Area – Moorfields Locally Listed Building Central Activity Zone (CAZ); Employment Priority Area (General); Finsbury Local Plan Area – Bunhill & Clerkenwell; Open Space Bunhill Fields Burial Ground; Article 4 Direction A1-A2 (Rest of Borough); Article 4 Direction B1(c) to C3; Within 100m of the Strategic Road Network (SRN); London Underground Zone of Interest; TfL Tunnel Land Ownership; Heathrow Safeguarding Area.
Licensing Implications	None
Site Address	186 City Road, London, EC1V 2NT
Proposal	Creation of new office floorspace (Use Class E(g)) including demolition and replacement of existing fourth, fifth and sixth floors together with the erection of a seventh storey extension, internal and external alterations, plant alongside other associated works.

Case Officer	Owen Griffiths
Applicant	C/O Agent
Agent	DP9 - Mrs Katharine Woods

**1. RECOMMENDATION**

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

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

2. SITE PLAN (site outlined in red)

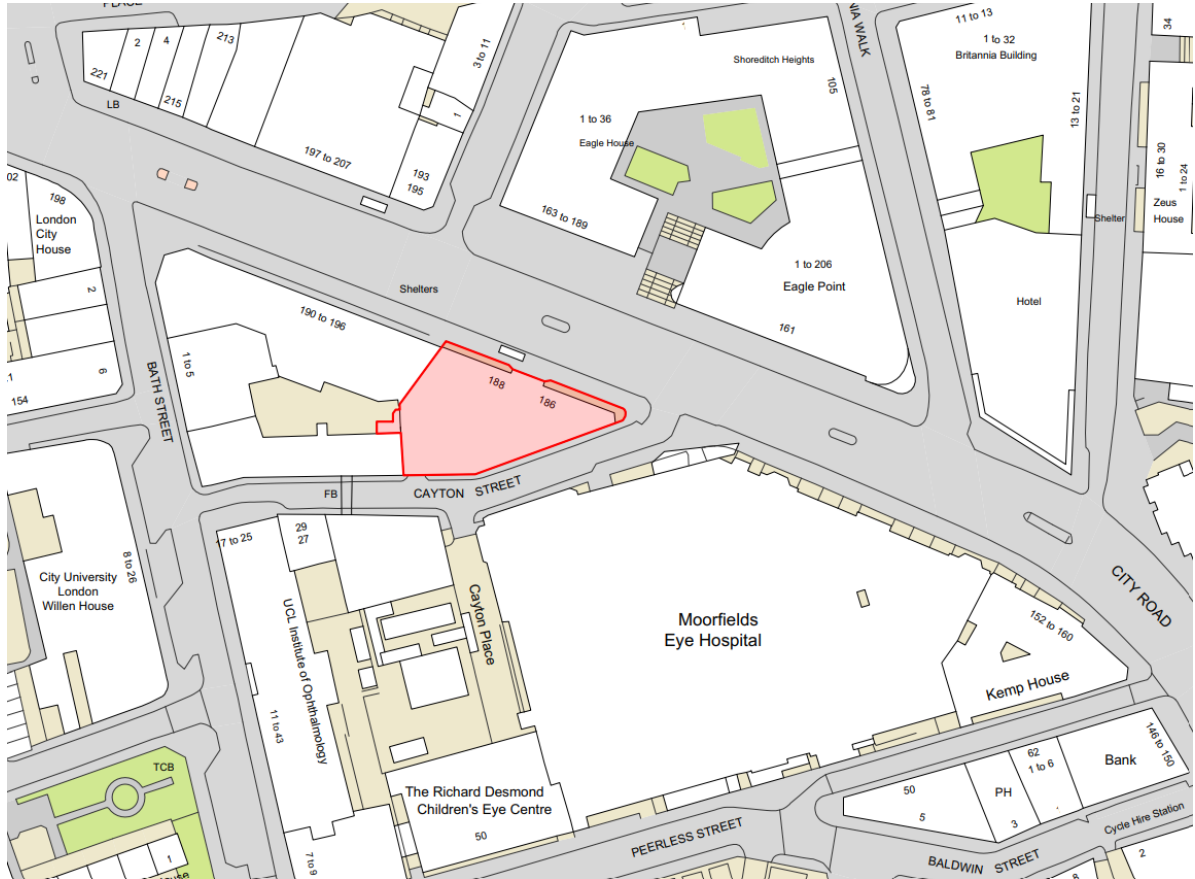


Image 1 – Site Location Plan

### 3. PHOTOS OF SITE/STREET



Image 2 - Aerial View of Site in Context

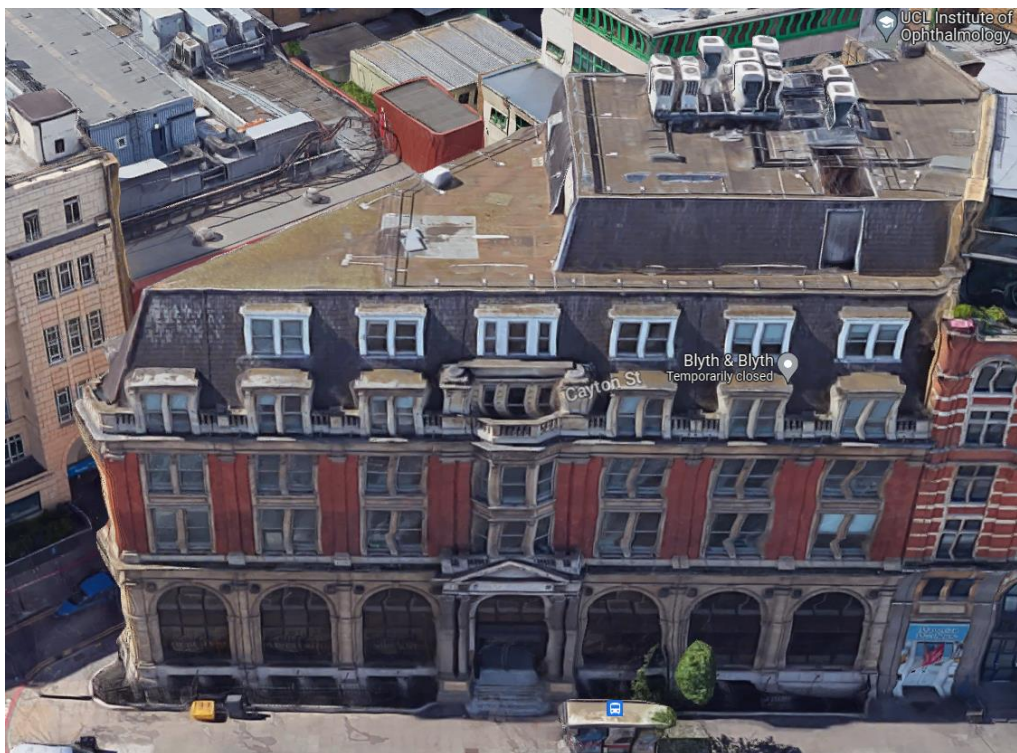


Image 3 - Aerial View of Site (City Road)



**Image 4 – Street Level View from City Road**



**Image 5 – Street Level View from City Road**

#### **4. SUMMARY**

- 4.1 The site is currently occupied by a 6 storey plus basement and plant room building which is in office use. The building is located within the Moorfields Conservation Area, The Central Activity Zone (CAZ), an Employment Priority Area (general) and the building is Locally Listed, Grade A. The site is located on the borough boundary with the other side of City Road being within the London Borough of Hackney.
- 4.2 Permission is sought for the demolition of the top two storeys plus plant room of the original building and for four new storeys of office accommodation to be constructed. The top floor (seventh) will be a pavilion type structure that is set back from the City Road and Cayton Street elevations to accommodate a roof terrace and there will be plant above at eighth floor level.
- 4.3 The development represents an increase in office floor area of 861sqm (GIA) and includes the infilling of the basement lightwells to provide extra office accommodation. Inclusive design measures have been incorporated into the building which will be refurbished internally to modern



office standards. New cycle parking arrangements with end of trip facilities are also included at ground and basement levels.

- 4.4 The refurbished building will be powered solely by electricity and includes high performance glazing and green roofs. Once complete the refurbished building will achieve a BREEAM score of 'Excellent' and a substantial financial carbon off-setting contribution is proposed.
- 4.5 The overall design of the development has been assessed over its quality, effect on heritage assets and effect on neighbouring amenity. It is concluded that the extended office floorspace has been appropriately designed and will therefore not harm heritage assets nor have any adverse amenity impacts for surrounding occupiers.
- 4.6 It is recommended for a S106 legal agreement to secure £49,700 towards carbon off-setting, £6,000 towards accessible parking/transport and for a S278 agreement between TfL and the applicant for on-street cycle parking. These contributions will ensure the development complies with the relevant sustainability and transport related policies.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is a six-storey office building on the south side of City Road. The site occupies the corner of City Road and Cayton Street and is adjoined to 190 City Road (City Approach), an 8-storey mixed use building with residential accommodation on the upper levels. To the rear of the site across Cayton Street is land used for medical purposes including Moorfields Eye Hospital at 162 City Road. Moorfields private eye hospital is adjoined to the site along Cayton Street. The building is also located within the Moorfields Conservation Area.
- 5.2 The Moorfields Conservation Area was designated in 1990. It primarily consists of an impressive collection of late Victorian and Edwardian buildings fronting the south side of City Road. The finest of these is the former Leysian Mission, but others have impressive ornament, decoration, and high-quality materials. As a group these buildings give this part of City Road a cohesive character of Edwardian and Victorian grandeur which at that time related to the scale of City Road.
- 5.3 The application building is Locally Listed (Grade A), dating from the late 19th Century (1894) and is entirely in Office Use. The building was originally constructed as the head offices for the Lipton Tea Company and suffered bomb damage during WWII which resulted in the three upper floors of the building being rebuilt. The current building comprises 5 floors plus a full mansard storey, a partial second storey mansard and an additional plant storey at sixth floor level.
- 5.4 The application site is within the Finsbury Local Plan Area Action Plan, a Core Strategy Key Area – Bunhill and Clerkenwell. The site is also within the Central Activities Zone (CAZ) and an Employment Priority Area (general) as well as being within a zone of interest for TfL tunnels. City Road is part of the TfL strategic highway network with TfL being the Highway Authority.
- 5.5 To the rear of the site is proposed Site Allocation G5 - North West corner of Cayton Street /Bath Street where there is potential for a tall building of up to 50m. The site allocation is part of the draft Islington Local Plan that is at an advanced. The draft Local Plan also proposes to extend the current City Fringe Opportunity Area from Baldwin Street to the south up to the corner of City Road and Bath Street which will include the application site. Currently the site and land used for medical purposes are not within the City Fringe Opportunity Area. Intensification and higher buildings are clustering to parts of City Road to the north particularly around the canal and its basin. On the opposite side of City Road in the London borough of Hackney are some notable tall buildings; 161 City Road (27 Storey), 145 City Road (40 Storey) and currently under construction is 225 City Road that will be 22 storeys in height.

5.6 The site is around 300m from Old Street Station that includes tube and rail services. There is also a bus stop immediately outside the main entrance to the building on City Road. The site has a high PTAL score of 6a, the second highest score possible.

## 6. PROPOSAL

6.1 It is proposed to demolish the top two mansard floors and plant level of the existing building and to construct four new storeys of office accommodation. The fourth and fifth storeys will be rebuilt with a single storey mansard level constructed above at 6th storey level. The new top floor (seventh) will be a pavilion style construction with external terrace areas and plant will be located at eighth floor level along with a partial green roof to the pavilion.

6.2 The proposal will significantly alter the roof levels and form of the existing building by adding additional height and mass. It is also proposed to infill the basement lightwell facing City Road with a glazed roof which will provide additional internal floor area.

6.3 The proposals include a full refurbishment of the existing building including the reinstatement of traditional fenestration and other alterations to the lower levels of the building. The proposed refurbishment will bring the building up to contemporary commercial and environmental standards. The core is to be repositioned helping to deliver modern open floorplates and high-end facilities accommodating increased occupational density.

### Amendments

6.4 The height of the development has been reduced by 0.7m to bring the overall height below the 30m tall building threshold. An updated Daylight / Sunlight report has also been provided to clarify certain issues that were present in the initial iteration of this report such as surrounding developments and floorplates to neighbouring residential units.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

Application Number	Development Description	Decision	Decision Date
P061210	Replacement of existing glass entrance doors on City Road and installation of new entrance doors to Cayton Street.	Approved	27/10/2006
P030402	Installation of new wheelchair stairlift to front of building	Approved	15/07/2003
991649	Change of use of floors 1-5 to B1 use and for educational and hospital purposes, D1 use.	Approved	16/09/1999
991224	Erection of four air conditioning condensers on the roof on Cayton Street side of the building.	Approved	09/08/1999
960017	Erection of air conditioning units and guard rails at roof level	Approved	28/06/1996
940523	Modification of planning permission reference 95/1093 dated 24th May, 1996, by the removal of conditions 4 and 5.	Approved	15/08/1994
911460	Continued (unrestricted) BI - office use on ground floor and basement (floorspace 1 385 sqm).	Approved	16/01/1992

## 8. CONSULTATION

### Public Consultation

- 8.1 In total, 404 letters were sent to the occupants of surrounding buildings including to Bath Street and City Approach which borders the site to the west. Properties in the London Borough of Hackney on the opposite side of City Road were also consulted including to Eagle Point, Eagle House and Westlands Place. Consultation letters were sent on the 11<sup>th</sup> November 2022. A site notice and press advert were displayed on the 17<sup>th</sup> November 2021. The public consultation of the application therefore expired on the 11<sup>th</sup> December 2022, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 A second round of consultation was undertaken from the 20<sup>th</sup> March 2023 due to the minor decrease in height of the overall development and as additional information had been provided such as an updated Daylight and Sunlight report. The second consultation period expired on the 3rd April 2023 with two additional comments received from TfL and Moorfields Eye Hospital.
- 8.3 The application has received 3 objections. The objections have raised the following issues with the development proposed (with the paragraphs in brackets indicating where in the report the respective points have been addressed):
- Heavy construction would result in a significant amount of disruption at street level, causing traffic in an already heavily congested area. Also has the potential to cause hazards for pedestrians including those visually impaired using the eye hospital. (*Paragraphs 10.43-10.45*)
  - Additional noise would impact how easily the visually impaired could navigate the immediate area due to heavier reliance on their hearing. (*Paragraphs 10.45*)
  - Particularly concerned by noise during construction process that will cause a disturbance while working from home. (*Paragraphs 10.43-10.45*)
  - Concerns with overlooking into property across the road at Eagle Point and daylight being affected by the seventh floor extension. (*Paragraphs 10.46-10.47*)
  - Would also like to understand the programme of the building works better to understand how this can affect noise levels during the weekends and evenings. (*Paragraphs 10.43-10.45*)
  - The new build will look directly into bedrooms, living space and kitchen at City Approach which would be an invasion of privacy you can imagine, this would be an invasion of our privacy. (*Paragraphs 10.46-10.47*)
  - The proposed construction will also block view and right to light. (*Paragraphs 10.50-10.61*)

### External Consultees

- 8.4 London Underground Infrastructure Protection: Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:
- the development will not have any detrimental effect on our tunnels and structures either in the short or long term
  - the design must be such that the loading imposed on our tunnels or structures is not increased or removed
  - we offer no right of support to the development or land

Therefore, we request that the grant of planning permission be subject to condition.

- 8.5 TfL: The application is situated on A501 City Road, which forms part of the Transport for London Road Network (TLRN), TfL therefore offers the following comments:

- It is not considered that the proposal would result in a significant traffic capacity impact to the TLRN and local highway network as the proposal would be car free.
- Lack of on-site short-stay cycle parking provision is disappointing, TfL requests that some on-site secured short stay cycle parking facility shall be provided for visitors in line with London Plan cycle parking standards.
- An updated Delivery & Servicing Plan (DSP) shall be submitted for Council's approval prior to occupation. Servicing should be consolidated where possible with an increase of bikes servicing.
- A Construction Management Plan and Construction Logistics Plan (CLP) shall be submitted for Council's approval prior to commencement, in consultation with TfL.
- No skip/ construction materials shall be kept on the footway/ carriageway of City Road at any time
- TfL would not agree to relocate the existing bus stop shelter on City Road outside the site entrance on a permanent basis.

Second Consultation Response:

- 8.6 TfL considers that while the proposed provision of on-street cycle street would be principally acceptable, its ultimate design and locations will be determined in the S278 process which the applicant shall enter such agreement with TfL to deliver the cycle stand facilities on City Road. Therefore, TfL request that Islington Council to secure the applicant to enter into a s278 agreement under Highways Act 1980 to deliver the cycle stands either by s106/ planning condition.
- 8.7 Hackney Society: Removal of the existing addition results in some more coherent design but because it is substantially more massive has too large a proportion of new to old, to respect the host building. The result is insensitive which pays little regard to the precedents cited.
- 8.8 London Borough of Hackney: No objection.
- 8.9 Moorfields Eye Hospital Foundation Trust: Would like to raise initial concerns:
- Patient safety, our patient cohort suffers from impaired vision and age related mobility issues.
  - Noise, vibration, and dust
  - City Road Fire Assembly Point will be lost / compromised
  - More road vehicles creating blockages in Cayton Street affecting our patient transport drop off and pick up's and site access / egress
  - One of the site's proposed access/egress routes is diagonally opposite A&E department
  - Increase in external contractors on pavements blocking access to the site.
  - Potential for pavement limitations forcing people into the road
  - Right to light

Second Consultation Response:

- 8.10 Same concern points as above with additional questions raised:
- Would like to know the results of the new survey?;
  - What is the new height;
  - How many floors.
- 8.11 Islington Swift Group: The BREEAM Ecology & Land Use report makes many sensible recommendations for enhancement (pages 13-14, section 4). However, the Sustainability Statement report Ecology section (page 9, section 4.6) is unclear about what is included except a small green roof and roof terrace planters, and the Conclusion (page 11) refers to adoption of "key" recommendations of the ecologist only. Therefore, we request that a requirement to implement the ecologist's recommendations is included in the planning conditions. Swift boxes are included in the recommendations (paragraph 4.1.6.). We request that swift bricks or boxes are installed to enhance biodiversity in accordance with the Islington Biodiversity Action Plan, and new Local Plan.

## Internal Consultees

### 8.12 Conservation and Design Officer:

- This is a well-mannered and sensitively designed proposal that, while increasing the height of the historic building, has been demonstrated as not causing material harm to either the host or the sensitive Conservation Area setting.
- It will help ensure that this historic building is refurbished and extended in a manner that keeps it in productive life for future generations.
- There are no design objections.

8.13 Environmental Protection Officer: The application includes a noise assessment for new building services plant on the roof of the proposed building. The proposed plant is standard air handling units, condensers and extracts along with a standby generator. Conditions are advised relating to noise from plant and emergency generators. It is also advised that a full Construction Management Plan assessing the potential impacts and setting out clear mitigation and control measures following the guidance of Islington's CoPCS is required either by way of condition or S106 obligation.

8.14 Highways: Having reviewed the documents including the Draft Servicing Plan (DSP) and the Construction Management Plan, initial Highways comments are, 2.4.6 of the DSP mention possible 24/7 deliveries, this is not realistic. The building is on the corner of Cayton Street and City Road and the loading bays mentioned in Cayton Street are on the opposite side of the road to the building and directly outside the Moorfields Eye Hospital so this would not be acceptable and loading/unloading would need to be undertaken on City Road. TfL would need to be consulted with this application. An updated CMP will be produced once a contractor is in place.

*Officer Note: The applicant has responded to these points which are addressed in the Highway section below with no further observations received from the Highways department.*

8.15 Inclusive Design: Various points raised regarding transport, entrance and egress, circulation, public realm and sanitary facilities. The points raised have been addressed by the applicant and are addressed from paragraph 10.88 below.

8.16 Sustainability: The application considers emerging and adopted Islington Local Plan policies. The applicant presents a scheme that aims to reach sustainability requirements needed for a major application, whilst being a minor application. This ambitious approach is welcomed, despite the fact that some requirements are not met completely. Some areas require more information such as SUDS strategy. Appropriate numbers and placement of bird boxes should be provided, with advice from a suitably qualified ecologist. Integrated bird and bat boxes are preferable, such as swift bricks. London Plan Policy SI1 2 (a) requires all development to be air quality neutral. GLA guidance on Air Quality Neutral paragraph 2.3.1 states what is required. The use of a heat pump system suggests the development meets the Building Emissions Benchmark as per paragraph 3.1.1 of the guidance.

8.17 Building Control: The arrangement of the firefighting shaft ventilation arrangements (at each floor level) are not clearly shown on the drawings in the Fire statement. Is there provision for smoke release from the basement lobby? Services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft. Methods and construction materials are not specifically detailed.

8.18 Planning Policy: Building over 30m in height, including any plant, are classed as tall buildings and this area is not identified as suitable for a tall building. Therefore, the height needs to be reduced to comply with Policy BC9 and Draft Policy DH3.

*Officer Note: The overall building height has been reduced to below 30m and is therefore now policy compliant in this regard.*

## **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.) and;
  - As the development is within close proximity to a conservation area, 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) Planning (Listed Buildings and Conservation Areas) Act 1990).
  - The development is also in close proximity to statutory listed heritage assets and therefore the Council has a statutory duty to pay special regard to the desirability of preserving these listed building(s), their setting and any of their features of special architectural or historic interest (s16(2) and s66(1) Planning (Listed Buildings and Conservation Areas) Act 1990).
- 9.2 National Planning Policy Framework (NPPF): Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.
- 9.3 At paragraph 8 the NPPF states: "that sustainable development has an economic, social and environmental role".
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
  - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee B must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **National Guidance**

- 9.9 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **Development Plan**

- 9.10 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**

- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Moorfields Conservation Area
  - Locally Listed Building
  - Core Strategy Key Area – Bunhill & Clerkenwell;
  - Central Activity Zone (CAZ);
  - Employment Priority Area (General);
  - Finsbury Local Plan Area – Bunhill & Clerkenwell;
  - Article 4 Direction A1-A2 (Rest of Borough);
  - Article 4 Direction B1(c) to C3 (Town Centres);
  - Strategic Road Network (SRN);
  - London Underground Zone of Interest;
  - TfL Tunnel Land Ownership;
  - Heathrow Safeguarding Area.

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

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

### **Emerging Policies**

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

- 9.13 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consulted on Main Modifications to the plan running from 24 June to 30 October 2022.

- 9.14 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).
- 9.15 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).
- 9.16 Given the advanced stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that policies can be afforded moderate to significant weight depending on the significance of objections to main modifications. Emerging policies that are relevant to this application are set out below in Appendix 2.

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Neighbouring Amenity
- Sustainability
- Highways
- Inclusive Design
- Fire Safety

### Land Use

- 10.2 Policy CS13 (Part A) of the Islington Core Strategy encourages new employment floorspace and business floorspace that is located in the CAZ where access to public transport is greatest. New business floorspace should be flexible to meet future business needs and should provide a range of unit types including those suitable for SME's. Part B of CS13 relates to safeguarding existing employment floorspace.
- 10.3 Policy DM5.2 (Part A) of the Islington Development Management Policies states that proposals resulting in a loss or reduction of business floorspace will be refused and this is reiterated in Policy BC8 of the Finsbury Local Plan: 'no net loss of business floorspace will be permitted'.
- 10.4 Policy BC3 of the Finsbury Local Plan relates to the Old Street area in which the application site is located. Policy BC3 seeks to enhance the Old Street area by making it a distinctive, high quality, diverse and vibrant commercial destination within central London. The environmental quality of the roundabout will be transformed through coordinated public and private investment, with complementary improvements to neighbouring residential areas, including, inter alia, business uses, such as workspaces suitable for occupation by small and micro enterprises, and supporting uses.



- 10.5 The development proposes 861sqm (GIA) of additional Office (Use Class E(g)) floorspace across the building (4,442sqm existing to 5,303sqm proposed). The new office pavilion at seventh floor level will include 230sqm of additional floorspace with the new fourth, fifth and sixth floor providing approximately 600sqm per floor. An additional 142sqm of floorspace is also being realised at lower ground floor level due to the lightwell areas being infilled to provide additional internal floorspace. At seventh floor level an external roof terrace area will be created by virtue of the setback pavilion.
- 10.6 Finsbury Local Plan Policy BC8 Part B relates to Employment Priority Areas (General) and states that proposals should not be unfettered office use but, where appropriate, retail or leisure uses must be provided at ground floor alongside a proportion of non-office floorspace and/or business floorspace suitable for accommodation by micro and small enterprises by virtue of its size, design and/or management. Alternatively, affordable workspace can be provided for businesses whose needs are not met by the market. The existing building is in Class E use which includes retail and leisure uses and it would therefore be possible to introduce uses to the building, including at ground floor level, to comply with Policy BC8. A segregated small area (85sqm) of office floorspace is proposed at ground floor level that could be occupied by a small or micro enterprise in any of the Class E uses. It is therefore concluded that the development accords with Policy BC8 Part B (i and ii) and therefore affordable workspace is not required.
- 10.7 The development is proposing additional office floor space in an area suitable for such a use to be extended and intensified. The development does not represent a change of use away from office with only additional office floorspace proposed. The applicant has specifically applied for Class E(g) floorspace which includes 'Offices'. To protect the office use and to avoid any ambiguity in the future, a restrictive use condition (C5) is advised to ensure the use of the building remains in office use only with no change of use allowed within the E use classes without the prior consent from the Council. A further condition (C13) is recommended to remove permitted development allowances to change the use to residential without first obtaining planning consent. Overall, the development is considered to be acceptable in land use terms and is in compliance with policies CS13 of the Islington's Local Plan, DM5.2 Islington's Development Management Policies and Policies BC3 and BC8 of the Finsbury Local Plan.

### **Design and Conservation**

- 10.8 Paragraph 199 of the NPPF (2021) 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).
- 10.9 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 DM2.1 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 development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.10 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. The application site is within the Moorfields Conservation Area which primarily consists of an unusual and impressive collection of late Victorian and Edwardian commercial and institutional building fronting City Road.
- 10.11 The Conservation Area Design Guidance (CADG) for Moorfields states that 'Extensions and alterations to building should respect and enhance the original character of the buildings' (paragraph 31.7) and that 'New plant and tank rooms must be located to be invisible from the street. Increased accommodation may be possible by adding an extra floor, but normally this must be set back so as to be invisible from the street' (paragraph 31.8).

- 10.12 Planning permission is sought to completely alter the roof levels and form of the existing building via the construction of additional storeys which will add to the height and mass of the building. The proposals also include the full refurbishment of the building including the sensitive reinstatement of traditional fenestration and alterations to lower floors including the infilling of the lightwell to City Road.
- 10.13 It is important to note that the three existing upper floor levels are not original to the building. They were rebuilt and extended following bomb damage during WWII. The current building comprises 5 floors plus a full mansard storey, a partial second storey mansard, and various roof top plant protrusions. The proposal seeks to refurbish the building, bringing it up to contemporary commercial and environmental standards. It is also proposed to rebuild and therefore alter the 4th and 5th storeys, erect a single mansard above at 6th storey (to replace existing level 2 mansard), and to erect a new 7th storey as a recessed pavilion with associated roof terrace. An element of recessed plant is proposed both within and above the top of the pavilion floor.
- 10.14 The proposal is representative of a Category A refurbishment highlighting the historic fabric of the building of which 67% is retained. The core is to be repositioned helping to deliver modern open floorplates and high-end facilities accommodating increased occupational density.
- 10.15 The lower ground floor space is maximised including occupation of the existing lightwell area with a glazed roof introduced at street level. The scheme has been thoughtfully designed and is considered to be of a high architectural quality, including materiality. In principle it is considered acceptable from a design perspective.

#### Height, Bulk and Mass

- 10.16 The proposed development consists of the demolition and replacement of the post-war double mansard and plant extension above the original 1894 facades of 186-188 City Road with a new 5th and 6th floor, a single storey mansard, and a recessed pavilion element to the top. Some plant is proposed at the new roof top level above the pavilion floor and external amenity space with provision for green roofs and soft landscaping is provided alongside the pavilion structure. The scheme was amended during the pre-application phase to reduce the impact of the pavilion on views from street level and to ensure that no element of plant is visible from any street level vantage point. These requirements have been successfully achieved.



**Image 6** – Existing City Road Elevation Including Basement Level



**Image 7 – Proposed City Road Elevation**

- 10.17 The massing is also considered acceptable following the reduction to the pavilion given it is no longer visible above the (front) City Road elevation when viewed from large parts of City Road. The pavilion level extension will however be slightly visible when viewed from a short section of City Road looking west along the tertiary street of Cayton Street. Any roof level extension which is visible from street level would be contrary to guidance outlined at paragraph 31.8 of the Conservation Area Design Guide (CADG). Given this is an ancillary façade with limited visibility, combined with the high quality of the proposed architecture, a small portion of the pavilion extension being visible from this angle is considered to be acceptable.
- 10.18 The height of the existing building rises to a maximum of 26m to City Road. The height of the building initially proposed was 30.8m from City Road to the top of the plant. As this height took the building to over 30m it would be classed as a tall building which is not appropriate in this area. The applicant has subsequently amended the height to bring it below 30m. The maximum height of the building proposed in the amended design is 29.95m which has been achieved by reducing the floor to ceiling height in the new upper floors and by reducing the overall height of plant.

#### Elevational Treatment

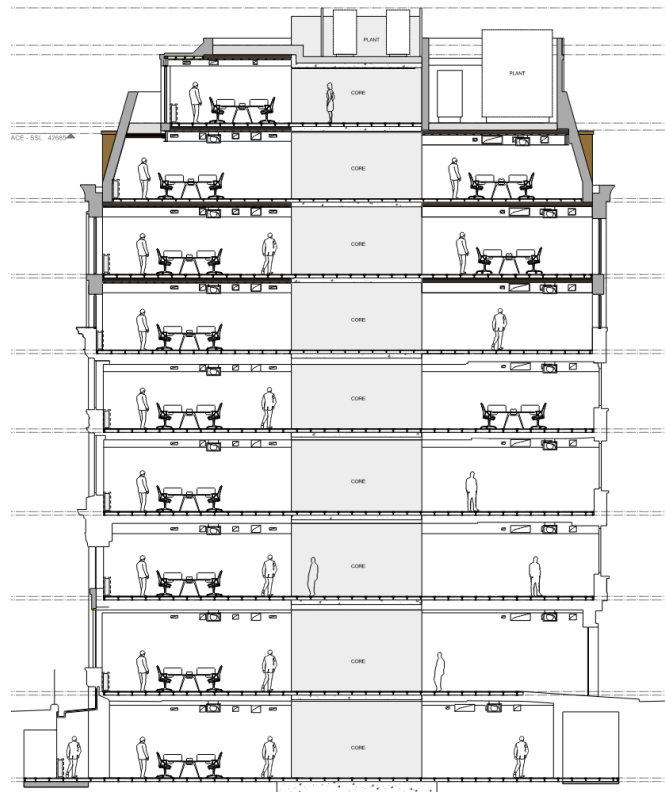
- 10.19 The proposal involves the rebuilding of the 4th to 6th floors as a contemporary addition with a suitable materials palette sympathetic to the existing 1890's architecture. A physically and visually recessed pavilion floor is added at roof level.
- 10.20 As well as fully refurbishing the building to contemporary standards, the changes will create a newly paired ensemble between the 5th and 6th floors in a contemporary language that echo's the language and rhythm of the host building as well as the fenestration patterning of the immediately adjacent heritage building at 190-196 City Road (City Approach).
- 10.21 The proposed 4th to 6th storeys are consistent in materiality with the lower floors and successfully maintain the hierarchy of the central bay and single mansard of the original façade. The designs display a sensitive use of stonework and matching red brick. Contemporary details of these upper levels, including materiality, cornice and fenestration, are also consistent with the existing lower storeys.
- 10.22 Above the mansard, the setback seventh storey has been designed to minimise visibility in views from City Road. This has been achieved through various means, including modification to the massing of the main extension, a push and pull of parapet heights, and the introduction of rooftop plantings. Considering these steps and the adjacent extension of 190-196 City Road, the proposed facade in anodised aluminium proposed is considered subservient and coherent.

- 10.23 The architectural approach to this pavilion floor is also suitably well-ordered and recessive. It has been well set back from the primary City Road edge to be largely invisible from much of the public realm. It is visible to the secondary Cayton Street edge but in a manner that does not threaten or disrupt the dominance and legibility of the host building.
- 10.24 Changes to the base of the building are also considered to be positive with the reintroduction of stone mullions closely adhering to the pattern and proportions of the original detailing. The narrow void to the basement is proposed to be covered by a glazed 'floor', broken up with mullions that adhere to the pattern of the windows above. This too is considered an acceptable intervention.
- 10.25 In terms of the proposed materials, they include a traditional red brick to match the colour, texture, and size of original facade below with anodised aluminium proposed for window mullions, and limestone used for window surrounds and cornices. The proposed sixth storey mansard is to be dressed in a grey slate with the setback seventh floor in a pale lightweight metal. The original facades to the lower floors are to be refurbished and or renewed including to the more utilitarian façade to the Cayton Street edge. The elevational treatments to the primary City Road facades and the Cayton Street return are considered to be of a high architectural quality and are therefore supported.

#### Impact on Heritage Assets

- 10.26 The application site is a Locally Listed building (Grade A) prominently located within the Moorfields Conservation area. The building experienced bomb damage during WWII resulting in significant changes to the upper floors which are of a significantly different design to the original. However, the lower floors retain much of their original historic architectural characteristics and qualities.
- 10.27 Changes to the upper floors, including additional height and roof form, are proposed. These are sensitively designed so as not to detract from the historical qualities and characteristics of the building. In terms of the setting of the Moorfields Conservation Area, the existing roof form is disparate and disjointed. The proposal will create a coherent treatment to the roof level that, in principle, will not harm the setting or qualities of the conservation area. The proportions and detailing of the mansard level and the recessed pavilion are considered successful.
- 10.28 The proposed plant, including its size and siting, is not visible from the street and associated public realm including from within the Moorfields Conservation Area in accordance with the CADG. This element is also considered acceptable.
- 10.29 The full refurbishment of this building, including the proposed embedded energy and sustainability efficiencies, and its reuse for commercial purposes, will benefit the building itself, ensuing its ongoing productiveness and maintenance, and contributing to the qualities including vitality of the conservation area.
- 10.30 The CADG for Moorfields contains principles aimed at the preservation and protection of the multiple heritage assets that comprise the special quality of the conservation area. Of particular note is the 'unusual and impressive collection of late Victorian and Edwardian commercial and institutional buildings fronting City Road', of which 186 City Road is one.
- 10.31 Paragraph 3.18 of the CADG welcomes refurbishment but cautions against removal or simplification of decorative details. It advises that new plant and tank rooms 'must be located to be invisible from the street'. It advises that normally new roof extensions should also be set back so as to be invisible from the street.
- 10.32 Where redevelopment is acceptable, paragraph 31.10 states that 'a high standard of design will be expected which reflects the scale and character of the area'. Paragraph 31.11 states that 'On City Road redevelopment must respect and reinforce the grand but dignified character of the buildings which face the street. The prevailing sheer height to parapet level of 4 or 5 storeys, plus basement, should be maintained but not exceeded. Behind parapet level an additional setback storey may be acceptable'.

10.33 The redeveloped building would be 8 storeys (above ground) in total with the original parapet being retained at fourth floor level and a new parapet at 6th floor level. Two additional storeys will then be constructed above, one mansard level and one recessed pavilion. As can be seen in Image 7 above, the primary massing of the building (to mansard level) will align with the neighbouring building to the west at 190-196 City Road and be at the same level as the existing plant room (Image 6). Given this surrounding context and due to the adequacy of the overall design, the additional storeys above the original parapet level are acceptable in this instance and there is not considered to be harm the conservation area despite the transgression from paragraph 31.11 of the CADG. The CADG goes on to advise that materials should be mainly brick or stone, avoiding large areas of glass or curtain walling. To this effect, the proposals adhere closely to the principles within the Conservation Area guidance.



**Image 8 – Proposed Section**

10.34 The architectural approach and detailing are of a suitably high quality. The approach to the design demonstrates considerable care and attention to materiality, proportionality, and detailing, resulting in contemporary extensions and alterations, together with reinstatement of historic features, that do not undermine the legibility or uniqueness of the host, but contribute to its qualities and characteristics, and help give the building a new 'lease of life'.

10.35 In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal is not considered to cause harm to the character nor the appearance of the conservation area as the overall design and architectural quality of the development is of a suitably high standard for the surrounding heritage asset.

10.36 It is concluded that the proposed extension and refurbishment of the building is of a high standard of design and represents an improvement over the existing situation. Given the existing context of the roofspace, that was largely demolished and rebuilt after WWII, the proposed alterations and extensions are deemed to be acceptable with no harm caused to the host building or surrounding heritage asset. Consequently, in design and heritage terms, the development is in accordance with Policies CS8, CS9, DM2.1 and DM2.3.

## Neighbouring Amenity

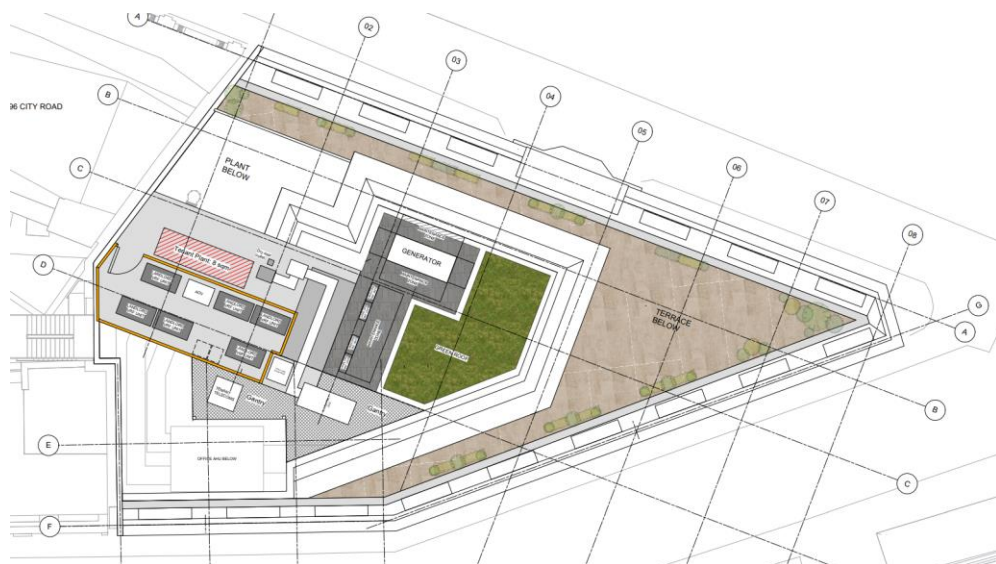
- 10.37 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development.
- 10.38 London Plan Policy D14 requires developments to avoid significant adverse noise impacts on health and quality of life. Development Management Policies DM2.1 and DM6.1 which require all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Policy DM2.1 (part Ax) states 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.
- 10.39 Draft Local Plan Policy PLAN1 states that all development must ensure a good level of amenity must be provided, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, overdominance, sense of enclosure and outlook.

## Noise

- 10.40 The application includes the installation of plant machinery at seventh floor level and at eight floor level above the pavilion. The plant machinery will include a large Air Handling Unit (AHU), emergency generator, condensers, extracts and a further space is indicated for future tenant plant and telecoms, see images 8 to 10. Any future telecoms work would be subject to ICNIRP requirements.



**Image 9 – Proposed Seventh Floorplan**



**Image 10** – Proposed Roof Floorplan

- 10.41 The application has been submitted with a Noise Impact Assessment that has evaluated the impact of noise from plant equipment on surrounding occupiers. The report has been reviewed by the Council's Environmental Protections Officer and a noise limiting condition (C6) is advised to ensure the plant equipment does not exceed Islington's standards for plant noise emissions. A further condition (C7) has been advised in relation to the proposed emergency generator as the periodical testing of this machinery can cause amenity issues for surrounding occupiers in terms of noise and air pollution. A further informative (I2) has been recommended to provide the applicant with further guidance in relation to the requirements of such machinery.
- 10.42 The application includes a new roof terrace at 7th floor level for the proposed office use. To ensure the terrace area is used during reasonable office hours only, Condition 8 is recommended to limit the hours of operation of the terrace to between 8am and 7pm Monday to Friday only. This will ensure the roof terrace is only used in accordance with the proposed use and at hours that will not impact surrounding residential amenity.
- 10.43 Noise from construction has been raised as an issue in representations and further information has been requested in relation to the schedule of works. The application has been submitted with a Construction Management Plan (CMP) which is a generic document that lacks site specific detail and does not reference Islington's Code of Practice for Construction Sites (CoPCS). There is likely to be considerable disruption from the demolition and subsequent building of the additional floors. The site is constrained by surrounding buildings, including the Moorfields Eye Hospital, and is on a red route where loading is restricted. A condition is therefore recommended requiring a full Construction & Environmental Management Plan (Condition 4) that will assess potential impacts from the construction, setting out clear mitigation and control measures following the guidance of Islington's CoPCS. A Construction Logistics Plan Condition has also been requested by TfL and this is also recommended to be required by condition (C15).
- 10.44 Outside planning legislations there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.
- 10.45 Concerns have also been raised by the Moorfields Eye Hospital Foundation Trust that primarily relate to construction impacts and how these may affect the safe operation of the hospital. The concerns raised will be addressed in the CEMP that will be required prior to construction under Condition 4 and specific wording (Part P) has been included in this condition to ensure the construction works have due consideration for the hospital its safe operation. As part of the future approval of details application for this condition, it will be possible for the LPA to consult with the Moorfields Eyes Hospital Foundation Trust to ensure they are in agreement to the CEMP details prior to its approval under Condition 4.

### Overlooking / Privacy

- 10.46 The development includes a new roof terrace area at seventh floor level which is accessed via the pavilion extension. The terrace area is set back from the City Road and Cayton Street elevations with the respective setback areas being for maintenance only (Image 9). This will ensure there will not be an overlooking issue for the neighbouring residential block at 190 City Road that borders the site to the west. The non-original two storey roof extension to this address at 6th and 7th floor levels includes windows and terraces that are in close proximity to the proposed development at 196 City Road. Due to the orientation of the proposed extension and the neighbouring residential units, there will not be any overlooking from the proposed development towards these existing residential premises.
- 10.47 Representations have been received raising objection in relation to overlooking towards both City Approach and Eagle Wharf on the opposite side of the City Road in the London Borough of Hackney. As discussed above, there is not considered to be any overlooking or privacy impacts towards City Approach due to the detailed design of the development and the orientation of windows and terraces both at the development site and the neighbouring building. Supporting paragraph 2.14 of DM2.1 clarifies that there should be a minimum distance of 18m between habitable rooms but that overlooking across a public highway does not constitute an unacceptable loss of privacy. Consequently, there is also not considered to be an impact on the Eagle Wharf properties or any other property on the opposite side of City Road as views across a highway are generally not considered to constitute overlooking or loss of privacy. Furthermore, City Road is around 30m wide and the potential overlooking from the new office floorspace and terrace is comparable to the existing overlooking that is currently possible from both the floorspace at the development site as well as from the residential dwellings at City Approach.

### Outlook / Sense of Enclosure

- 10.48 The additional massing to 186 City Road does not raise adverse concerns in relation outlook and sense of enclosure given the size of the extensions, their positioning and the surrounding built form context. The neighboring residential building at 190-196 City Road includes flats with views to the north over City Road or south towards the west end of Cayton Street. Therefore, the increased height at 186 City Road will not impact these residents. Other residential premises to the block between Bath Street and Cayton Street/City Road are sufficiently set back from the site as to not be impacted by loss of outlook or sense of enclosure.
- 10.49 The overall height of the building is being increased with the new mansard level matching the height of a recently constructed two storey extension to the neighbouring building at 190 City Road. The proposed mansard level is also at the same height as the existing plant level. The pavilion extension is then sufficiently setback from the front elevation as to ensure the extensions to the building will not negatively impact outlook or have adverse sense of enclosure impacts for other surrounding occupiers.

### Daylight/Sunlight

- 10.50 When assessing the daylight and sunlight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. The application has been submitted with a Daylight and Sunlight assessment dated February 2023. The report has been updated to correctly reflect that it has been considered with reference to the recently updated 2022 BRE guidance and to include the roof extension to City Approach with updated floorplan information for this building.
- 10.51 The assessments were carried out with reference to the 2022 BRE guidelines which are accepted as the relevant and most recent guidance in relation to assessments of light. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on site layout planning to achieve good sun lighting and day lighting'. Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines and the document emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.



## *Daylight*

- 10.52 The BRE Guidelines (2022) stipulate that... “the diffuse daylighting of the existing building may be adversely affected if either:
- the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.
  - the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).
- 10.53 Paragraph 2.2.7 of the BRE Guidelines it states: ‘If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.’
- 10.54 Paragraph 2.2.10 the BRE Guidelines state: “Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important. The no sky line divides points on the working plane which can and cannot see the sky. Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside’. The BRE Guidelines at Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location.
- 10.55 The submitted Daylight and Sunlight report has assessed impacts from the proposed development on surrounding premises with a results table provided at Appendix 04. Rooms and windows at Eagle House, 1-5 Bath Street , 190 City Road and Moorfields Eye Hospital have all been assessed for VSC and NSL reductions.
- 10.56 For all the residential premises that are surrounding the site there are no instances of transgressions beyond BRE guidance figures. The highest residential reduction is a first-floor bedroom at 1-5 Bath Street that will see a 12.8% NSL loss.
- 10.57 There are noted reductions to Moorfields Eye Hospital beyond 20% but as this is a non-residential healthcare building the slight losses of light beyond BRE guidance figures are considered acceptable. There are 6 instances of VSC reduction beyond 20% (20.2% to 24%) but in all these cases the respective impacted rooms do not have NSL losses beyond 20%. There is one 5sqm room that will see a 54.4% decrease in NSL with the single window that serves this room seeing a 12% loss in VSC. The size and NSL contour lines of this room can be seen on page 79 Daylight Sunlight Report. This one instance of transgressions significantly beyond the BRE guidance figures is considered to be acceptable given the overall level of compliance, the use of the building and the size of the impacted room.

## *Sunlight*

- 10.58 The BRE Guidelines (2022) states at paragraph 3.2.11 ‘If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:
- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
  - Receives less than 0.8 times its former sunlight hours during either period and;

- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours

- 10.59 Paragraph 3.1.6 relates to orientation and states that 'A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.'
- 10.60 At paragraph 3.2.3 of the guidelines 'it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun'.
- 10.61 The results tables within the Daylight and Sunlight Report demonstrate that no window will see reductions to below 25% of annual probable sunlight hours. Where there are existing windows with annual probable sunlight hours already below 25% these windows will not see any further reductions with the exception of 1-5 Bath Street (F01, R1 – W4) that will have a 7.1% annual reduction (14 to 13) which is within BRE guidance figures. It can therefore be concluded that in relation to sunlight there will not be any adverse impacts for surrounding occupiers.

#### Conclusion on Amenity

- 10.62 Overall, the development proposed is concluded to not result in unacceptable adverse effects on the amenities of surrounding occupiers in terms of noise, privacy, having an overbearing effect, loss of outlook or sunlight/daylight reductions. A comprehensive Daylight and Sunlight Report has been submitted in support of the application that satisfactorily demonstrates that there will not be any adverse loss of light implications for surrounding occupiers. Where necessary, conditions have been included to control any potential effects that have been identified to ensure no negative effects to neighbouring amenity will be realised such as construction impacts, controlling plant noise and hours of use of the terrace area. The development is therefore considered to comply with the relevant London Plan (2021), Islington Core Strategy (2011), Finsbury Local Plan (2011) and Islington's Development Management Policies (2013).

#### Sustainability

- 10.63 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 152, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 10.64 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 10.65 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity.

- 10.66 Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

### BREEAM

- 10.67 The refurbishment of the building and its extension has achieved a pre-assessment BREEAM UK Non-Domestic Refurbishment and Fit-out rating of 'Excellent' which is compliant with adopted and emerging policy minimum acceptable requirement. A condition (C9) is recommended to ensure the final fit out of the redevelopment achieves this score.

### Minimising Green House Gas Emissions

- 10.68 A detailed energy assessment has been submitted in support of the application which demonstrates how emissions will be reduced in accordance with the energy hierarchy, modelling on-site carbon reductions against both Part L 2013 and 2021. A fabric first approach has been taken for the extension floors. A Co2 saving of 30.8% is proposed with 7.9% at the Be Lean stage. The applicant is proposing a carbon-offsetting payment in lieu of £49,700. Given that the extension to the existing building is a minor planning application, as the area of new floorspace is below 1,000sqm, the carbon reductions proposed are deemed acceptable. This amount will need to be secured by way of a legal agreement under Section 106 between the applicant and the Council. A draft head of terms is listed at Appendix 1.

### Energy Infrastructure

- 10.69 Policy DM7.3 relates to Decentralised Energy Networks and requires all major developments to be designed to be able to connect to a Decentralised Energy Network (DEN). Minor new-build developments should be designed to be able to connect wherever reasonably possible. The proposed scheme will be electric only and the applicant has explored connection to heat networks but this was considered to not be feasible. It was also established that connection to the Bunhill energy network, which is gas-fired, would be a less sustainable approach than the electric only model put forward and therefore no provision for a future connection to a local network has been proposed in the basement.

### Heat Risk

- 10.70 The Greater London Authority's (GLA) Energy Planning Guidance, published in June 2022, states that 'It is important to identify potential overheating risk, particularly in residential accommodation, early in the design process, and then incorporate suitable passive measures within the building envelope and services design to mitigate overheating and reduce cooling demand, in line with London Plan Policy SI 4.
- 10.71 A memorandum Overheating Risk Management document was provided by the application due to the Sustainability Officer's comments. The Development has been designed to reduce the amount of heat entering the building in summer through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure. The new glazing proposed will be specified as high performance glazing (with a g-value of less than 0.30) to minimise any solar gain entering the building. Heat generation will be minimised internally through energy efficient design such as fully insulated pipework to reduce heat losses and highly efficient LED lighting (> 95 lm/W, with 100lm/W in main occupied areas) to reduce internal heat gains.
- 10.72 Heat within the building will be managed through exposed internal thermal mass and high ceilings. The extended upper floor areas of the building will be of lightweight construction to reduce the structural loads. However, high performance glazing will be incorporated to reduce the risk of overheating in these floors. Due to the existing building walls being constructed from brick, the opportunities to utilise exposed thermal mass are limited. The ceiling heights for the existing building are large at over 3.1m which will mitigate overheating risk in these areas.

## Water Management and SUDS

- 10.73 Water efficiency has been considered in the Sustainability Statement but very few details on sustainable drainage are provided. The applicant has confirmed that water attenuation will be provided in the form of blue roofs and blue/green roofs, for gradual release into the combined sewer. Where there are planters, rainwater reuse could be considered but the benefit would be minimal. Given the lack of detail provided at this stage, a SUDS condition (C10) is advised to ensure the development will incorporate sufficient water Management measures.

## Biodiversity

- 10.74 A green roof is proposed to the upper part of the seventh-floor extension above the pavilion. The green roof should include an extensive substrate of 80-150mm and a cross section will be required to illustrate this as well as confirmation that the roof is biodiversity-based with seed mix focussed on wildflower planting with no more than 25% sedum. Condition 11 is advised for these details to be provided post consent to ensure the green roof maximises its biodiversity benefits.
- 10.75 It was noted by the Sustainability Officer that a lack of details has been provided concerning opportunities to attract new species to a site, including the incorporation of artificial nest boxes/bricks within developments to provide nesting and roosting opportunities for birds, including species under threat such as swifts, house martins, swallows and house sparrows, and where appropriate, bats. Appropriate numbers and placement of boxes should be provided with guidance from a suitably qualified ecologist. Condition 12 is advised to ensure these ecological benefits are incorporated into the development with the full details provided and approved post consent.

## Air Quality

- 10.76 London Plan Policy SI1 2 (a) requires all development to be air quality neutral. GLA guidance on Air Quality Neutral paragraph 2.3.1 states that for minor applications a full air quality assessment is not required. It is stated in the submitted Energy Strategy that the development proposed is all-electric, which is a low carbon intensive solution by using grid-supplied electricity which avoids adverse impacts on air quality. Furthermore, the electricity grid is expected to continue being decarbonised which will bring further nationwide air quality improvements in the future.
- 10.77 The Energy Statement goes on to clarify that the development will be designed to have no negative impact on air quality, through the incorporation of plant equipment which will contribute to minimum emissions. The exclusion of plant with direct NOx emissions such as boilers and the incorporation of non-combustion plant as the air source heat pumps aim to reduce the impact of the Development to the surrounding environment.

## Circular Economy

- 10.78 Certain circular economy points have been highlighted in the submitted Sustainability Statement. Emerging Policy S10 Part E requires for minor new build developments to provide an Adaptive Design Strategy as part of a Sustainable Design and Construction Statement. As this policy requirement has yet to be adopted, an Adaptive Design Strategy is not required in this instance.

## Transport & Highways

- 10.79 The NPPF paragraph 110 states that applications should ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Development proposals should also ensure that any significant impacts from the development on the transport network or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.80 Chapter 10 of the London Plan (2021) sets out transport policies, with policy T4 (assessing and mitigating transport impacts) outlines that development proposals should consider the cumulative impacts on public transport and the road network capacity including walking and cycling, as well as associated effects on public health. Further, development proposals should not increase road danger.

- 10.81 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Policy T3 of the emerging Local Plan states that all new development will be car free.
- 10.82 The site is on a TfL controlled red route that connects Angel to the north with Old Street to the south. TfL have been consulted as part of the application and noted that the proposal would not result in a significant traffic capacity impact to the TLRN and local highway network as the proposal would be car free. A number of conditions have been requested to ensure the construction works and servicing of the building will not impact the safe operation of the TLRN.
- 10.83 The application has been submitted with a Delivery and Servicing Plan that outlines the servicing strategy for the building. The existing on street servicing arrangement would be retained, using on street loading bays on Cayton Street and City Road. The refuse store is located at ground floor level to Cayton Street. As part of the buildings refurbishment the refuse storage arrangements will be improved with internal bin stores being relocated to be accessed directly from Cayton Street. TfL have requested for an updated Delivery & Servicing Plan (DSP) to be submitted for the Council's approval prior to occupation (C14). Due to the busy nature of the surrounding highway network, TfL have strongly advised for servicing to be consolidated where possible with an increase of bikes servicing. TfL have also requested a Construction Management Plan as well as a Construction Logistics Plan to be conditioned as part of the planning consent (CMP is C4 and CLP is C15).
- 10.84 The Council's Highways team queried servicing to Cayton Street as the waiting area for vehicles is on the opposite side of the street to the site and adjacent to Moorfields Eye Hospital. Cayton Street is a narrow side road where servicing to both the hospital and the existing building at 186 City Road takes place. The applicant has identified a strategy where overnight servicing will take place from City Road to avoid any disturbance to the hospital and its patients. However, this has the potential to disturb residents who reside along City Road. An updated DSP under C14 will expand on this strategy in more detail post consent and will be agreed with input from LBI Highways and TfL prior to its approval. Wording has been added to this condition to provide details of the overnight servicing arrangements to ensure surrounding residents will not be impacted. Highways also requested for a CEMP condition (C4) to be included for review prior to the development being implemented.
- 10.85 The development will be car free with no onsite parking provision and no disabled parking provision is proposed as part of the application. The submitted Highways Statement has identified certain disabled parking provision in the surrounding area. Islington's Planning Obligations SPD (2016) states that a £2,000 per space charge for any shortfall in on-site disabled parking provision can be captured with the commuted sum being used by the Council to install on-street disabled spaces in the area or for other related accessible transport provision. The contribution is based on the uplift in employees at the site which is 68 (paragraph 4.4.5 of the Transport Statement). 1 Space should then be provided for every 33 employees (Policy T3(G) of the emerging Local Plan & page 39 of SPD) which in this instance equates to 3 spaces. A contribution of £6,000 is included in the Head of Terms at Appendix 1.
- 10.86 Cycle Parking is proposed in the refurbished basement area of the building with 73 spaces in total proposed. These consist of 3 accessible bike spaces (1 enlarged) and 4 foldable bike lockers at ground level, 4 Sheffield stand spaces and 50 rack spaces (a mixture of two tier stands and vertical racks) in the basement and a further 8 foldable bike lockers in the basement. End of trip facilities including showers and lockers are also located in the basement that is accessed via a cycle lift from the rear Cayton Street entrance to the building. Islington's current cycle parking standards requires 1 space to be provided for every 80sqm of Office floorspace which equates to 67 spaces in this instance. Draft Policy T2 (Appendix 4) and London Plan Policy T5 (Table 10.2) requires 1 space for every 75sqm of floor area which equates to 71 spaces. Therefore, the provision of 73 spaces, which accommodates the whole building rather than just the extension to the building, is considered to be satisfactory. Condition 16 is advised to ensure the cycle parking arrangements are installed in accordance with the plans and prior to the building's occupation.

10.87 The provision of short stay visitor cycle parking was queried with the applicant as no spaces had been allocated or designed for visitors to the building. 8 Visitor Spaces are now proposed to City Road and a further four foldable bike lockers have been included in the ground floor reception area. The Transport Statement identifies that 11 such spaces should be provided to accord with London Plan and emerging Local Plan standards and therefore the provision of 12 extra short stay spaces is deemed to be acceptable as this accommodates the whole building rather than the uplift in floor area. TfL have accepted the principle of on street spaces but have noted the ultimate design and locations should be determined via a S278 Highways agreement between the application and the Highways Authority, which is TfL in this instance, to deliver the cycle stand facilities on City Road. The provisional indicated area is also outside of the red line boundary and therefore a S278 agreement will be required to install cycle spaces in the surrounding public realm. TfL have request for Islington Council to require the applicant to enter into a s278 agreement under Highways Act 1980 to deliver the cycle stands either by S106/ planning condition (C17). The Inclusive Design Officer has requested for one of the visitor spaces to be an accessible space and this requirement has been included with Condition 17.

### **Inclusive Design**

10.88 Policy D5 of the London Plan 2021 requires all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies 2013, which requires all development to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime. Policy DH1 (part C) of the emerging Local Plan outlines that all developments must be designed to be inclusive, which should ensure 'ease of use' and versatility.

10.89 The proposal would see modern accessibility and inclusive design features being included with the building's refurbishment. Level access to the building from City Road is not possible due to the raised upper ground floor entrance to the building. Pre-application discussions were held and the feasibility of a platform lift being installed to City Road was discussed but due to the design of the building and given other constraints such as the bus stop to City Road outside the main entrance, a platform or stair lift was not deemed to be possible in this instance. Alternatively, level access to the building is provided from Cayton Street to the rear. The Cayton Street access point has been improved from its initial design and the internal corridor with ramp widened. While level access to the non-primary entrance to the building is usually not supported, in this instance, given the site constraints, this arrangement is considered to be acceptable.

10.90 The Inclusive Design Officer has been consulted as part of the application and a number of finer details have been highlighted which the applicant has responded to in the Islington Design Comments Response document. Certain issues shall be included as part of compliance Conditions 18 to ensure appropriate inclusive design measures are included in the final development. Subject to compliance with Condition 18, the proposal is considered to be in accordance with Policy D5 of the London Plan (2021) and policy DM2.2 of the Islington Development Management Policies (2013).

### **Fire Safety**

10.91 The application has been submitted with a Fire Strategy that has been reviewed by the Building Control Team at LBI. Certain points were highlighted and it was noted that the firefighting shaft ventilation arrangements are not shown on the plans, it is unknown if there is provision for smoke release from the basement lobby, method and construction materials are not specifically detailed and it is not clear if refuge points for persons with a disability are proposed as this is required under building regulations. It was also noted that services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft.

10.92 Given the issues highlighted by the Building Control Team, it is recommended for C19 to be included as part of the planning consent so these issues can be correctly addressed post consent and prior to the relevant part of the development proceeding. C19 therefore requires an updated Fire Strategy to be submitted that addresses these points.

10.93 Policy D5 of the London Plan requires a minimum of at least one lift per core to be a suitably sized fire safety lift so that all people can evacuate in the event of a fire. The proposal includes 2 lifts to the main core of the building, one of which is indicated as being a firefighting lift which complies with London Plan Policy D5.

## **11. SUMMARY AND CONCLUSION**

11.1 The overall design of the extensions and refurbishment of the buildings is acceptable and represents a high standard of design that is supported, in accordance with DM2.1. Furthermore, it is concluded that the development will not detrimentally impact the locally listed building nor the surrounding Moorfields Conservation Area and that the development accords with the heritage conservation principles of DM2.3.

11.2 The development will not unacceptably impact the amenities of surrounding residents and conditions are advised to ensure disturbance from the construction phase of the development is minimised as much as possible. In relation to delivery/servicing and highways related impacts the development is also concluded to be acceptable.

11.3 The refurbished building will achieve a BREEAM score of 'Excellent' and includes various sustainable design features such as a green roof and high-performance glazing. Further sustainability benefits have been secured via condition such as SUDS and bird boxes.

11.4 The development includes a significant amount of cycle parking beyond local standards for the additional floor space proposed. End of trip facilities, accessible cycle spaces and visitor spaces are also proposed. The refurbishment of the building will also bring the building up to modern standards in relation to accessibility and inclusive design.

11.5 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the National Planning Policy, the London Plan, the Islington Core Strategy, Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

## **12. CONCLUSION**

12.1 It is recommended that planning permission be granted subject to conditions and legal obligations as set out in Appendix 1 – Recommendations.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a deed of planning obligation made under Section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or in their absence, the Deputy Head of Service. The following heads of terms are recommended as secured by a Section 106 agreement:

- Carbon Off-Setting - £49,700
- Disabled Parking - £6,000

That should the Section 106 agreement Deed of Planning Obligation not be completed within 8 weeks/16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development/Head of Service – Development Management or in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning grounds.

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

### RECOMMENDATION B

That planning permission be granted subject to conditions listed below

#### List of Conditions:

<b>1</b>	<b>Implementation Period</b>
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  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).
<b>2</b>	<b>Approved plans list</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  00101 Rev B, 00102 Rev B, 03200 Rev D, 03201 Rev B, 03202 Rev B, 03203 Rev B, 03204 Rev B, 03205 Rev B, 03206 Rev B, 03207 Rev C, 03208 Rev C, 03299 Rev B, 04201 Rev D, 04202 Rev D, 04203 Rev C, 04204 Rev C, 05201 Rev C, 05202 Rev C, 05203 Rev C, 82204 Rev A, 61503, BREEAM Ecology and Land Use Assessment Ref SCL001 27/09/2022, Outline Construction Management Plan September 2022, Cover Letter Ref: KW/DP6205 dated 05/10/2023, Draft Delivery & Servicing Plan September 2022 V1.0, Design & Access Statement 29/09/2022 Rev A, Sustainability - Energy Strategy Report 04/10/2022, Environmental Noise Survey and Plant Noise Assessment Report 29/09/2022, Fire Statement 28 September 2022, Heritage Townscape and Visual Impact Assessment September 2022, Operational Waste Management Strategy September 2022 V1.0, Sustainability Statement 04/10/2022, Transport Statement September 2022 V1.0, Travel Plan September 2022 V1.0, Islington Design Comment Response 11/01/2023 Rev A, Daylight & Sunlight Report 16/02/2023, 186 City Road Area Schedule, Consultant Advise Notice (memorandum Overheating Risk Management) 21/03/2023.



	<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 (DETAILS):</b></p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) solid brickwork (including brick panels and mortar courses)</li> <li>b) render (including colour, texture and method of application);</li> <li>c) window treatment (including sections and reveals);</li> <li>d) roofing materials;</li> <li>e) balustrading treatment (including sections);</li> <li>f) Any other materials to be used.</li> </ul> <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>Construction &amp; Environmental Management Plan</b></p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> <li>b) Advance notification of any access way, pavement, or road closures;</li> <li>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> <li>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</li> <li>h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</li> <li>i) Details of measures taken to prevent noise disturbance to surrounding residents;</li> <li>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</li> <li>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</li> <li>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</li> <li>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</li> </ul>

	<p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Consideration for the continued safe operation of the Moorfields Eye Hospital and its patients who will be accessing site, including fire assembly points.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads. The report should contain detailed information on the minimizing of noise, demolition methods and best practice measures in line with Islington's Code of Practice for Construction Sites (2018).</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<b>5</b>	<b>RESTRICTED USE (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (Amendment) (England) Regulations 2020, the new floorspace hereby approved shall be used only for the purposes of Part (g)(i) (office) of Use Class E and not for any other purpose listed within Use Class E 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 and the amenity of the adjoining neighbours.</p>
<b>6</b>	<b>Plant Noise Limit (COMPLIANCE)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq, Tr}</math> arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90, Tbg}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019.</p> <p>REASON: To protect the amenities of surrounding occupiers including those within the building.</p>
<b>7</b>	<b>Emergency Plant &amp; Equipment (DETAILS)</b>
	<p>CONDITION: The following measures shall be implemented to minimise the impact of the emergency plant and equipment:</p> <ol style="list-style-type: none"> <li>1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.</li> <li>2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour.</li> <li>3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test.</li> <li>4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level</li> </ol>

	<p>(LA90). The rating level to be determined as per the guidance provided in BS 4142:2014+A1:2019.</p> <p>5. A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To protect the amenities of surrounding occupiers including those within the building.</p>
<b>8</b>	<b>Hours of Use – Roof Terrace (COMPLIANCE)</b>
	<p>CONDITION: The new roof terrace at seventh floor level, as shown on plan number 03207 Rev C hereby approved, shall not operate outside the hours of:</p> <p>0800 to 1900 hours Monday to Friday only and not at all on Saturdays, Sundays and bank holidays.</p> <p>Reason: To protect the amenities of surrounding occupiers.</p>
<b>9</b>	<b>BREEAM Excellent (COMPLIANCE)</b>
	<p>CONDITION: The development shall achieve a BREEAM (2014 Non-domestic Refurbishment and Fit-out) rating of no less than 'Excellent' in accordance with the submitted Sustainability Statement dated 4<sup>th</sup> October 2022.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>10</b>	<b>Sustainable Urban Drainage (SUDS) (DETAILS)</b>
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec. The details shall demonstrate how the site will manage surface water in excess of the design event and shall set out a clear management plan for the system. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
<b>11</b>	<b>Green Roof (DETAILS)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <p>a) how the extent of green/brown roof has been maximised;</p> <p>b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 - 150mm); and</p>

	<p>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 accessed for the purpose of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
<b>12</b>	<b>Bird Boxes (DETAILS)</b>
	<p>CONDITION: Prior to the commencement of the hereby approved development, details of appropriate bird/bat box locations shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information and investigation by a suitably qualified ecologist of the most suitable locations for bird and/or bat boxes. The approved details shall be implemented in full and retained thereafter.</p> <p>REASON: To provide suitable nesting locations in accordance with the Council's biodiversity objectives.</p>
<b>13</b>	<b>PD Removed Class E to Residential (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and reenacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without obtaining the express planning permission from the Local Planning Authority.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office and commercial floorspace in this location.</p>
<b>14</b>	<b>Delivery &amp; Servicing Plan (DSP) (DETAILS)</b>
	<p>DELIVERY &amp; SERVICING: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority, in consultation with TfL, prior to the first occupation of the development hereby approved. The DSP shall specifically address how Delivery and Servicing will not impact the operation of Moorfields Eye hospital and where any overnight servicing is proposed from City Road, this will need to address how surrounding residents will not be impacted. Due to the busy nature of the surrounding highway network, TfL strongly advises that servicing shall be consolidated where possible with an increase of bikes servicing. The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free flow of traffic.</p>
<b>15</b>	<b>Construction Logistics Plan (DETAILS)</b>
	<p>CONDITION: No construction works shall take place unless and until a Demolition and Construction Management Plan (DCMP) have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London and the London Borough of Hackney). The report shall assess the impacts during the demolition and construction phases of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The</p>

	<p>DCMP must refer to the new LBI Code of Practice for Construction Sites. The DCMP shall specify how long construction vehicles will be on site and the expected number of construction vehicles trips if the vehicles are proposed to be on site after 6pm. The development shall be carried out strictly in accordance with the approved DCMP throughout the demolition and construction periods.</p> <p>REASON: In order to protect surrounding residential amenity and the surrounding transport network.</p>
<b>16</b>	<b>Cycle Parking (COMPLIANCE)</b>
	<p>CYCLE PARKING: The bicycle storage areas at ground and first floor, as shown on approved plan numbers 03200 Rev D and 03299 Rev B, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>The cycle lift car shall be designed in accordance with LCDS chapter 8.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>17</b>	<b>S278 Highways agreement (COMPLIANCE)</b>
	<p>CONDITION: The development shall not be occupied until visitor cycle parking (including 1 accessible space) has been provided on the pavement to City Road pursuant to an agreement with the local highway authority (TfL) under Section 278 of the Highways Act 1980.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>18</b>	<b>Inclusive Design (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, the following inclusive design measures shall be included in the final design of the building:</p> <ul style="list-style-type: none"> <li>• Appropriate signage/wayfinding to be included to the level access entrance to Cayton Street.</li> <li>• The Cayton Street entrance shall include glass and door materials with limited reflexivity and an audio/video entry phone system.</li> <li>• RHS/LHS support handles shall be installed to the accessible bathrooms alternating between floors.</li> <li>• Accessible shower / wet room in basement shall be 2.4 x 2.5m to accord with Inclusive Design SPD page 20.</li> <li>• All floor finishes shall be specified to appropriate slip resistance values.</li> <li>• Clear signage shall be installed to indicate route to the reception area from all entrances and clear signage/wayfinding shall be installed leading to the step-free entrance from the main entrance.</li> <li>• Turning spaces shall not be impeded by the furniture or any other obstruction.</li> <li>• A minimum 1800mm of unobstructed pedestrian space shall be retained between the building and any tree pits.</li> <li>• Ramped/step-free access shall be provided to the cycle entrance and cycle storage area.</li> </ul> <p>REASON: To ensure the development is adequately inclusive for those with mobility difficulties.</p>
<b>19</b>	<b>London Underground Infrastructure Protection (DETAILS)</b>
	<p>CONDITION: The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p>

	<ul style="list-style-type: none"> <li>• provide details on all structures including temporary and permanent works</li> <li>• accommodate the location of the existing London Underground structures and tunnels</li> <li>• provide ground movement assessment due to temporary or permanent changes in loading which may affect the London Underground structures and tunnels.</li> <li>• and mitigate the effects of noise and vibration arising from the adjoining operations within the railway structures and tunnels.</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
<b>20</b>	<b>Fire Statement (DETAILS)</b>
	<p>CONDITION: An updated Fire Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing. The updated Fire Statement shall address, and show on plans:</p> <ul style="list-style-type: none"> <li>• the firefighting shaft ventilation arrangements;</li> <li>• smoke release from the basement lobby arrangements;</li> <li>• Specific details of construction materials and their construction methods;</li> <li>• suitable refuge points for persons with a disability to comply with building regulations;</li> <li>• The services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft.</li> </ul> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>

**List of Informative**

<b>1</b>	<b>TFL Advise</b>
	<p>INFORMATIVE: The footway should not be blocked during development, all vehicles associated with the constriction must adhere to permitted locations for parking/stopping and any works that may affect local bus routes will need to be agreed with TfL prior to commencement.</p>
<b>2</b>	<b>Emergency Diesel Generators</b>
	<p>INFORMATIVE: Emergency diesel generators are installed as backup power for emergency life-saving purposes such as fire safety for residents in tall buildings, vital computer suites or emergency lighting. These generators are usually run monthly as part of their maintenance regime. When maintenance runs are initiated there is usually a large plume of black smoke emitted. Therefore, it is essential that these flues are situated at height and well away from air intakes, balconies, roof terraces and openable windows. When installing an emergency generator Islington will require the applicant to justify its purpose and complete a HMIP Technical Guidance TGND D1 "Guidelines on discharge stack heights for polluting emissions" calculation to ensure that the flue will not cause an amenity problem in adjacent areas. Islington will permit the maximum capacity of any emergency generator fuel tank to be able to run for 12 hours, with consideration of up to 24 hours for life critical systems.</p>

<b>3</b>	<b>Community Infrastructure Levy (CIL)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/cil">www.planningportal.gov.uk/cil</a>, and the Islington Council website at <a href="http://www.islington.gov.uk/cil">www.islington.gov.uk/cil</a>. CIL guidance is available.</p>
<b>4</b>	<b>Legal Agreement</b>
	<p>INFORMATIVE: You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</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 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.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2011, 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 2011 - Spatial Development Strategy for Greater London**

##### **1 Planning London's Future - Good Growth**

**Policy GG2** Making best use of land

**Policy GG5** Growing a good economy

##### **2. Spatial Development Patterns**

**Policy SD4** The Central Activities Zone

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

##### **3. Design**

**Policy D1** London's form, character and capacity for growth

**Policy D3** Optimising site capacity through the design-led approach

**Policy D4** Delivery good design

**Policy D5** Inclusive design

**Policy D12** Fire safety

**Policy D13** Agent of Change

**Policy D14** Noise

##### **6. Economy**

**Policy E1** Offices

##### **7 Heritage and Culture**

**Policy HC1** Heritage conservation and growth

##### **8. Green Infrastructure and Natural Environment Policy**

**G6** Biodiversity and access to nature

##### **9. Sustainable Infrastructure**

**Policy SI1** Improving air quality

**Policy SI2** Minimising greenhouse gas emissions

**Policy SI7** Reducing waste and supporting the circular economy Policy

**Policy SI13** Sustainable drainage

##### **10 Transport Policy**

**Policy T3** Transport capacity, connectivity and safeguarding

**Policy T5** Cycling

**Policy T6** Car parking

**Policy T6.2** Office parking

**Policy T7** Deliveries, servicing and construction



## B) Islington Core Strategy 2011

### Spatial Strategy

- Policy CS8 Enhancing Islington's Character

### Strategic Policies

- **Policy CS9** Protecting and Enhancing Islington's Built and Historic Environment
- **Policy CS10** Sustainable Design
- **Policy CS11** Waste
- **Policy CS13** Employment Space

## C) Development Management Policies June 2013

### Design and Heritage

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

### Employment

- **DM5.1** New business floorspace
- **DM5.2** Loss of existing business floorspace
- **DM5.4** Size and affordability of workspace

### Health and open space

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

### Energy and Environmental Standards

- **DM7.1** Sustainable design and construction statements
- **DM7.4** Sustainable design standards
- **DM7.5** Heating and cooling

### Infrastructure

- **DM9.2** Planning obligations

### Transport

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

## D) Finsbury Local Plan 2013 Area Action Plan for Bunhill & Clerkenwell

**Policy BC3** Old Street

**Policy BC8** Achieving a balanced mix of uses

**Policy BC9** Tall buildings and contextual considerations for building heights

## E) DRAFT Islington Local Plan

### 4. Inclusive Economy

**Policy B2** New business floorspace

### 5. Green Infrastructure

Policy G4 Biodiversity, landscape design and trees

Policy G5 Green roofs and vertical greening

### 6. Sustainable Design

**Policy S1** Delivering Sustainable Design

**Policy S2** Sustainable Design and Construction

**Policy S3** Sustainable Design Standards

**Policy S4** Minimising greenhouse gas emissions

**Policy S5** Energy Infrastructure

**Policy S6** Managing heat risk

**Policy S7** Improving Air Quality

**Policy S9** Integrated Water Management and Sustainable Drainage  
**Policy S10** Circular Economy and Adaptive Design

7. Public Realm and Transport

**Policy T2** Sustainable Transport Choices

**Policy T3** Car-free development

**Policy T5** Delivery, servicing and construction

8. Design and Heritage

**Policy DH1** Fostering innovation while protecting heritage

**Policy DH2** Heritage assets

**Policy DH3** Building heights

**Policy DH5** Agent-of-change, noise and vibration

**F) DRAFT Bunhill and Clerkenwell Area Action Plan**

2. Area wide policies

**Policy BC1** Prioritising office use

3. Area Spatial Strategies

**Policy BC3** City Fringe Opportunity

**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:

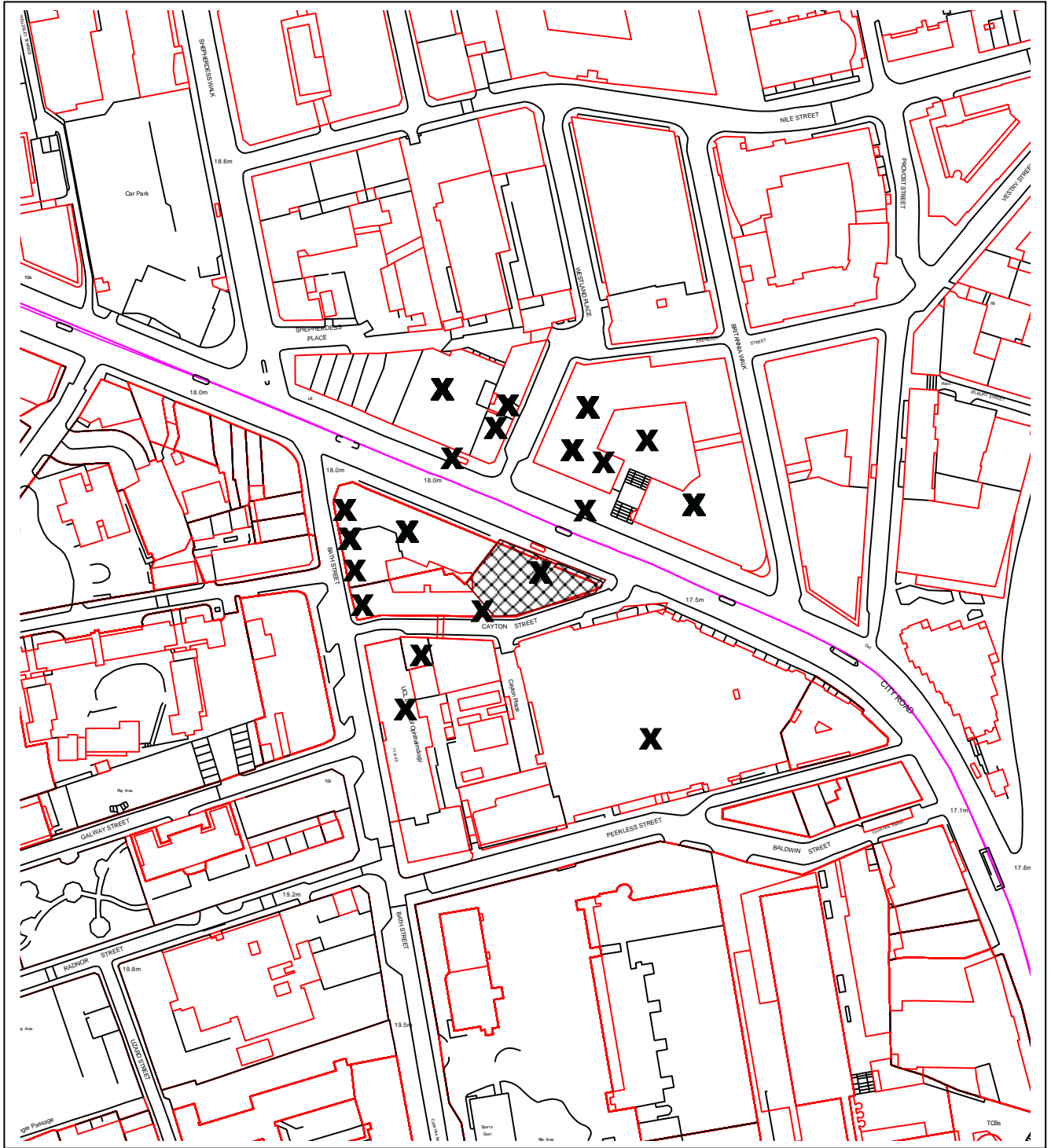
- Core Strategy Key Area – Bunhill & Clerkenwell;
- Conservation Area – Moorfields
- Locally Listed Building
- Central Activity Zone (CAZ);
- Employment Priority Area (General);
- Finsbury Local Plan Area – Bunhill & Clerkenwell;
- Open Space Bunhill Fields Burial Ground;
- Article 4 Direction A1-A2 (Rest of Borough);
- Article 4 Direction B1(c) to C3;
- Within 100m of the Strategic Road Network (SRN);
- London Underground Zone of Interest;
- TfL Tunnel Land Ownership;
- Heathrow Safeguarding Area.

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

The following SPGs and/or SPDs are relevant:

<u>Islington Local Development Plan</u>	<u>London Plan</u>
- Environmental Design	- Sustainable Design & Construction
- Urban Design Guide	- Planning for Equality and Diversity in London
- Moorfields CADG	

# Islington SE GIS Print Template



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