



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

AGENDA FOR THE PLANNING COMMITTEE

Members of Planning Committee are summoned to a meeting, which will be held in the Council Chamber, Town Hall, Upper Street, N1 2UD on **10 January 2023 at 7.30 pm.**

Enquiries to : Ola Adeoye
Tel : 020 7527 3044
E-mail : democracy@islington.gov.uk
Despatched : 2 January 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.**

<u>Committee Membership</u>	<u>Wards</u>	<u>Substitute Members</u>
Councillor Klute (Chair) Canalside;	- St Peter's and	Councillor Chowdhury - Barnsbury;
Councillor North (Vice-Chair) Canalside;	- St Peter's and	Councillor Gilgunn - Tollington;
Councillor Poyser (Vice-Chair)	- Hillrise;	Councillor Jegorovas-Armstrong - Highbury;
Councillor Clarke	- Tufnell Park;	Councillor Kay - Midmay;
Councillor Convery	- Caledonian;	
Councillor Hamdache	- Highbury;	
Councillor Hayes	- Clerkenwell;	
Councillor Ibrahim	- Arsenal;	
Councillor Jackson	- Holloway;	
Councillor McHugh James';	- St Mary's and St	

Quorum: 3 councillors



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

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

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

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

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

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

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

5. Order of Business	1 - 2
6. Minutes of Previous Meeting - To follow	
B. Consideration of Planning Applications	Page

1.	10-14 Garrett Street, London, EC1Y 0TY	3 - 94
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3.	Hylo Building, 105 Bunhill Row, London, EC1Y 8LZ	187 - 216
C.	Consideration of other planning matters	Page

D. Urgent non-exempt items (if any)

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

E. Exclusion of press and public

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

F. Confidential/exempt items

Page

G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Committee, 7 February 2023

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

WEBCASTING NOTICE

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

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PROCEDURES FOR PLANNING COMMITTEE

Planning Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

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

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COMMITTEE AGENDA

1 10-14 Garrett Street
London
EC1Y 0TY

2 Hylo Building
105 Bunhill Row
London
EC1Y 8LZ

1 10-14 Garrett Street
London
EC1Y 0TY

Application Number: P2022/2063/FUL

Ward: Bunhill

Proposed Development: Refurbishment of existing listed building (including internal and external alterations) alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Listed Building Consent ref: P2022/2097/LBC also submitted.

Please Note you are being reconsulted due to

We would bring your attention to the following updates and changes to the proposal:

1. reduced height of east core extension
2. reconfiguration of bicycle and refuse stores
3. Design & Access Statement Addendum with additional information and design clarifications
4. amended Daylight & Sunlight Assessment with additional overshadowing assessments
5. amended Delivery and Servicing Plan
6. updated floorplans and layouts

Application Type: Full Planning Application

Case Officer: Stefan Sanctuary

Name of Applicant: Matt Gibson

Recommendation:

Application Number: P2022/2097/LBC

Ward: Bunhill

Proposed Development: Refurbishment of existing listed building including internal and external alterations including proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) alongside ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Full Planning Application ref: P2022/2063/FUL also submitted.

Application Type: Listed Building

Case Officer: Stefan Sanctuary

Name of Applicant: C/O Agent

Recommendation:

3 Hylo Building
105 Bunhill Row
London
EC1Y 8LZ

Application Number: P2022/3516/S73

Ward: Bunhill

Proposed Development: Section 73 application involving the variation of Condition 2 (Drawing and Document Numbers) of Planning Permission Ref. P2017/4939/S73 dated 27/07/2018. The amendment involves the replacement on site of the consented affordable workspace with commercial office floorspace.

Application Type: Removal/Variation of Condition (Section 73)

Case Officer: Stefan Sanctuary

Name of Applicant: C/O Agent

Recommendation:

PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING COMMITTEE		AGENDA ITEM
Date:	10 th January 2022	NON-EXEMPT

Application number	P2022/2063/FUL and P2022/2097/LBC
Application type	Full Planning Application & Listed Building Consent
Ward	Bunhill Ward
Listed building	Grade II Listed Building
Conservation area	St Luke's Conservation Area
Development Plan Context	Central Activities Zone Moorfields Archaeological Priority Area Bunhill & Clerkenwell Special Policy Area Employment Priority Area (General) Local Cycle Routes Tree Preservation Orders Article 4 Direction A1-A2 (Rest of the borough) Article 4 Direction B1(c) to C3 Site Allocation BC31 (Travis Perkins – 10-14 Garrett Street)
Licensing Implications	N/A
Site Address	10-14 Garrett Street London EC1Y 0TY
Proposal	Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Listed Building Consent ref: P2022/2097/LBC also submitted.

Case Officer	Stefan Sanctuary
Applicant	Garrett Street Estates Limited
Agent	DP9

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission to both Full Planning and Listed Building Consent Applications:

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

The listed building consent:

1. Subject to Conditions set out in Appendix 1 (Recommendation C);

2. SITE PLAN (site outlined in red)



Site Plan – Application Site outlined in Red, showing HYLO (relocated AWS floorspace in Golden/Brown)

3. PHOTOS OF SITE/STREET

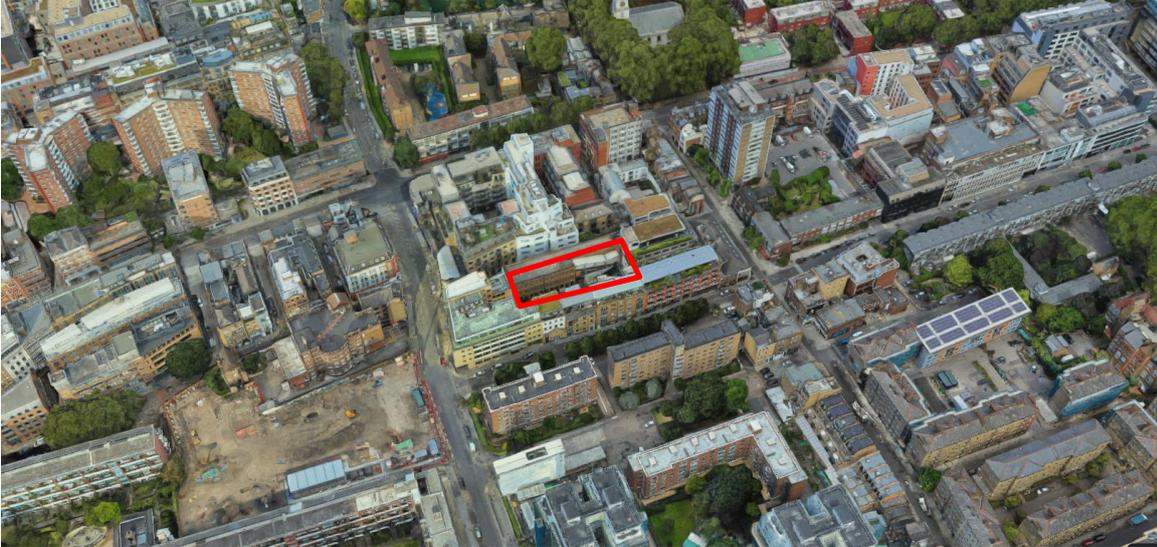


Image 3.1: Aerial View - Looking North



Image 3.2: Aerial View - Looking East



Image 3.3: View of northern Garrett Street elevation



Image 3.4: View of building from within courtyard

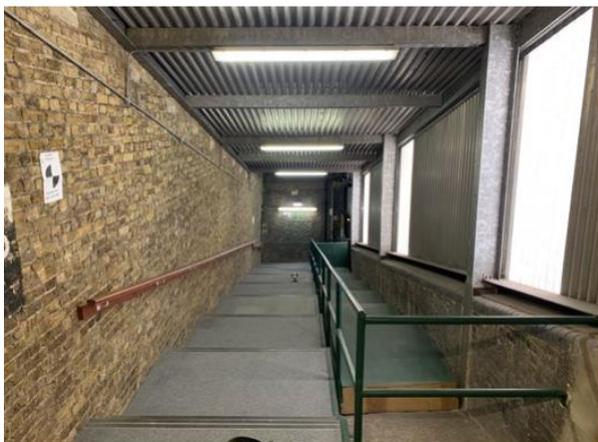


Image 3.5: View of building's interior

4. SUMMARY

- 4.1 This planning application seeks planning permission and associated listed building consent and the report addresses both. The site is located within the St Luke's Conservation Area and the subject building is a grade II listed former stables building.
- 4.2 The development proposals include the refurbishment of the existing listed building, including internal and external alterations, alongside a proposed single storey courtyard infill extension, a four storey rear addition and a single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use, the provision of landscaping, cycle storage, waste storage and other associated works.
- 4.3 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with London Plan Policies SD4, SD5, E1 and E4, Islington Core Strategy CS7 and CS13, Finsbury Local Plan BC8, emerging Local Plan Policy B2 and emerging Bunhill and Clerkenwell AAP Policies BC1, BC2 and BC7 as well as the emerging Site Allocation BC31, which support the retention of industrial floorspace and encourage the intensification and modernisation of office floorspace at this location within the CAZ, subject to the acceptability of other material considerations. The proposed mix of light industrial and office floorspace is considered to strike the right balance between the various policy aspirations for the site, the Bunhill & Clerkenwell area, the wider borough and for London as a whole.
- 4.4 The proposal includes the provision of 1,191sqm (GIA) of affordable workspace at CAT B fit-out in perpetuity at peppercorn rent. This would consist of 1,000sqm (GIA) of relocated affordable workspace from Finsbury Tower (HYLO Building) as well as additional affordable workspace as detailed in the report. This would be both a quantitative increase and qualitative improvement over that which has been secured at Finsbury Tower and thus considered to be a significant planning benefit. Moreover, as detailed in the report, the proposal would offer the Affordable Workspace Programme the chance to diversify to a broader range of business typologies and to develop a space to meet the needs of creative industries and makers within the borough.
- 4.5 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. These duties have been fully considered and special attention has been paid to the desirability of preserving and enhancing the character and appearance of the St Luke's Conservation Area. It is considered that while the character of the Conservation Area would be preserved and the sensitive reuse of the building for compatible and sympathetic uses is to be supported in principle, some of the proposed works are considered to adversely affect the special architectural or historic interest of the listed building.
- 4.6 There is a degree of conflict with policies relating to amenity (policy DM2.1) and specifically in relation to daylight impacts and increased sense of enclosure. This has been carefully examined and while some of the adverse impacts are considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints. It is considered that the level of harm to neighbouring amenity would not be significant enough to justify a warrant of refusal of planning permission on this ground.
- 4.7 The proposal is considered to be a sustainable form of development, involving the retention of the existing building with a significant embodied carbon saving. There are also significant operational carbon savings resulting from the proposed design, which exceed those required by planning policy. Furthermore, the proposal results in a significant increase in biodiversity on site with a consequent uplift in the site's Urban Greening Factor. Finally, the site's location, highly connected to London's public transport network, along with the significant increase in cycle parking on site, provides further support for the proposed increase in commercial floorspace here.
- 4.8 All other matters related to highways impacts, transport infrastructure, sustainability, ecology, inclusive design, safety and security have been assessed and are considered acceptable and in

accordance with planning policy, subject to relevant conditions in Appendix 1. Overall, and on balance, the applications are considered to be in accordance with the relevant policies within the Development Plan, and are therefore recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

5. SITE AND SURROUNDINGS

- 5.1 The site is rectangular in shape and is located on the south-side of Garrett Street, within Bunhill Ward in the south of the borough. The existing building is three storeys in height and was constructed as a stables for 100 shire horses in 1897. Many of the original features remain and the building is grade II statutorily listed. There have nonetheless been a considerable number of modern interventions; the original blacksmith's building has been removed and a more recent lean-to is located in the courtyard space. Further minor interventions to the building have also occurred in association with the building's more recent use as a shooting gallery and most recently as a builder's merchants.
- 5.2 Though the current building is vacant, its most recent use was as a builder's merchants by Travis Perkins. The planning history shows an application in 2007 (P071828) granting permission for the 2nd floor to be converted to offices. The application documentation at the time referred to the remainder of the building retaining its B8 (storage & distribution) use. While photographs presented with this application show the 1st floor being used by Travis Perkins as a retail shop, this would be considered as ancillary to the main use of the ground floor as B8 / sui generis industrial use. Similarly, the 2nd floor office floorspace was granted a personal permission to Travis Perkins (controlled by planning condition) and was seemingly only used in association with the main use of the building as a builder's merchants, which is considered a sui generis industrial use. The uses of the existing building will be considered in more depth in subsequent sections of the report.
- 5.3 The surrounding townscape is varied, ranging from 3-7 storeys in height with a mix of buildings in commercial and residential use. Garrett Street itself is a narrow street in an urban block straddled by Golden Lane to the west, Whitecross Street to the east, Old Street to the north and Banner Street to the south. Both Banner Street to the south as well as the north side of Garrett Street contain residential properties in close proximity or directly adjoining the application site. The site is located within the St Luke's Conservation Area as well as the Moorfields Archaeological Priority Area.
- 5.4 The site has an excellent PTAL rating of 6a, is within walking distance to Old Street and Barbican underground stations and there is a local cycle route running along Golden Lane in the vicinity of the site. While the area is generally pedestrian-friendly, particularly on Whitecross Street where the market becomes pedestrianised, Garrett Street itself suffers from somewhat narrow pavements.
- 5.5 Finally, in terms of site designations, the site is located within London's Central Activities Zone, the Bunhill and Clerkenwell Key Policy Area and an Employment Priority Area (General) in the Finsbury Local Plan. The site is also identified as being within Central Finsbury as well as being subject to Site Allocation BC31 (Travis Perkins, 10 Garrett Street) within the emerging Bunhill & Clerkenwell Area Action Plan (AAP).

6. PROPOSAL

- 6.1 The proposed development includes the refurbishment of the existing listed building, including internal and external alterations, alongside a proposed single storey courtyard infill extension, a four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as an ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works.

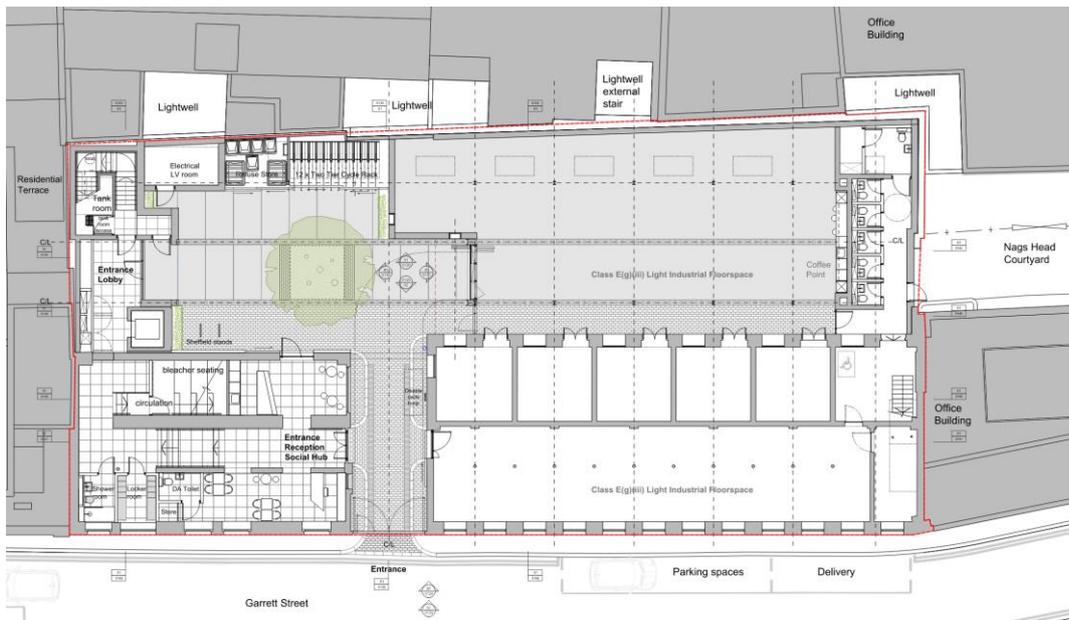


Fig. 6.1: Proposed Ground Floor Plan (plan rotated so that south faces up)

6.2 Described in more detail, the proposed development introduces a new courtyard building at ground floor level, to replace the existing lean-to, which provides new Class E(g)(iii) floorspace as well as bathroom, toilet and end-of-trip facilities. Within the existing building, a new entrance, reception area and ancillary café are provided with direct access to and from the courtyard. A new 4-storey building is proposed at the eastern side of the courtyard to accommodate a new entrance lobby, lift and stair core to allow for separate access to the upper floors. The courtyard also includes a new refuse store, bicycle storage alongside new hard and soft landscaping interventions. The rest of the ground floor accommodates light industrial floorspace within the existing structure.

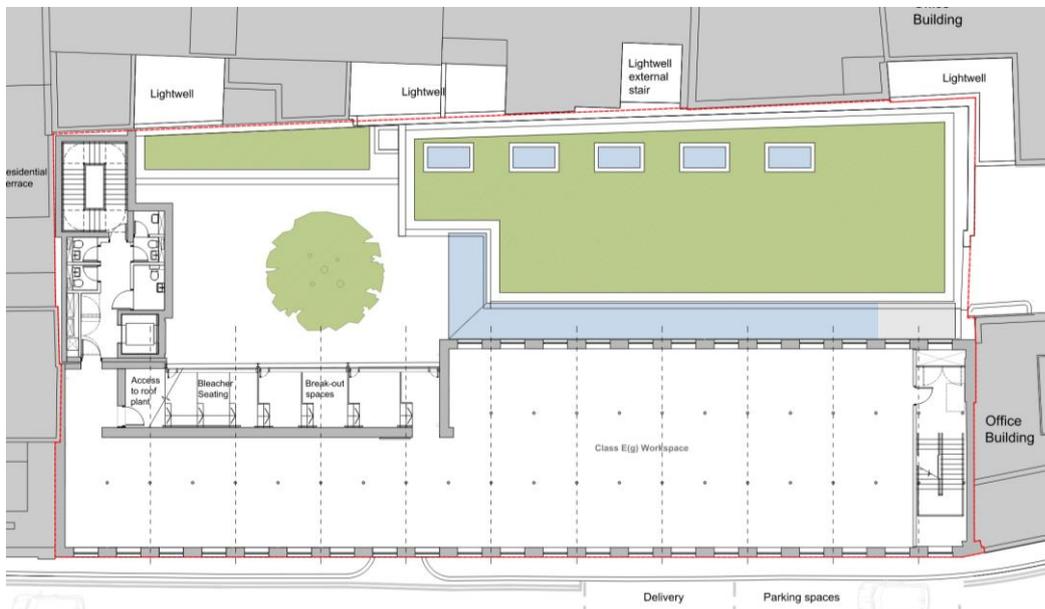


Fig. 6.2: Proposed 1st Floor Plan

6.3 On the upper levels, the proposal includes further business floorspace, with light industrial floorspace provided at 1st floor level and office floorspace provided at 2nd and 3rd floor levels. The 3rd floor constitutes a roof extension to the listed building, which is set in from all sides to minimise its visual impact. Inclusively-designed lift access is provided in the new 4-storey extension, while the existing stairs, including ramp, is retained to provide alternative access routes.



Fig. 6.3: Proposed Visualisation from courtyard

6.4 A breakdown of the existing and proposed floorspace is provided below. As the 2nd floor was converted to an office under a previous planning permission as explained in paragraph 5.2 above, the table below refers to existing office uses. However, this is considered in more depth in the subsequent land use section of the report as this office use was a personal permission to Travis Perkins and was only lawfully used in association with the light industrial uses on site.

	Existing GIA (sui generis industrial use & office use)	Existing NIA (sui generis industrial use & office use)	Proposed GIA (light industrial & office floorspace)	Proposed NIA (light industrial & office floorspace)
Ground Floor	375sqm (industrial)	256sqm (industrial)	697sqm (Class Eg(iii) incl. ancillary café) + 26sqm (Eg(i))	533sqm (Class Eg(iii) incl. ancillary café)
First Floor	422sqm (industrial)	308sqm (industrial)	482sqm (Class Eg(iii))	371sqm (Class Eg(iii))
Second Floor	397sqm (office)	287sqm (office)	462sqm (Eg(i) floorspace)	385sqm (Eg(i) floorspace)
Third Floor	N/A	N/A	348sqm (Eg(i) floorspace) + 12sqm (Eg(iii))	272sqm (Eg(i) floorspace)

Table 6.1: Existing and Proposed Uses (across floors)

6.5 There is an increase in both light industrial and office floorspace as a result of the development, which is shown more clearly in the comparison table below. Though the proposed café use could be considered a separate use, this would be operated in association with the affordable workspace across ground and first floor and is treated here as part of the light industrial use.

	Existing (in GIA)	Proposed (in GIA)	Total increase (in GIA)
Industrial	797sqm	1,191sqm	394sqm
Office	397sqm	836sqm	439sqm
TOTAL	1,194sqm	2,027sqm	833sqm

Table 6.2 Existing and Proposed Uses (Total)

6.6 It should be noted that the table above provides a comparison between how the building was last used in the left column and the uses that are proposed by this planning application in the middle column. In lawful planning terms however, the existing building would be treated as one sui generis industrial planning unit. As such, the proposal would constitute a retention of light industrial uses on site and a more significant uplift in office uses, of some 833sqm. The existing and proposed uses will be considered in more detail in the land use section of the report.

7. RELEVANT HISTORY:

There are several recent planning application for development at the application site. These are as follows:

- 7.1 950424: An application for the change of use to trade/D.I.Y store was approved on the 2nd October 1995.
- 7.2 960183: An application for the erection of part single and part two storey extension on roof for use as company offices was refused on the 14th March 1996.
- 7.3 P071828: An application for the change of use of the second floor from B8 (storage & distribution) to B1(business) and associated external alterations (Listed Building Consent application ref: P071829 also submitted) was approved on the 18th September 2007.
- 7.4 A number of other planning applications for minor alterations to the building have been received over the years. These are not considered particularly relevant to this planning application.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 457 adjoining and nearby properties on Garrett Street, Banner Street, Whitecross Street, Old Street, Golden Lane, Fortune Street and Roscoe Street on the 13th June 2022.
- 8.2 A site notice and press notice were displayed on 16/06/2022. The public consultation of the application therefore expired on 10/07/2022; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 A total of 21 letters were received from the public following the first consultation letter, including one from a planning agent representing occupiers of flats in Banner Street, with the following comments and questions about the application: (with the paragraph that provides responses to each issue indicated within brackets):
- The proposal would result in an unacceptable impact on the surrounding highways network [*paragraphs 10.208 – 10.223*];

- The development would result in highways and pedestrian safety issues, particularly during the opening hours of Whitecross Street Market when Garret Street effectively becomes a one-way street [10.211 – 10.225];
- The increased footfall and delivery and servicing vehicles that the development will result in will become a hazard, particularly to children and wheelchair users, if not managed properly [10.215 – 10.226];
- The proposal will lead to unacceptable vibration, noise and disturbance from use of courtyard space as well as mechanical plant and equipment [10.135 – 10.139];
- Light pollution from the development will be unacceptable if not managed properly [10.143 – 10.145];
- Increased numbers visiting the site will lead to increased air pollution to the detriment of neighbouring residential occupiers [10.148 – 10.149];
- The proposed coffee shop will impact on the retail market on Whitecross Street [10.14];
- The use of café and courtyard space should be properly managed in order to suitably mitigate against any impacts on neighbouring residential amenity [conditions 13 and 33];
- The proposal will lead to overshadowing and a loss of daylight and sunlight to neighbouring occupiers [10.120 – 10.131] ;
- The location of the refuse store adjacent to neighbouring residential properties would give rise to unacceptable noise and disturbance, foul smells and bad odours [10.137 – 10.141];
- Access to the courtyard presents a safety and security risk [10.150 – 10.154] ;
- The proposal would have an adverse impact on physical and mental well-being as a result of increased traffic, noise, disturbance, pollution, safety & security risks [10.120 – 10.155];
- The proposed roof extension is unacceptable on a listed building [10.52 – 10.56, 10.70 – 10.73 and 10.83 – 10.87];
- The submitted Daylight & Sunlight Assessment is incomplete and incorrect and can not be relied upon [10.117 – 10.137];
- The proposal would result in an increased overlooking and loss of privacy [10.132 – 10.136];
- The use of the building for light industrial purposes is concerning so close to residential properties [10.12 and 10.137 – 10.141];
- New developments here should focus on housing rather than commercial office of which there is already enough in a post-Covid era [10.2 – 10.20] ;
- The four-storey extension to accommodate the stair and lift core is excessive and out-of-keeping with its surrounding [10.53 – 10.60];
- The proposal would result in an unacceptable loss of outlook and sense of enclosure [10.135 – 10.137];
- The impact of the development on adjacent roof terraces and balconies has not been properly considered and assessed [10.130 – 10.134];
- The café use would cause unacceptable disturbance and detrimentally affect the amenity, character and function of an area [10.135 – 10.139];

- The proposal will result in direct harm to both the listed building and Conservation Area [10.64 – 10.93];
- That the proposal would result in ecological impacts that have not been fully tested or assessed [10.154 – 10.161];
- The proposed reconfiguration of car parking at the front of the site would result in difficulties for those in 5 Garrett Street accessing their car park [10.216 – 10.224];

8.4 Following the submission of amendments to the application, a re-consultation letter was sent out to the neighbouring occupiers who had previously objected. The letter was sent out on the 8th November 2022. At the time of the writing of this report, a total of 7 further letters of objection were received, mainly from the same previous objectors raising similar points. Two letters from new objectors were received raising the specific above-mentioned point that the proposed reconfiguration of car parking at the front of the site would result in difficulties for those in 5 Garrett Street accessing their car park.

External Consultees

8.5 A number of external statutory and non-statutory consultations were carried out. The following is a summary of the responses received:

8.6 **Health & Safety Executive:** No comment or objection to the proposal.

8.7 **Thames Water:** No objections in principle to the proposal subject to condition 7 and informatives (7-10) on Water, Impact Piling, Waste Water Ground Water and Surface Water Drainage.

8.8 **Historic England:** No objections to the proposal.

8.9 **London Fire Brigade:** No comments received.

8.10 **Design out Crime Officer:** has made the following comments and recommendations for this site:

- The design and access statement (DAS) makes reference to the plant, cycle and refuse store doors designed to conceal the contents within. This is very positive and the lack of 'visual permeability', especially for the cycle store, will help to 'remove the target' (cycle) from view of any opportunistic thief.
- The applicant proposes some 'hit and miss' brickwork within the courtyard area, but this appears to start from the first storey. This is positive as it removes this from becoming either a place to stash items (drugs, weapons etc) or as a climbing aid up the building.
- It is important that the main entrance gates are floor-to-ceiling to help prevent persons from crawling under or climbing over and contains sufficient access control and locking mechanisms such as integrated mag-locks. It is not known what the gate strategy is i.e. open during the day and closed at night, or left open 24/7. It is important to understand this strategy as this area and courtyard would be very vulnerable to misuse later into the day when premises are closed and unoccupied (condition 33).
- Section 7.7 from the applicant's DAS refers to the lighting scheme and in particular BS 5489-1:2020 - this is positive as lighting is very important for the site. It is noted that the lighting will be on a timer but it is important that lighting is available for those who might be present in later hours e.g. lone workers and important considerations to help to remove the fear of crime (conditions 14 and 15).
- It is recommended that external doors are security rated and certificated to SBD requirements to help to protect against intrusion and potential burglary/theft issues. This would also apply to any door or window defined as 'easily accessible' (below 3m in height).

- The above recommendations are a part of Secured by Design guidance and these proven crime prevention methods can help to protect a site and its residents from crime and disorder. Advice, guidance and the SBD process can be provided to the applicant free of charge.

Should any planning permission be granted for this proposal then I would respectfully request that this contains a relevant planning condition (30) 'whereby the development must achieve SBD accreditation, prior to occupation'.

Internal Consultees

- 8.11 **Planning Policy:** Policy suggests that the provision of off-site affordable workspace may be secured in exceptional circumstances but does not anticipate agreed planning obligations being revisited. The proposal to alter the planning obligation requiring the provision of affordable workspace at the HyLo building is considered unusual, especially as the type of floorspace on offer would change from office to light-industrial. While the proposal has seemingly secured the support of colleagues in Inclusive Economy, the proposal should not undermine policy requiring affordable workspace to be provided on-site.
- 8.12 Further to this, the relocation of the affordable workspace to the Garrett Street site would deliver an intensification of business use at the site and ensure no net loss of industrial floorspace in line with draft site allocation BC31. This is supported in principle. If the relocation of the affordable workspace does not take place, it is important to stress that the light industrial floorspace on site would need to be maintained in order to achieve policy support.
- 8.13 **Design & Conservation:** There is little heritage benefit arising from this proposal, except for the re-use of the building, the opening up of the windows and the removal of unsympathetic 20th century interventions such as internal partitions and services. The quantum of development proposed is considered too great to achieve the aims and requirements of policy and legislation, that of preserving the special interest of the listed building, which should be the main aim of a heritage-led scheme. While some of the proposed changes individually may have a small negative impact that might be argued for, cumulatively they are considered to diminish the historic building and its special interest.
- 8.14 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 8.15 Overall, the proposed works are considered to cause a high level of less than substantial harm to the historic building and its relationship to the yard, would involve loss of historic fabric and would cause harm to the retained fabric, visual amenity and the setting of heritage assets. As such the proposed works would adversely affect the special architectural or historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of the policies listed below, in particular Chapter 16 of the NPPF (2021) which seeks to conserve and enhance the historic environment, policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment and policy DM2.3 of Islington's Development Management Policies which seeks to protect and enhance Islington's historic environment.
- 8.16 Given the high level of less than substantial harm identified to the heritage asset, the public benefits of the proposal would need to outweigh any harm in order for the proposal to be successful and to be recommended for approval. In this case, the following design and heritage specific conditions would be recommended:

1. All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work.
2. No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.
3. All rainwater goods/guttering shall be black painted cast metal and so maintained.
4. All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.
5. Detailed drawings to a scale of no less than 1:10 unless otherwise specified (including cross-section, elevation, glazing, materials, colour/finish, furniture) in respect to all materials shall be submitted to and approved in writing by the local planning authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
6. Details of proposed floor build-up to each floor at 1:5 in section and elevation, showing retention of the existing flooring and relationship to existing floor levels, as well as details of the pipework within the void, any insulation, and the new floor covering, which shall be a lightweight overlaid finish,

These conditions would aid in safeguarding the special architectural or historic interest of the heritage asset.

- 8.17 **Inclusive Economy Team:** The AWS team welcome the provision of workspace within this historic building and support the repurposing of this building for the community to support the growth and opportunities in the future for local residents and businesses.
- 8.18 The Garrett Street site offers the opportunity for the development of a long term (999 yr lease) site within an existing building that both protects and repurposes the historic asset but also offers the Affordable Workspace Programme the chance to diversify to a broader range of business typologies. It will develop a space to meet the needs of creative industries and makers within the borough. The Garrett Street building is unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses which new build office spaces may not. The AWS team see this as a chance to bring a broader range to the AWS portfolio with a consequent greater impact for Islington businesses and residents.
- 8.19 The proposed affordable workspace has been designed as a workspace and has two floors of provision. The space includes yard infill space on the ground floor, ground floor former stables, office spaces, a ramp to the first floor and the first-floor stables. The heritage led approach to the design is well considered and will enliven a currently underused and vacant historical asset. Future operators and all building users will need to be respectful of the historical features and to some of the limitations that they might pose in operation, e.g. circulation and access, especially for delivery, which may require greater staffing and consideration.
- 8.20 The proposal to have the artwork on the new-build wall to be removable will allow for replacement of artwork, which gives opportunity for the operator to run a competition for art works on a periodic basis. Consideration for signage for the site is shown in the entrance area. The site should be developed with one signage strategy which ensures that users and public are aware of the activities and businesses available within. This is specifically needed by any public access functions such as café, and makerspace open areas.
- 8.21 The Courtyard is described as with public access. The opening hours should be considered at later design stages. Section 6.35 of the Planning Statement highlights the delivery strategy at 4-5 per day. It is assumed that there is limited or no vehicle access to the site, and any access is intended only to be for extraordinary purpose (e.g. emergency repair) and not everyday purposes. Based on Workspace operator feedback and dependent on end users for the scheme – as maker space - some regular vehicle access for deliveries and collections may be required inside the yard.

- 8.22 The space should be delivered to CAT B fit-out to a good and uniform standard, in accordance with the council's affordable workspace specification (including access to toilets, cycle storage and a kitchenette or access to a café area). See AWS specification. The council expects that all affordable workspaces will conform to the relevant standards for access to natural light, defined by the British Council for Office Standards 2014.
- 8.23 **Inclusive Design Officer:** A number of points were raised with regards to the access and inclusive design aspects of the proposal, including around step-free access, accessible toilet facilities and mobility scooter charging points. The responses received are considered acceptable and the issues have been addressed, subject to an inclusive design condition (31) in the event of planning permission being granted.
- 8.24 **Energy:** A number of points were raised in relation to the applicant's energy strategy. These have now all been addressed. The application considered acceptable subject to conditions (20-22 and 24).
- 8.25 **Highways:** No objection in principle to the proposal given all works are within the site boundary. There are no objections in principle to the delivery and servicing on street, subject to a highways agreement being agreed in order to facilitate to reconfiguration of the existing parking bays.
- 8.26 **Public Protection:** The application is for refurbishment of the building including infill of the courtyard/convertng the ground floor into light industrial workspace. The submission includes a noise report which assesses the impact of the 5 x new condenser units on the third floor roof area. The rear extension building appears to have limited glazing other than the roof lights. The site was previously a builders' yard and it could be assumed that this would generate similar noise levels and the activities will now be enclosed.
- 8.27 No objections to the proposal subject to relevant conditions (6 and 8-15) on noise limits, plant noise, management of the courtyard, air quality, lighting and construction management.
- 8.28 **Building Control:** Comments made on the Fire Statement, which have now largely been addressed, subject to condition 19.
- 8.29 **Tree Officer:** No objection to this proposal.
- 8.30 **Sustainability comments:** The proposed green roof on new ground floor is welcomed. The Design and Access Statement states that the limitations of the listed building structurally, rules out a green roof on the main building. Justification has now been provided for the omission of green roof on some of the roofs. That being said, additional green roof areas should be required by condition (23) in order to increase the UFG further, which is currently 0.266.
- 8.31 The vertical greening proposed to 3 elevations to be planted in-ground is welcomed and should be confirmed via condition (25). The recommendations in the Preliminary Ecological Appraisal should be achieved, including those relating to planting for pollinators and the installation of swift boxes/bricks (*conditions 26-28*). Integrated bricks are preferred to boxes and we recommend these are installed in groups of three.
- 8.32 The reduction in surface water run-off is welcomed, although this does not quite achieve the equivalent to the maximum acceptable rate in our policy of 50 l/s/ha. Consideration should be had for the inclusion of blue roof attenuation in addition to the tanked permeable paving in the courtyard (*condition 29*).
- 8.33 **Building Control:** A number of points were raised to the submitted Fire Strategy. The points raised have now largely been addressed with a few minor points still outstanding. These final points will be addressed through the submission a of a final revised Fire Strategy (condition 19) in the event of planning permission being granted.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

National Guidance

- 9.1 Islington Council (Planning Committee), 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.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 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 Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications.

In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.

9.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

Development Plan

9.11 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

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

- Central Activities Zone
- Moorfields Archaeological Priority Area
- Bunhill & Clerkenwell Special Policy Area
- Employment Priority Area (General)
- Local Cycle Routes
- Article 4 Direction A1-A2 (Rest of the borough)
- Article 4 Direction B1 to C3
- Site Allocation BC31 (Travis Perkins – 10-14 Garrett Street)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan

9.14 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, with consultation on Main Modifications running from 24 June to 30 October 2022.

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.

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

- Policy SP1 Bunhill & Clerkenwell
- Policy SC3 Health Impact Assessment
- Policy B1 Delivering business floorspace
- Policy B2 New business floorspace
- Policy B4 Affordable workspace
- Policy B5 Jobs and Training Opportunities
- Policy R5 Dispersed retail and leisure uses
- Policy G4 Biodiversity, Landscaping and Trees
- Policy G5 Green Roofs and Vertical Greening
- Policy S1 Delivering sustainable design
- Policy S3 Sustainable design standards
- Policy S4 Minimising greenhouse emissions
- Policy S6 Managing Heat Risk
- Policy S9 Integrated water management and sustainable design
- Policy T1 Enhancing the public realm and sustainable transport
- Policy T2 Sustainable transport choices
- Policy T3 Car-free development
- Policy T4 Public Realm
- Policy T5 Delivery, servicing and construction
- Policy DH1 Fostering innovation while protecting heritage
- Policy DH2 Heritage Assets
- Policy DH3 Building Heights
- Policy DH5 Agent of Change, noise & vibration

Draft Bunhill & Clerkenwell AAP

9.18 Emerging Bunhill & Clerkenwell AAP policies that are relevant to this application are set out below:

- Policy BC1 Prioritising office uses
- Policy BC2 Culture, retail and leisure uses
- Policy BC7 Central Finsbury
- Site Allocation BC31 Travis Perkins

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle and Land Use
- Affordable Workspace
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Biodiversity & Landscaping
- Energy and Sustainability
- Highways and Transport
- Fire Safety
- Planning Obligations and CIL

- Planning Balance Assessment

PRINCIPLE AND LAND USE

- 10.2 The existing site is identified as a builder's merchants (sui generis industrial use) in Site Allocation BC31 of the emerging Bunhill and Clerkenwell AAP, though also has associated retail and office uses as explained in paragraph 5.2 above. The proposed development involves the retention, enhancement and modernisation of light industrial uses on site alongside an expansion and improvement of office floorspace as well the introduction of a new ancillary café use on site. As such, the following policy background is of relevance.
- 10.3 The National Planning Policy Framework has as its economic objective (in paragraph 8) to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. London Plan Policy GG2 states that development proposals should proactively explore the potential to intensify the use of land to support additional workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. At the same time, London Plan Policy GG5 states that those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.
- 10.4 The site is located within London's Central Activities Zone (CAZ), the Bunhill & Clerkenwell Core Strategy Key Area, within the Employment Priority Area (General) of the Finsbury Local Plan as well as Site Allocation BC31 of the emerging Local Plan. Given the site's location in the CAZ, London Plan Policy SD4 is of relevance, which states that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values. Moreover, Policy E1 of the London Plan supports improvements to the quality, flexibility and adaptability of office space through new office provision, refurbishment and mixed-use development, particularly within the CAZ and town centre locations.
- 10.5 Given the (light) industrial nature of the site, London Plan Policy E4, which states that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, is also of relevance. Moreover, Policy E7 of the London Plan states that development plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c (now Class E(g)(iii)), B2 and B8 occupying all categories of industrial land. In terms of business floorspace in general, London Plan Policy E2 requires for Local Planning Authorities to support the provision, and where appropriate, protection of a range of business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand.
- 10.6 At a local level, Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy. Moreover, employment floorspace, in particular business floorspace, is encouraged, through Core Strategy Policy CS13, to locate in the CAZ and town centres where access to public transport is greatest; and existing business spaces are safeguarded throughout the borough by protecting against change of use to non-business uses, particularly in the CAZ, with development that improves the quality and quantity of existing provision supported and encouraged.
- 10.7 The Finsbury Local Plan stipulates within Policy BC8 that employment floorspace within the Employment Priority Area (General) should not be unfettered commercial floorspace uses but, where appropriate, must include a proportion of retail uses alongside either (i) a proportion of light industrial floorspace; and/or (ii) office or retail floorspace suitable for SMEs; and/or (iii) affordable workspace. Moreover, new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business uses.

- 10.8 Emerging Local Plan Policy B1 supports the improvement and intensification of business floorspace, particularly within the CAZ, and Policy B2 states that business floorspace must allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and provide a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs.
- 10.9 In terms of the emerging Bunhill & Clerkenwell AAP, Policy BC1 prioritises office floorspace by stipulating that proposals involving an increase of more than 500sqm of floorspace must be office-led, in that the majority of the net increase in floorspace must be for office uses, unless an existing use is protected by a particular site allocation. At the same time, Policy BC2 encourages development of retail and leisure uses in predominantly commercial areas. Specifically for Central Finsbury, the APP states in Policy BC7 that there is a significant opportunity to enhance the office function of this area and that the provision of workspaces suitable for SME businesses to link with the creative cluster identified in the Historic Clerkenwell Spatial Strategy is supported. There is also scope to promote supporting uses such as retail and leisure uses at ground floor locations, where appropriate. Finally, the emerging Site Allocation BC31 encourages the intensification of business uses at this site, particularly industrial uses such as Eg(iii) and requires that proposals ensure at least no net loss of existing industrial use.
- 10.10 While the policy context of relevance to the proposed development at this location is considerable and complex, it is deemed that the proposal manages to successfully balance the significant policy requirements of both adopted and emerging policy described above. The proposed increase in employment floorspace and improvement to the quality and efficiency of the existing floorspace in this well-connected central London location is considered acceptable in principle and in accordance with London Plan Policies SD4 and E1 as well as Islington Core Strategy CS7 and CS13. The development proposes an uplift in office floorspace, constituting the majority of the net increase in floorspace, alongside affordable workspace as well as light industrial floorspace and a café/retail use in accordance Finsbury Local Plan Policy BC8 as well as emerging Bunhill & Clerkenwell APP Policies BC1, BC2 and BC7.
- 10.11 In terms of the industrial floorspace, the proposal would comply with London Plan Policies E4 and E7 by providing and maintaining industrial land on site. The proposal would also meet the requirements of Site Allocation BC31 by intensifying the business uses on site and ensuring no net loss of existing industrial uses on site. Given the site's planning history described above, the 2nd floor office is treated as an ancillary office in association with the overall use of the site for industrial purposes. As such, there would be a 833sqm increase in office floorspace as a result of the proposal, which would comply with relevant policies described above.
- 10.12 At the same time, there would be no material loss of industrial uses and the industrial capacity of the site would be maintained. While the existing site lawfully consists of 1,194sqm of sui generis industrial use, historically and in particular the most recent uses have involved an element of office and an element of retail, which is not uncharacteristic of light industrial floorspace in a central or urban location. The policy support for industrial uses in general and at this location in particular must also be set against surrounding neighbouring amenity, which is considered in more detail in subsequent sections of this report. As such, it is considered that the proposal would comply with relevant policies, by intensifying office uses and maintaining the site's industrial uses.
- 10.13 With regard to the provision of flexible business floorspace that meets the needs of future occupiers including the needs of small and medium enterprises as required by London Plan Policies E2, Core Strategy Policy CS13, Finsbury Local Plan BC8 and emerging Local Policy B2, the proposal includes a mix of unit sizes and types including a significant proportion of small units suitable for micro businesses. The floorplates are largely governed by the heritage constraints of the existing building, which was historically a stables, and as such amalgamation of some of the smaller units would not be possible. But the crucial requirement of providing smaller workspaces for SMEs and micro-business would be met as is shown on the ground floor plan below.

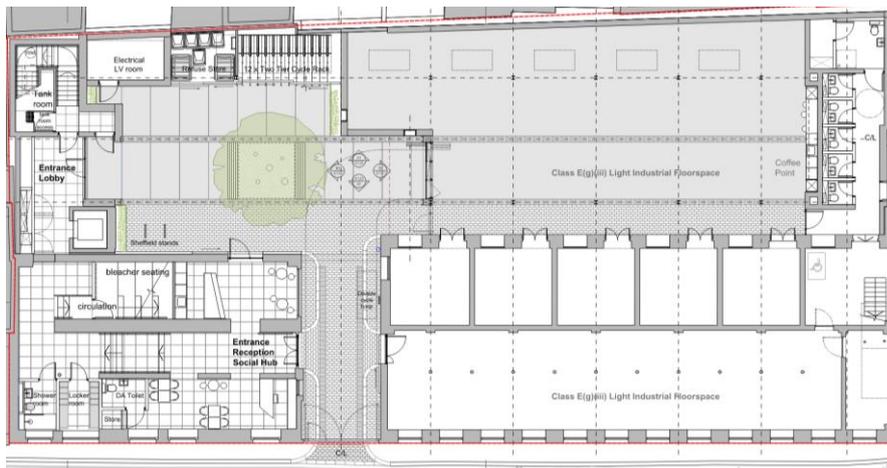


Fig 10.1 – Proposed Ground Floor Layout

10.14 The proposed café use is under 20sqm in size and would be operated in conjunction with the affordable workspace. While emerging Local Plan Policy R3 suggests that any Town Centre use in an out-of-centre location should provide an impact assessment in order to determine whether there would likely be adverse impacts on relevant Town Centres or Local Shopping Areas, it is considered that the café space is of a size that would cater for some of the demand of the occupiers of the application site rather than competing with other café or retail spaces on Whitecross Street. The café faces the courtyard, does not have a street presence, would be operated by the affordable workspace and is not considered to be a separate planning use; rather, it is an ancillary use to the main use of the building.

Class E restrictions

10.15 The Town and Country Planning (Use Classes) Regulations were amended on 1st September 2020. The amended Use Class regulations omit the former Use Class B1 and introduces a new Use Class E, which encompasses office use, together with many other town centre uses. The application proposes the introduction of additional office floorspace (Class E(g)(i)) on the upper levels and the re-provision of light industrial uses (Class E(g)(iii)) on site.

10.16 It is considered that, considering the complex policy context described above, the other uses that are encompassed by Class E, would not be appropriate uses for the site within its surrounding local context without the submission of further details and justification. The upper floors of the building would likely be inappropriate for retail use given the site's location outside of the Primary Shopping Area and the building would likely be unattractive to a retail occupier given the amount of floorspace concerned which includes a low ratio of ground floor to the total floorspace.

10.17 The site is within the CAZ and in an area where business floorspace, in particular office floorspace, should be maximised. As such, it is considered that the proposed business floorspace should be restricted from converting to other uses outside of Use Class E(g). As such, conditions (16 and 17) are recommended restricting the use of the building (except for the ancillary cafe unit) to be only of office/light industrial floorspace and no other use within Class E of the Use Classes Order 2020. Should any other use be proposed to the building, this would require the submission of an application and appropriate supporting documentation.

Residential Use

10.18 The introduction of the new permitted development rights under Class MA in Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order (2021 No.428) would allow the change of use of a building from Class E to C3 (dwelling houses), which takes effect from 1st August 2021. This means the proposed commercial development would be able to (subject to limitations & conditions) convert to residential use, which would clearly conflict with the objectives of the Development Plan that supports commercial use and job growth.

- 10.19 In accordance with the aforementioned policies, officers considered that it would be necessary to resist unacceptable change of use from commercial to residential use, in order to protect the commercial floorspace within the site and the wider CAZ. It is recommended that a condition (18) is imposed to restrict the permitted development rights within the provision of Class MA of the GPDO.

Conclusion

- 10.20 The principle of the development is considered acceptable and accords with the National Planning Policy Framework's presumption in favour of sustainable development, subject to other material planning considerations discussed in the following paragraphs. There is in-principle support for the improvement and expansion of office floorspace and the retention and reprovision of light industrial floorspace on site in accordance with London Plan Policies GG2, GG5, SD4, E1, E2, E4 and E7 as well as Core Strategy Policy CS7 and CS13, Finsbury Local Plan BC8, emerging AAP Policies BC1, BC2 and BC7 and Site Allocation BC31.

AFFORDABLE WORKSPACE

- 10.21 London Plan Policy E3 states that consideration should be given to the need for affordable workspace in areas identified in a local Development Plan Document where cost pressures could lead to the loss of affordable or low-cost workspace for micro, small and medium sized enterprises (such as in the City Fringe around the CAZ and in Creative Enterprise Zones) or in locations where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area.
- 10.22 Policy DM5.4 of the Islington Development Management Policies 2013 concerns the size and affordability of workspace. As set out in paragraph 5.25 of the Development Management Policies, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.23 The emerging Local Plan policy B4 states that within the CAZ and Bunhill and Clerkenwell AAP area, major development proposals involving office development must incorporate at least 10% affordable workspace (AWS) (as a proportion of proposed office floorspace GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years. Following the examination of the Local Plan policies, modifications to Policy B4 have been proposed which confirm that for proposals involving redevelopment, refurbishment (or refurbishment and extension), the requirement would apply to the uplift in floorspace only and not the whole floorspace.
- 10.24 The development involves the relocation of affordable workspace from Finsbury Tower, also known as the HYLO building. The consent for HYLO was granted in 2017 under planning application reference P2016/3939/FUL (superseded by P2017/4939/S73) and included 1,000sqm of affordable workspace in perpetuity at peppercorn rent. The amendments to that application and the consequent planning balance is being considered separately under planning application reference P2022/3516/S73. Of relevance to this application is that 1,000sqm of affordable workspace (AWS) proposed here would constitute the relocation of 1,000sqm of already permitted AWS at the HYLO building. At the same time, the consequent increase of 1,000sqm of commercial floorspace at the HYLO building, necessitates a further 10%, i.e. 100sqm of affordable workspace, which is being provided at this site on Garrett Street. There is a marginal increase of 91sqm additional AWS floorspace beyond that which would normally be required by emerging planning policy.
- 10.25 When measured by net internal area, the uplift is reduced slightly as the AWS floorspace proposed at Garrett Street constitutes 904sqm (as measured in NIA) compared to the 811sqm (NIA) shown on plan at the HYLO Building (Finsbury Tower). This is only a 11% increase, which is policy compliant rather than necessarily a planning benefit over and above policy expectations. That

being said, the s106 agreement for the Finsbury Tower consent (P2016/3939/FUL) refers to a minimum 1,000sqm (GIA) and not less than 700sqm (NIA) to be provided at the HYLO Building, so based on the NIA required by the legal agreement the uplift proposed here at Garrett Street is more generous, i.e. a more considerable uplift. The table below provides information on the proposed increases in affordable workspace compared to the policy requirements for affordable workspace on site.

AWS	Existing at HYLO (in GIA)	Proposed AWS	AWS Uplift	Additional Required from HYLO uplift	AWS Uplift beyond policy requirement
GIA	1000sqm	1,191sqm	191sqm	100sqm	91sqm
NIA	700sqm	904sqm	204sqm	81sqm	123sqm

Fig 10. 2 – Affordable workspace floorspace figures

10.26 On top of the ground floor 'light industrial' floorspace allocated as affordable workspace and shown on plan above (Fig. 10.1), the floorspace at first floor level is also proposed as light industrial floorspace and allocated as affordable workspace (conditions 16 and 17). The first floor light industrial affordable workspace is shown on plan below and secured through the s106 agreement:

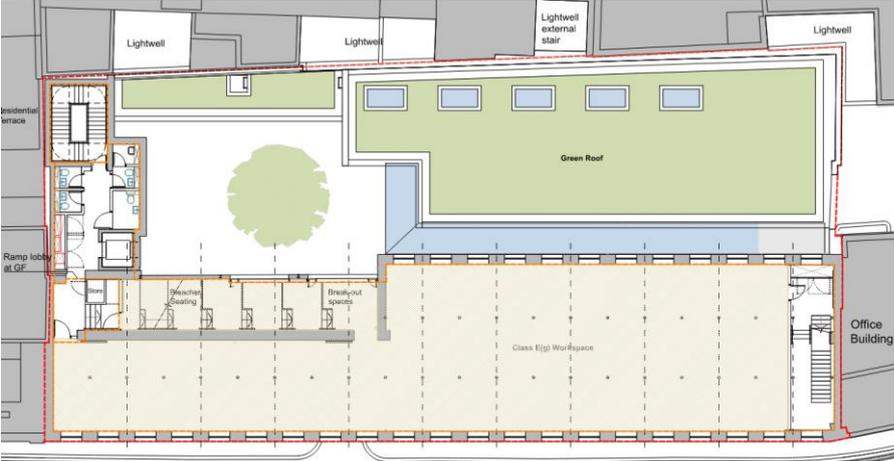


Fig 10.2: Proposed First Floor Plan

10.27 Quantitatively, there is an increase in affordable workspace proposed at Garrett Street over and above that which is required by policy, as can be seen in the table above. This is considered to be a planning benefit that would weigh in favour of the proposed development. Moreover, there would be considerable qualitative improvements identified by the Council’s Inclusive Economy Team that need to be fully considered here. As already confirmed, the application site at 10-14 Garrett Street offers the opportunity for the Affordable Workspace Programme to diversify to a broader range of business typologies. It would enable the development of a space to meet the needs of creative industries and makers within the borough, which is something that the Affordable Workspace Programme so far does not have in its portfolio. The Garrett Street building is considered unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses. The Inclusive Economy team have confirmed that they see this as a chance to bring a broader range to the AWS portfolio with a consequent greater impact for Islington businesses and residents at this point in time.

10.28 Finally, the space should be delivered to CAT B fit-out to a good and uniform standard, in accordance with the council’s affordable workspace specification (including access to toilets, cycle storage and a kitchenette or access to a café area). This would be secured through the section 106 agreement in the event of planning permission being granted. The quantum increase in affordable workspace proposed as part of this planning application as detailed above, the provision of a unique affordable workspace offer for creative industries within a central London location as

well as the Cat B fit-out proposed are considered to be considerable benefits to the proposal that would weigh in favour of the planning application, in the event of the scenario in which the AWS at HYLO / Finsbury Tower relocates here.

- 10.29 The proposal is considered to be in accordance with relevant planning policies in this regard including London Plan Policy E3, Development Management Policy DM5.4 and emerging Local Plan Policy B4.

DESIGN, CONSERVATION AND HERITAGE

Policy context

- 10.30 The following requirements are necessary for Local Planning Authorities in consideration of planning applications which affect the setting of a listed building or the character and appearance of a conservation area Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that : 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 10.31 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 10.32 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'*
- 10.33 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'
- 10.34 Paragraph 124 of the NPPF 2021 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.35 Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of

the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

London Plan

10.36 Policy D3 of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

10.37 In terms of design and heritage considerations, London Plan policy D3, part D states that development proposals should:

- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions;
- facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users;
- respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
- be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

10.38 Policy D4 requires for Design and Access Statements submitted with development proposals to demonstrate that the proposal meets the design requirements of the London Plan. Furthermore, the policy stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate.

10.39 Policy HC1 reads that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in this design process.

Local Plan

10.40 The national and regional policies are supported locally by Islington Core Strategy Policy CS7 (Bunhill & Clerkenwell), which states that the area's rich character and historic value will be protected and enhanced. Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.

- 10.41 Policy DM2.1 (Design) of the Islington Development Management Policies requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.42 Policy DM2.3 (Heritage) of the Development Management Policies requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part C of the policy states that the significance of Islington's listed buildings is required to be conserved or enhanced; new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification. Moreover, substantial harm will be strongly resisted.
- 10.43 Moreover, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.

Assessment of Site, Significance and Context

- 10.44 The building is a late-19th century 3-storey stable of yellow brick with red brick window detailing and a blue brick base. It was constructed to replace earlier stables in Chiswell Street and is highly unusual for being able to accommodate 100 shire horses over three floors. It was in use as a stable for the brewery, the Lord Mayor, the Speaker, and the City of London Police until September 1991.



Image 10.1 – Grade II listed stables building (street-facing façade)

- 10.45 To accommodate the weight of a large number of very heavy horses (around 900kg each), industrial building techniques were employed: c.370mm thick arched concrete floors supported on cast iron columns. Internally this helps divide the floor plan neatly into stalls. These would not have reached ceiling height ensuring that there would be a high flow of ventilation and light across the floor, enabling the whole floor to be read as one. The floors are grooved and cambered slightly towards the centre of each floor for drainage. The floors are connected by concrete ramps of a height and gradient suitable for large horses of more than 17 hands in height (1.7m). These ramps would originally have been open to the elements, perhaps with a tarpaulin to the upper level, and were the only way for the horses to reach the first and second floors.

10.46 The ground floor is divided on two levels, half for additional stalls, and half for grooming stalls. The two different levels reflect the topography of the site, the land level being higher to the northern (Garrett Street) side of the site. The southern side of the ground floor opens onto a partially covered yard, retaining the layout of the original stable site, although the single storey blacksmith's workshop to the eastern end is now only evident by the brick scarring left after its removal sometime after 1962. Access is via Garrett Street, and an historic and closed-off access was via Golden Lane; it is believed this access was used until recently by the timber and builder's merchants for their servicing and delivery requirements.

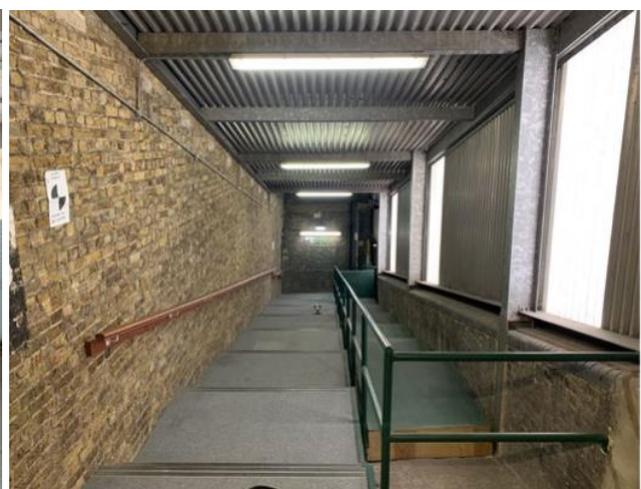


Image 10.2 – Courtyard View

10.47 The stable has most recently been used by a timber and builder's merchants for office and warehousing purposes. It is considered that this use saw some detrimental alterations, including the insertion of a large shutter door and lift to the first floor of the ramp. Despite this use, there has been little alteration to the historic structure itself, and this can be seen within the submitted Design & Access Statement. Modern partitions have inserted on the second floor, with those windows being blocked to provide a shooting gallery for the police in the late-20th century. Other alterations include lighting and computer cabling, the insertion of an internal fire escape at the western end of the stable, and an external one at the eastern end. Lack of maintenance of the hay store/carriage store has led to a swifter deterioration than would have been expected. However, the structure of the building is still sound, the original use is still evident, and the relationship to the yard and its buildings can still clearly be read.



Image 10.3 – 1st Floor Interior



Ramp from 2nd to 1st Floor

10.48 The building's value is derived from its architecture, social and industrial history, and development of construction techniques. The ramps, floors, columns, openness, entrance hall, relationship to

the open and partially covered yard, flat roof, and small windows all contribute to this value. This was recognised in 1990 when it was Grade II listed.

- 10.49 The building lies within the St Luke's Conservation Area, which is notable for its narrow lanes and 19th century commercial buildings. The stables are considered to contribute positively to the character of the conservation area. The buildings to the immediate south and for the remainder of that urban block are approximately the same height, albeit with some modern accretions such as plant and aerials. The buildings to the north rise higher.

Principle of works

- 10.50 The application involves the refurbishment and reuse of the existing building for commercial uses including light industrial uses, which are considered to be compatible with the way the building has historically been used. There are a number of additions and extensions proposed in order to enable the buildings reuse and its successful operation as a modern commercial building. In principle these additions, in order to bring the building back into use, are considered acceptable subject to detailed design and their impact on the heritage asset.
- 10.51 The proposal includes an extension at roof level, which is set in from all sides and reduced in size since earlier iterations ensuring that it reads as a distinct structure to help the listed building be seen as the main structure of importance. The additional core, built as a 'gable end' on the eastern flank of the courtyard up against the brick wall of the adjoining building, is accepted as a necessary addition though its appearance will need to be calm and simple in order to not compete with the character and appearance of the host building. The principle of providing a workspace in the former industrial working yard, by replacing the existing lean-to hay storage, is supported in principle subject to detailed design and ensuring that it retains a subservient position alongside the listed building.
- 10.52 The proposed changes are considered to have been consciously developed with a consideration of the character and appearance of the heritage asset. Nonetheless, the design of the proposal and its impacts on the listed building and conservation area will need to be considered in more detail.

Height, bulk and mass

- 10.53 The height of the existing building is relatively uniform at three storeys in height. The building is relatively low-rise compared to its immediate surroundings in which the buildings are generally 4-6 storeys in height. As such, when considered in townscape terms, the single storey addition at roof level is not deemed to be incompatible with the surrounding character, as shown on the townscape view below.

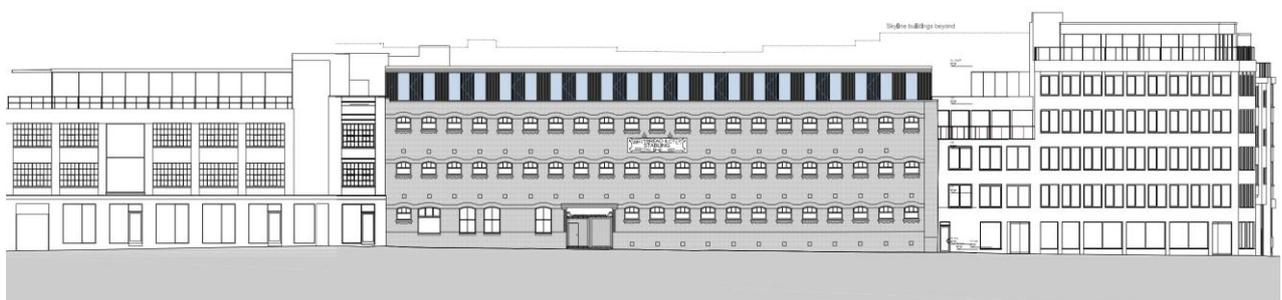


Fig 10.3 – proposed north/front elevation facing Garrett Street

- 10.54 There is some additional height within the courtyard, in particular the service core and lift over-run which are essentially four storeys in height. In terms of height and bulk these additions are also considered to be broadly compatible with the height, bulk and mass of surrounding built form as shown on the southern and western courtyard elevations below.

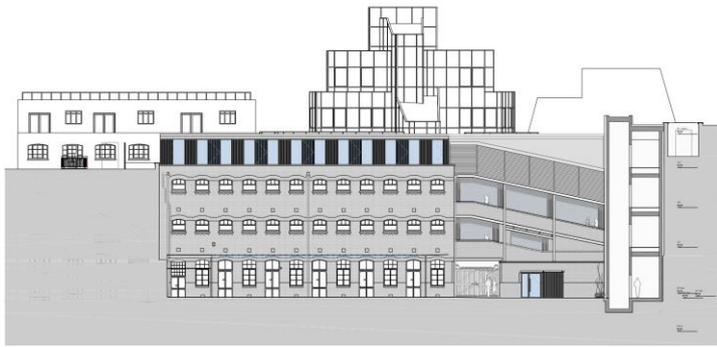


Fig 10.4 Proposed Southern Elevation



Service Core Elevation (facing east)

Elevational treatment

10.55 The main street-facing elevation onto Garrett Street will remain largely unchanged apart from the opening up of the windows, which have been gated and/or bricked up across ground and 2nd floor levels. The façade would be tidied up with all historical features, including original signage, being retained. The only other change to this elevation would be the roof-level addition, which is a light-weight metal-framed structure with glass panels. The glazing lines up with the fenestration on the lower levels and the extension itself is set back from the front in order to conceal or minimise its appearance.



Fig 10.5 Proposed Front Elevation

10.56 As a result of the set-back, the roof extension is only visible from limited public views at the junction of Garrett Street and Golden Lane as shown below. Given the narrowness of Garrett Street, the extension would not be visible from public vantage points immediately surrounding the site.



Image 10.4 – View from Golden Lane

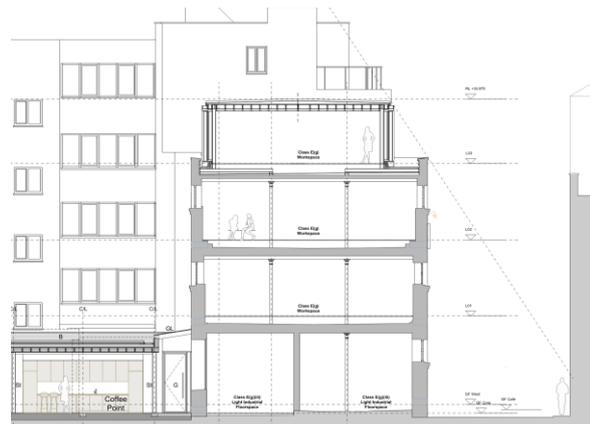


Fig 10.6 Proposed Section

10.57 The courtyard elevations of the existing building are subject to more significant additions and changes as shown below. The windows would be opened up as with the building's street elevation and a metal-framed light-weight extension is proposed at roof level.



Image 10.5 – Existing and Proposed courtyard elevations

10.58 In terms of the ramp elevation, brick and steel elements to the ramp would be exposed to reveal more of the original historic building. Additional glazing is proposed to the ramp elevation with narrow solid timber vents. It is also proposed refurbish the gates and provide a new sliding 'stable' door to the reception/café. New engineering brick is proposed under the ramp to relate to the stable block and the existing external fire escape stairs, which is not an original feature, would be removed to reveal more of the building's façade. An acoustic louvred screen is proposed above the ramp to conceal plant room. This addition is clad in a similar material to the existing roof of the ramp and is set back and angled in line with the existing ramp geometry.



Fig 10.7 Proposed courtyard elevation

10.59 On the eastern side of the courtyard, the application proposes a 4-storey service core extension. The height of this addition has been reduced during the course of the application and now relates more successfully to the host building and surrounding architecture. This eastern core addition seeks to achieve a simplified and unified appearance using one material to lift and stairs and central element. Though the proposed light grey brick walls in the recesses have been chosen to not compete with historic fabric of the building, further details will be required by condition. As with all parts of the proposal, it is key to the success of the development to get the materials on this

elevation right and the materials used here will be subject to additional scrutiny through the submission and approval of samples and materials (*condition 3*) in the event of planning permission being granted. Finally, with regard to this elevation, wall climbing planting is proposed to the base of lift and stair walls to trail and grow up the brick walls.



Fig 10.8 Courtyard service core elevation

10.60 The other courtyard additions proposed include the single storey extension to replace the existing lean-to and provide additional light industrial floorspace. The glazed roof of this extension is proposed to better reveal the facades of the existing building. The proposed materials would need to be in harmony with other proposed elements as well as the existing grade II listed building, with further details required in the event of planning permission being granted (*condition 3*). The landscaping design integrates planting, seating and paving material with the proposed architecture and this would be subject to further assessment as part of the landscaping condition (28) in the event of planning permission being granted.



Fig 10.9 – Proposed single-storey courtyard extensions

Impact on heritage assets

10.61 Buildings must and do change over time in order to survive. Where alterations that would affect the significance of a listed building are proposed, there is a presumption in favour of the preservation of the heritage asset’s special interest. If the proposed alterations would not do this, and the cumulative impact of smaller alterations can be as harmful as individual large ones, there must be clear and convincing justification as to why this alteration cannot be designed-out of the scheme. If appropriate justification can be found, alternative benefits must be found that to be balanced

against that harm. The higher the degree of harm, the higher the degree of proposed benefits must be.

10.62 It should be noted that considerable pre-application discussions have been had regarding this proposal, including obtaining comments from the Council's Design Review Panel. Many, but not all, of the comments provided during the pre-application process have been included in the proposal as discussed below.

10.63 The proposal would convert the stables into a modern workspace, with an additional storey, new core, and single storey extension into the courtyard. The ambition is to achieve the highest level of BREEAM possible, providing facilities and amenity for end users. These end users would include a mixture of affordable workspace, light industrial and commercial office occupiers, which is considered to be consistent with the way the building has historically been used.

Heritage Benefits

10.64 The building would be kept in use, and using buildings is the best way to ensure their retention. Many of the harmful 20th century interventions are proposed to be restored and/or rectified, such as the following:

- The majority of the internal partitions would be removed from historically open areas, and features such as the cast iron columns on the second floor would be revealed again.
- The modern accretions such as cabling, the external fire escape, and window fan vents would be removed.
- The blocked second floor windows would be restored
- General restoration to the historic features would be undertaken
- The traditional horse-scale openings and sliding doors between the ramp and each floor level would be reinstated
- Walls and existing water closets would be removed at first and second floor to better reveal the original open plan of the stables
- Hard landscaping would be undertaken to the retained courtyard, reflecting the historic layout of the functional space.

Interventions to the historic building

10.65 The proposed servicing would result in the floor level at 1st floor and 2nd floors being raised by 180-380mm. This would change the relationship to some of the windows and doors and to the historic floor. The sliding stable doors would need to be raised to fit the new flooring, which would erode one of the features of the former stable, the floor-to-ceiling height. The floor-to-ceiling heights on the upper floors would now be approximately 2900mm rather than approximately 3250mm in the existing situation, as shown below. The ground floor would retain its generous floor-to-ceiling heights however.

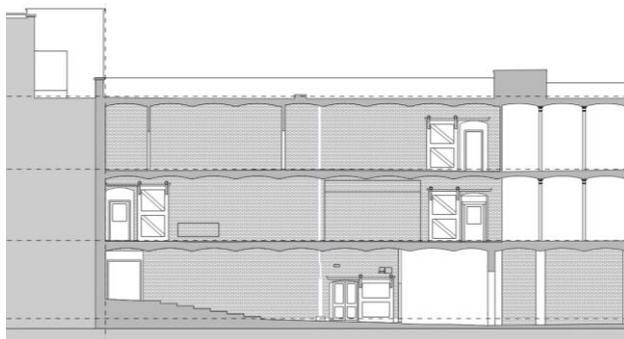
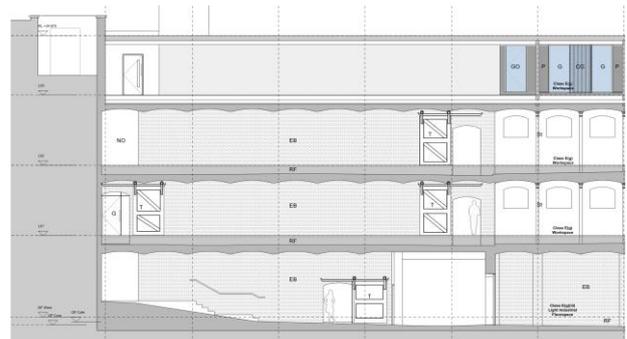


Fig 10.10 Existing Section



Proposed Section

- 10.66 It was suggested that the applicants could demonstrate if the industrial nature of the property could be echoed by putting the services against the ceiling instead, with them left open and exposed with an honest appearance. This is a common way of expressing servicing in buildings that either cannot or should not have services in the floors, but this has not been fully explored in this instance.
- 10.67 The proposed air source heat pumps would need to be concealed by way of creating what would appear to be an additional storey to the ramp. The Council's Design & Conservation team have advised that if they have to be hidden, this is often a good indication that they should not be there. Rather than make further adaptations to an historic element of the building, it would be a preference to restrict plant to a small area on the roof instead. The proposal to accommodate the heat pumps within an extension to the ramp has however been retained, resulting in less plant additions at roof level. The existing and proposed courtyard elevations are shown in the comparison elevations below:



Fig 10.11 Existing Courtyard Elevation

Proposed Courtyard Elevations

Roof extension

- 10.68 Conservation Area Design Guidelines (CADG) for the St Luke's Conservation Area states in paragraph 16.9 that new development should conform to the existing prevailing parapet and roof heights in the conservation area. In terms of materials the CADG state at paragraphs 16.11 and 16.12 that traditional materials should be used, and materials for new development should be sympathetic to the character of the area, in terms of form, colour and texture. The Council will expect to see the use of vernacular materials.
- 10.69 The roof extension is proposed to be metal with full length windows and a terrace to the front elevation. Any roof extension is considered to be harmful to the listed building as it was designed a particular way, with the name plaque on the top floor. The additional storey is considered to diminish its importance. In heritage terms, this would be in non-sympathetic and non-traditional materials, and require additional engineering to make it accessible. Despite having the support of the Design Review Panel, this proposed element is considered by the Council's Design Conservation Team to result in a high level of less than substantial harm to the listed building with no heritage benefit arising directly from it.
- 10.70 It was considered that the proposed floor-to-ceiling windows would make the roof extension appear taller than it was, which is considered harmful due to the small windows and very high solid-to-void ratio of the building beneath. The amount of glazing has now been reduced from what was proposed at pre-application stage. Nonetheless, although the roof extension would only be visible from limited public vantage points, it is considered to be an addition that would result in harm to the listed building.
- 10.71 The terrace had been highlighted as a problem as it would bring a degree of activity to the higher levels of this industrial building that would be contrary to its character. No accessible terrace should

be allowed as this would be an unacceptable degree of harm without benefit and this would be controlled by condition 12 in the event of planning permission being granted.

Single storey extension

- 10.72 The glass corridor to the single-storey ground floor extension has increased to 1.8m in width from earlier iterations. This is still considered by the Council's Design & Conservation Team to be too modest to appreciate the elevation of the stable. The glazing used here to the courtyard elevation of this extension has been further increased in order to present the single storey extension as a lighter weight and more subservient structure in order to preserve the importance of the host building.
- 10.73 There have been requests by the Council's Design & Conservation Team for the single-storey extension to echo the dimensions of the historic hay store and cart store. The quantum of floorspace required on the ground floor in order to provide sufficient light industrial floorspace across ground and first floors to meet policy requirements result in the single storey extension being considerably larger than the footprint of the existing hay store. This is also in order to be able to achieve a quantum increase in affordable workspace and for this to be provided at ground and first floor levels rather than spreading it higher up the building. From a heritage point of view it would be more appropriate for any additions to be governed by what is less harmful for the listed building, rather than in order to achieve a particular quantum of floorspace.

Eastern Core

- 10.74 The introduction of a new core including toilets, lift, and a third staircase, together with a plant room, cycle rack and bin store located to the eastern end in the courtyard would occupy a significant amount of space. It has been suggested by the Council's Design & Conservation Team that additional toilet facilities could be provided within the main body of the building and an external lift adjacent to the stable would be acceptable if it were necessary in order to enable the building to be accessible. Although, a separate external lift shaft would not be an inclusive solution and additional toilet facilities in the floor plan of the main building would reduce the quantum of business floorspace achieved, this would be the preferred heritage solution.
- 10.75 Moreover, the proposed lift shaft would be taller than the adjacent buildings, which is an issue that has been raised by the Council's Design & Conservation Team and requested to be lowered. The applicant has argued that the height is dictated by lift requirements and the need to access the proposed roof extension. While the height of the service core extension has come down in height since earlier iterations, it is considered to be a harmful addition that is required to achieve a particular quantum of floorspace rather than preserving the significance of the heritage asset.
- 10.76 While the existing wall to the adjacent buildings (20 Garrett Street) is unadorned, it shows the history of the site, and therefore is not blank. Given that this wall will come forward and be higher than the existing boundary wall, this is likely to be a more dominating and looming structure, further reducing the tight space within the courtyard. In the event of planning permission being granted, it will be essential to get the appearance of this wall right and further details would be required by conditions (3 and 28) in the event of planning permission being granted.

Courtyard

- 10.77 The courtyard was originally an open working yard, with a smithy built in later at the eastern end, and a hay store/cart store at the western end. This openness then and now contrasts with the tall and robust stable, ensuring it is the prominent structure and feature. It is proposed to introduce greenery into this hard landscaped area. While the increase in drainage would be welcomed, it is considered by the Council's Design & Conservation Team that this could be achieved without changing the character of the courtyard through introducing a tree and planters.
- 10.78 The proposed hard surfacing would divide the courtyard into separate areas that relate to the entrance to the core, and to the single storey, rather than unifying the courtyard to ensure it relates to the listed stable. A common thread of surfacing should be used throughout, ideally the proposed

star or diamond chequer bricks to echo the industrial nature of the site and further details would be required by conditions (3 and 28).

Summary

- 10.79 In summary, there is considered to be less than substantial harm to the heritage asset, albeit this is considered to be towards the upper end. The identified harm includes the loss of ability to read the main building as the main feature; the loss of floor-to-ceiling height; the erosion of relationship between the stable and the courtyard; the dilution of robust and simple form of the stables and its courtyard through introduction of several different materials; the introduction of a roof extension and the extension to the ramp; the single-storey extension and the core, which is considered too large and projecting into the courtyard.
- 10.80 On the other hand, the heritage benefits include the removal of 20th century accretions including shutter door and partitions; the restoration of 2nd floor and ground floor windows; the restoration of the open plan character of the 1st and 2nd floors; the greater external expression of the ramp; the increased private access to the site for end users; the re-opening of internal door heights and the general reuse of the building for purposes that are consistent with the historical use of the building.
- 10.81 These heritage benefits identified are however not considered to outweigh the identified harm in heritage terms. While the proposed changes individually may have a small negative impact, cumulatively they would have a more significant impact and would thereby reduce the importance of the historic building and its special interest.
- 10.82 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 10.83 Overall, the proposed works are considered to cause a high level of less than substantial harm to the historic building. In accordance with the Council's legal duties and the requirements of Chapter 16 of the NPPF this harm must be given great weight in the planning balance and should be weighed against the public benefits of the proposal.
- 10.84 In the event that the harm to the heritage asset is considered to be outweighed by the other public benefits of the proposal permission is granted, then a number of planning conditions (*condition 3 and 38-41*) are recommended to ensure the special character and interest of the historic building is maintained as much as possible.

Response to DRP comments and changes since Application submission

- 10.85 The proposal was presented to the Design Review Panel on two separate occasions. On the first occasion on the 19th October 2021, the Panel welcomed the design intent, the proposed uses, the reuse of the building and the desire to preserve as much of the fabric as possible. The main issue was considered to be how a building be created that shows off the heritage elements to their best, calming down the interventions while adding to them.
- 10.86 It was considered that the ability to appreciate the courtyard elevation of the listed stable should be increased, with a greater glass roof to the new ground floor extension being one way to achieve this. The panel confirmed that they were comfortable with the principal of the rooftop extension, and agreed that the reduction in its earlier proposed size helped the listed building be seen as the main structure of importance.
- 10.87 There was general concern around the café, regarding its location and function. This should be explored in more detail, particularly with regard to the interaction with the courtyard, and in

association, the location of the bin store with its potential detrimental impact on the courtyard. Finally, there was some concern around the management of the materials and how they would compete with the simplicity of the listed stable. A general quietening of the materials and design of the new elements would be beneficial, it was considered.

- 10.88 The panel recommended that they see the scheme again once the design had evolved and the considerations above developed in association with the Council's duty to preserve the building. The scheme was presented to the DRP a 2nd time on the 16th December 2021. At this 2nd review, the Chair concurred with some of the other members of the Panel that some of the subtleties such as the glazing to the ramp were welcome, but there were considered to be room for improvement regarding the render, the amount of glazing, and separation of the extension from the main building as well as how to support industrial use rather than mainly office space.
- 10.89 In terms of the final of these points, it was acknowledged that the applicant was responding to the brief from the Affordable Workspace team, but this needed to be demonstrated in terms of different uses on different floors rather than just open plan offices. The floorplates have now evolved further and more clarity has been provided regarding potential light industrial uses across ground and first floor levels. The proposal has been developed alongside affordable workspace occupiers who specialise in light industrial and creative maker spaces. The design has evolved since previous iterations and the operational requirements of light industrial floorspace have been fully considered.
- 10.90 The Panel welcomed the progress that had been made and the changes that had been proposed. The entrance, reception and an ancillary café interlinking directly with the adjacent courtyard and with the main entrance was welcomed. The materials at ground level and to the east core have now been simplified with brickwork rather than render being prioritised. The amended design is considered to better unify the whole courtyard space and new build elements with the existing building.
- 10.91 It was confirmed that the proposal would not need to be presented again to the DRP and that the finer design details, including the preservation of the listed building, should be agreed between the applicant and the Local Planning Authority.

Summary

- 10.92 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the St Luke's Conservation Area.
- 10.93 The proposal is considered to be of a high quality and contextual design with additions that are considered to be sympathetic to the surrounding context, which has the support from the Council's Design Review Panel. On the other hand, the proposed works are considered to adversely affect the special architectural and historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment. As such, there would need to be over-riding planning benefits, considered in subsequent sections of the report, in order to make the proposal acceptable from a planning point of view.

INCLUSIVE DESIGN

- 10.94 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected

characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promotes the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

10.95 The Inclusive Design principles are set out within policy D5 of the London Plan which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:

1. be designed taking into account London's diverse population;
2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
4. be able to be entered, used and exited safely, easily and with dignity for all 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

10.96 At a local level, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they: i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone, and iv) bring together the design and management of a development from the outset and over its lifetime. The Council's Inclusive Design SPD further sets out detailed guidelines for the appropriate design and layout of existing proposed new buildings.

10.97 The Council's Access Officer was consulted on the inclusive design principles of the proposal and confirmed general support for the proposed designs. A number of points were raised about issues relating to accessible shower and locker rooms, the provision of mobility scooter charging points, the inclusivity of the front entrance arrangements, refuge spaces on the upper floors, lighting, accessible sanitary facilities and circulation spaces. The responses provided by the application have satisfied the expectations of the Access Officer, subject to appropriately-worded conditions (28 and 31) requiring further details to be provided in the event of planning permission being granted.

10.98 The proposed development is considered to deliver inclusive and accessible commercial floorspace within the heritage constraints of the grade II listed building. Overall, the proposed development is welcomed in terms of accessible design and is a significant improvement upon the existing building and its layout. In conclusion, the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users.

NEIGHBOURING AMENITY

10.99 Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, increased overlooking and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.

10.100 Part D of policy D3 of the London Plan 2021 states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.

10.101 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.

10.102 A number of neighbouring properties are in commercial occupancy and thus impacts on them would not result in a loss of residential amenity. Given the location of the building and the extent of the development, it is considered that the neighbouring residential properties with the potential to be impacted by the development are:

- 5 Garrett Street
- 7 Garrett Street (mixed use with residential)
- 86-88 Banner Street
- 90 Banner Street
- 92-94 Banner Street (mixed use with residential)

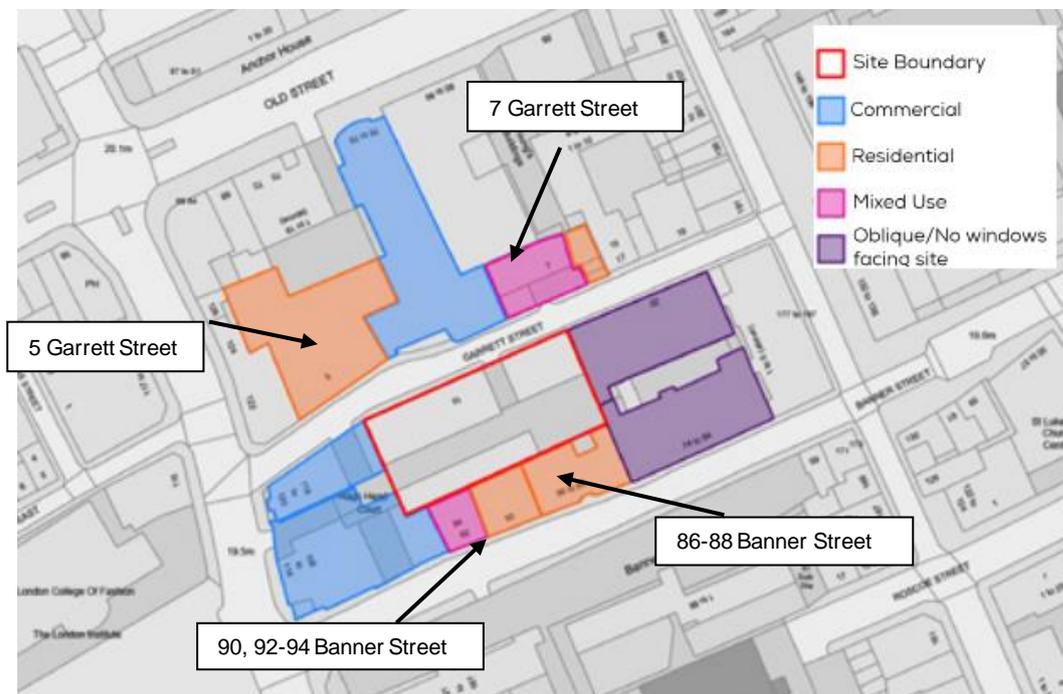


Fig 10.12 – Neighbouring Residential Properties

Daylight, Sunlight and Overshadowing

10.103 To assess the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.104 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'. Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.

10.105 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the specific context. The Guidance cites city centre

locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

BRE Guidance: Daylight to existing buildings

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

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

10.107 At paragraph 2.2.7 of the BRE Guidelines it states: “*If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building... any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.*” The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.108 At 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*”.

10.109 Paragraph 2.2.13 states: “*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*” The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.110 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is “in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

BRE Guidance: Sunlight to existing buildings

10.111 The BRE Guidelines (2022) state in relation to sunlight at paragraph 3.2.11: “If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected”.

10.112 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 during the winter months 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.

10.113 The BRE Guidelines state at paragraph 3.1.6 in relation to orientation:

“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”

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

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

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

BRE Guidance: Overshadowing

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

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

Assessment

10.118 The applicant submitted a Daylight and Sunlight Report prepared by GIA dated. This was replaced by an updated and amended Daylight & Sunlight Report, dated the 2nd November 2022 (Revision 3). The report and appendices consider the impacts of the proposed development on the residential neighbours in accordance with the 2022 Building Research Establishment (BRE) guidelines.

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

- No. 86-88 Banner Street
- Nos. 90 and 92-94 Banner Street
- Nos. 5 and 7 Garrett Street

10.120 The layouts of the most-affected residential properties identified above have been found to ensure that the assessment carried out is accurate; where the usage of the rooms is unknown, the assessment would be based on the worst case scenario and assumes that the room is habitable

(i.e. a living room) which would require a greater degree of daylight/sunlight than a bedroom for example.

Impacts to Daylight

No. 86-88 Banner Street

In the case of 86-88 Banner Street the majority of windows would not experience noticeable reductions. However, a total of 4No. kitchen windows (shaded in green on the elevation below) would experience VSC reductions above 20% with similar reductions in the daylight distribution (NSL), as shown in the table below. Moreover, a total of 3No. bedrooms (shaded in blue on the elevation below) would experience noticeable losses of daylight distribution as a result of the development as shown in *Table 10.1*. The more significant losses experienced by the kitchen windows is as a result of both the proposed service core extension and the proposed roof extension. These losses of daylight are an adverse impact as a result of this development that would need to be considered and given weight in the final balance of assessing the merits of this planning application.

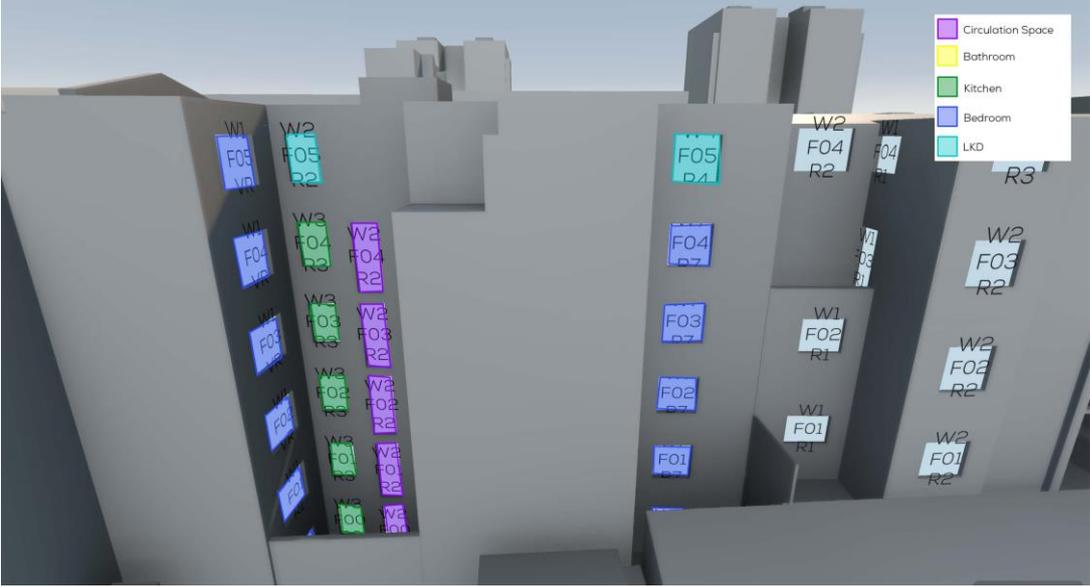


Figure 10.13: Nos 86-88 Banner Street

Table 10.1

			Vertical Component		Sky	No Sky Line (Daylight Distribution)		
86-88 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
Ground Floor	R1/W1/ Flat 2	Bedroom	3.2	3.2	0%	46.1	44.1	4.4%
Ground Floor	R3/W3/ Flat 2	Kitchen	8.6	5.4	38.6%	65.8	38	42.3%
Ground Floor	R6/W6/ Flat 1	Bedroom	4.5	4.5	0%	33.4	33.4	0%

Ground Floor	R7/W7/ Flat 1	Bedroom	6.5	6.4	1.5%	30.3	23.2	23.5%
First Floor	R1/W1/ Flat 4	Bedroom	9.6	7.8	18.8%	94.7	93.5	1.3%
First Floor	R3/W3/ Flat 4	Kitchen	11.9	6.8	42.9%	82.2	48	41.7%
First Floor	R6/W6/ Flat 3	Bedroom	12.1	11	9.1%	67.2	67.1	0.1%
First Floor	R7/W7/ Flat 3	Bedroom	16	13.3	16.9%	65.9	43.2	34.5%
Second Floor	R1/W1/ Flat 6	Bedroom	11.5	9.8	14.8%	69	67.7	1.8%
Second Floor	R3/W3/ Flat 6	Kitchen	13.8	8.8	36.2%	84.4	61.6	27%
Second Floor	R6/W6/ Flat 5	Bedroom	14.8	13.7	7.4%	68.6	68.6	0%
Second Floor	R7/W7/ Flat 5	Bedroom	19.9	17.1	14.1%	88.1	67.8	23%
Third Floor	R1/W1/ Flat 8	Bedroom	14.3	13.1	8.4%	71.3	70	1.7%
Third Floor	R3/W3/ Flat 8	Kitchen	15.8	11.7	25.9%	86.9	67.1	22.8%
Third Floor	R6/W6/ Flat 7	Bedroom	17.8	17	4.5%	73.3	73.3	0%
Third Floor	R7/W7/ Flat 7	Bedroom	22.2	20.7	6.8%	89.8	89.8	0%

10.121 It should be noted that the losses of daylight in absolute terms are not particularly high, but they are more significant in relative terms as a proportion of the existing daylight levels as the existing levels are already quite low given the built-up nature of the immediate context. The remaining windows and rooms further up the building of 86-88 Banner Street all comply with the BRE guidelines on daylight, i.e. none experience losses greater than 20% in terms of VSC or daylight distribution.

Nos. 90 - 96 Banner Street

10.122 In terms of Nos 90 and 92-94 Banner Street there are some less significant losses of daylight that need to be considered. A habitable room at first floor of No 90 Banner Street would experience losses of daylight distribution greater than 20%, as would a ground floor and first floor bedroom window of No 92-94 Banner Street. The daylight losses are documented in the table below.

Table 10.2

	Vertical Component	Sky	No Sky Line (Daylight Distribution)
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No.90 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
First Floor	R1/W1	RESI	18.2	14.8	18.7%	77.4	54.9	29.1%
First Floor	R2/W2	RESI	24.5	20	18.4%	93.3	93.3	0%
Nos.92-94 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
Ground Floor	R1/W1	Bedroom	23.1	19.4	16%	85.6	62.9	26.5%
Ground Floor	R2/W2	Bedroom	22.6	19.2	15%	79.6	68	14.6%
First Floor	R1/W1	Bedroom	28.4	24.5	13.7%	99.2	75.1	24.3%
First Floor	R2/W2	Bedroom	27.8	24.2	12.9%	98.4	86	12.6%

10.123 The daylight losses to these properties as shown below are considered to be minor in nature and are not overly concerning particularly given that the retained daylight levels are relatively high. Nevertheless, the loss of daylight here needs to be considered as an adverse impact in the assessment of this planning application.

Nos 5 and 7 Garrett Street

10.124 There are also some minor daylight and sunlight impacts on Nos 5 and 7 Garrett Street but none that go beyond 20% in terms of the Vertical Sky Component test, i.e. result in less than 0.8 of their former value. However there are two rooms, which would experience losses of daylight distribution (NSL) beyond the 20%. These are two rooms whose use is not known and the losses they would experience are 23.5% (W49 in the table below) and 27.5% (W50, below), though both rooms and the windows that serve them would retain high levels of both daylight distribution and VSC. As a result, there are unlikely to be noticeable losses for residents in 5 Garrett Street. The impacts on these properties are as a result of the set-back roof extension which is quite moderate in size, and as such, the impacts on these properties in terms of daylight are deemed not to be noticeable in line with the adopted BRE guidelines.



Fig 10.14: Window Key for 5 Garrett Street

Impacts to Sunlight

Nos 86-88, 90 and 92-94 Banner Street

10.125 The majority of windows that look onto the development do not face 90-degrees due south and therefore do not receive direct sunlight. However, there are a number of windows in the side elevation of these buildings facing an internal courtyard. There would be some minor sunlight impacts to these windows, but none that go beyond the BRE guidelines stipulated above.

Nos 5 and 7 Garrett Street

10.126 There are a number of windows within the buildings on the north side of Banner Street, which face south towards the application site. Due to the proposed roof-top extension, some of the windows serving habitable rooms would experience minor losses of sunlight and one window would experience losses that go beyond the levels stated within the BRE guidelines. The biggest loss of annual sunlight hours would be 11.4% to a window serving a habitable room in No 5 Garrett Street and in terms of winter sunlight hours there is a window at 2nd floor level which would experience a loss of 42.9% winter sunlight hours. The window (W49) serves the same room shown above, that would experience losses of daylight distribution described above.

Overshadowing

10.127 The application is accompanied by an assessment of overshadowing of external spaces such as gardens and roof terraces in the vicinity of the site. It can be concluded that the BRE requirements for overshadowing / sunlight hours would be met, i.e. there would be no reduction in the areas that would experience at least 2 hours of sunlight on the 21st March, as shown on plan below.



Figure 10.15 Overshadowing Assessment

Daylight and Sunlight Summary

10.128 It is noted in the BRE Guidelines and London Plan policies that a level of flexibility is required when assessing daylight and sunlight, with a consideration of the site context and circumstances. In this case, the site is located within close proximity to a number of neighbouring buildings within a close and tight proximity, representing an urban context typical of inner-city locations.

10.129 Out of a total of 104 surrounding windows, 100 (96.2%) would meet the relevant Vertical Sky Component test. In terms of the daylight distribution test (NSL), a total of 51 (80%) out of 64 rooms tested would meet the BRE guidelines. It is considered that there are relatively limited transgressions in terms of loss of daylight given this urban context. Nonetheless, this needs to be considered and weighed in the balance when considering the merits of the planning application.

Privacy

10.130 The supporting text to policy DM2.1 states at paragraph 2.14 that *‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’*. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.’

10.131 Paragraph 2.3.36 of the Mayor of London’s Housing SPG states that such minimum distances *“can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density”*. This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor’s guidance does not override Islington’s Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.

10.132 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not apply to itself. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.

10.133 All neighbouring residential properties on Garrett Street face the application site over a highway and thus privacy impacts strictly speaking do not apply. However, residential properties on Banner Street, notably 86-88 and 90 as well as 92 Banner Street have windows facing the application site over an internal courtyard. Several windows would have window-to-window distances of less than 18m, with the closest window-to-window distance measuring approximately 14 metres. Although this does not introduce a new situation in that there are existing windows in the courtyard façade of the subject building that look onto these neighbouring residential properties, the new windows proposed in the roof extension would be full-length and would likely give rise to at least an additional perception of loss of privacy and increased overlooking. As such, it is recommended, that in the event of planning permission being granted, a condition (37) should require details to be submitted of how additional overlooking to residential properties on Banner Street could be prevented through obscured glazing or privacy screens.

10.134 The service core also introduces new built form in closer proximity to neighbouring residential properties. However, this addition does not include any additional windows so would not give rise to additional overlooking or loss of privacy. At top floor level, the proposal shows an area of roof space that could be accessed by office occupiers if not properly controlled by condition. In order to prevent access onto these spaces and to avoid any loss of privacy to neighbouring residential occupiers a further condition is recommended (12) in the event of planning permission being granted, so that access to these spaces is prevented.

Sense of Enclosure

10.135 A number of objections have also been received regarding sense of enclosure, in particular to residents in 86-88 Banner Street as a result of the east core extension. Indeed the proposal would introduce new built form in close proximity to these neighbouring properties as illustrated on plan below. As a result, the kitchen windows from 1st to 3rd floors would have their outlook from kitchens adversely affected, which in turn is considered to result in an increased sense of enclosure from these rooms.

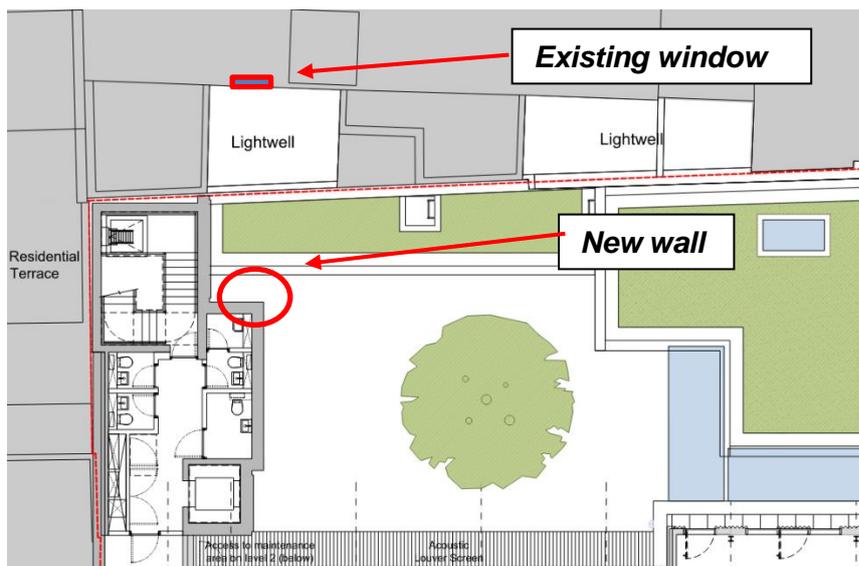


Fig 10.16 New built form affecting outlook and sense of enclosure

10.136 Whilst this is considered to adversely affect the amenity of neighbouring residents living in the affected dwellings, the affect is not considered to be sufficiently adverse so as to result in a refusal

of permission. Nonetheless, this impact is a harm that needs to be fully considered and weighed in the final balance of this planning application.

Noise & Disturbance and Odours

- 10.137 Policy DM2.1 also states development should not have an adverse impact on amenity in respect of noise and disturbance. The lawful use of the existing site is a sui generis industrial use with a mix of light industrial and warehouse and storage / distribution. These uses are considered to involve processes that can be carried out in any residential area without detriment to the amenity of that area. It should be noted that the proposal does not introduce any new “industrial” uses that are not already permitted on site and the development therefore does not give rise to any new impacts, such as noise and disturbance, that are not already possible within the existing use.
- 10.138 There is mechanical plant proposed at roof / 3rd floor level. An acoustic report was submitted to support the proposed development in terms of noise in general, including noise from plant. The report concludes that the noise emitted from the proposed plant would not result in an adverse impact to nearby residential properties. The noise assessment has been reviewed by the Council’s Public Protection Officer and considered to be acceptable subject to conditions (8 and 9) to limit the noise emitted from the plant to at least 5dB(A) below the background noise levels, and for the submission of a post-installation report.
- 10.139 Noise and disturbance are also likely to be generated from the proposed construction works, as well as the commercial operations proposed under this application, including the use of the café. The Council’s Pollution Control team have been consulted on the application and do not consider that the use of the modest café or the other commercial uses would cause undue disturbance or affect the amenity of neighbouring occupiers. However, a number of conditions relating to noise mitigation and the management of space have been suggested, in particular conditions 8, 9, 10, 12 and 13.
- 10.140 A number of objections were received from neighbouring residential occupiers in relation to the location of the refuse location and its proximity to neighbouring windows and amenity space on the other side of the boundary wall. The refuse enclosure has now been swapped with the bike store and this newly reconfigured arrangement is considered to suitably mitigate against any potential impacts in terms of noise or odours associated with the refuse store.
- 10.141 Furthermore, the opening hours of the café as well as access to the courtyard and access to any roof-level amenity spaces would be suitably restricted by conditions (12, 13 and 33) in the event of planning permission being granted.

Light Pollution

- 10.142 The proposal would not alter the commercial nature of the site; however, the proposal raises the possibility of night-time light pollution occurring, given the additional glazing proposed and the additional height of the building, should office staff need to work outside normal office hours; due to the proposed intensification of commercial use on the site, the cumulative impact (without suitable controls) is potentially greater than existing and therefore, it is considered that adequate measures would need to be in place to mitigate any adverse light pollution impact.
- 10.143 To address this, condition 14 is recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors.
- 10.144 It is considered that any proposed measures would need to ensure the extent of light being used within the building is reduced and would help minimise any impact on neighbouring properties, and address any light pollution concerns. These controls would result in an improvement on the existing situation whereby uncontrolled use of the courtyard and internal spaces had led to complaints from local residents about the impacts from light pollution from the site.

Construction Impacts

- 10.145 The construction works proposed under this application would unavoidably cause some degree of noise and disruption which would affect neighbouring residents.
- 10.146 The Public Protection Officer recommended that a Construction Management Plan be submitted to and approved by the Council prior to the commencement of development (*condition 6*). The plan should include details including methods of demolition, quiet periods and noise mitigation, in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. It is worth noting that outside planning control 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.
- 10.147 The transportation and highways impact during the construction stage is further discussed in the Highways and Transport section below.

Air Quality Impacts

- 10.148 The London Plan Policy SI1 sets out requirements for developments to be air quality neutral. The purpose of the London Plan's requirement that development proposals be 'air quality neutral' is to prevent the gradual deterioration of air quality throughout Greater London.
- 10.149 An air quality assessment has been carried out to demonstrate that the building and transport related emissions associated with the Proposed Development are both below the relevant benchmarks. The proposed development complies with the requirement that all new developments in London should be at least air quality neutral.

Safety and Security

- 10.150 The surrounding area is mixed with commercial and residential uses. The site has one main access point from Garrett Street which leads into a courtyard space which is overlooked by residential properties. There have been objections to the proposal on the basis of safety and security and in particular public access to the courtyard given the close proximity of residential properties on Banner Street on the other side of the boundary wall.
- 10.151 The boundary walls around the site range from between 4m to 5m in height but the proposal introduces new buildings, such as the bike store and refuse enclosure, around the edge of the site which would measure some 3m in height. It is considered that a restriction on the use of the courtyard to "normal" office hours Monday to Friday (*condition 13*) would mitigate against perceived safety or security risk.
- 10.152 The safety and security aspects of the proposal have been considered by the Metropolitan Police's Design out Crime Officer. A number of observations have been made including that the design of the plant, cycle and refuse store doors to conceal the contents within is supported as it will help to 'remove the target' (cycle) from view of any opportunistic thief. Moreover, the 'hit and miss' brickwork within the courtyard area starting at 1st floor level rather than ground floor level is positive as it removes this from becoming a climbing aid up the building.
- 10.153 A number of recommendations have also been made including that the main entrance gates should be floor-to-ceiling to help prevent persons from crawling under or climbing over and that it should contain sufficient access control and locking mechanisms. The access strategy to the courtyard is key as this could be vulnerable to misuse later into the day when premises are closed and unoccupied. Further details would be required by condition (33) in the event of planning permission being granted.
- 10.154 Further recommendations have been made, which form part of Secured by Design guidance and these proven crime prevention methods could help to protect the site and its surrounding residents from crime and disorder. Should any planning permission be granted for this proposal then

condition (30) is recommended to ensure the development achieves SBD accreditation, prior to occupation.

Neighbouring Amenity Summary

10.155 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity in terms of loss of sunlight, privacy, safety or an increased sense of enclosure, noise or disturbance. There would however be some minor adverse impacts on daylight to properties on Banner Street and Garrett Street as discussed above.

BIODIVERSITY, LANDSCAPING AND TREES

10.156 London Plan Policy G1 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 further states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

10.157 Policy CS15 of the Islington Core Strategy and policy DM6.5 of the Islington Development Management Policies reads that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits. Similarly, emerging Local Plan Policy G4 requires for all developments to protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting and enhancing connectivity between habitats.

10.158 The application site is entirely covered by built form and hardstanding with no trees or vegetation on site. The subject building is also bordered on all sides by buildings and hardstanding though there are a number of parks in the surrounding area that are Sites of Importance for Nature Conservation and have been considered as part of the submitted Preliminary Ecological Appraisal.

10.159 A multi-stem tree is proposed to be planted in the courtyard space and framed by timber and corten benches. While details of size and species would be agreed by condition (28) in the event of planning permission being granted, the submission suggests a type of Japanese Pagoda Tree, which would be tolerant to semi-shade conditions within the courtyard. It is considered that this single tree would form a focal point for views into the courtyard from Garrett Street and form a hub, both physically and socially within the courtyard while not overly restricting the operational potential of the courtyard itself.

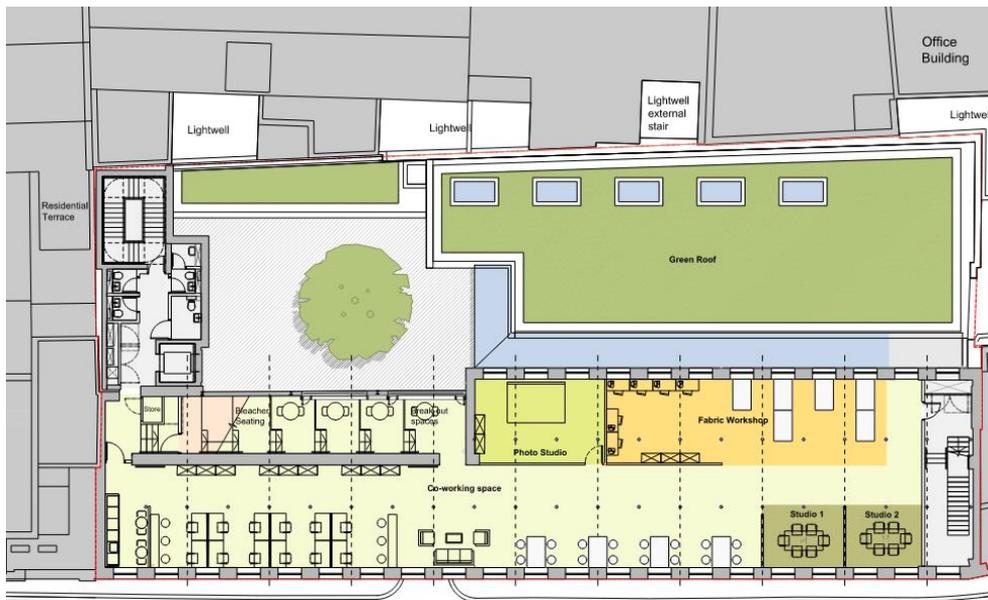


Fig 10.16: Proposed Landscaping

10.160 Furthermore, vertical greening is proposed to three of the courtyard elevations, which consists of self-clinging climbers that will be planted in-ground. The 4-storey west facing facades would be planted with Boston Ivy or similar species and the single storey east facing facade of the new workspace building would be planted with a climbing hydrangea, with further details required by condition (28).

10.161 The new workspace extension provides a flat roof that is suitable for and proposed as a green roof. The type of green roof is determined by the depth of substrate which in turn is governed by the roof structure. A biodiverse green roof planting palette is proposed that would mimic typical urban brownfield species which is a UK Biodiversity Action Plan priority habitat. A diverse wildflower mat is specified with the addition of native sedum plug plants that will be planted into the mat on site. In any case, further details would be required by condition (23).

10.162 An Urban Greening Factor assessment has also been submitted with the application, which identifies an UGF of 0.266. While this is short of the 0.3 stipulated in London Plan Policy G5 for office buildings, it is considered that the application has maximised biodiversity improvements in the context of the site-specific heritage constraints. The limitations of the listed building structurally, have ruled out a green roof on the main building, and the need for external circulation/servicing space in the ground areas provides additional limitations. Some further enhancements have been made during the course of the application, with further details required by conditions 23, 25, 27 and 28. The recommendations identified in the Preliminary Ecological Appraisal, including living roof, green wall, nest boxes and ornamental planting would be required by condition in the event of planning permission being granted.

10.163 In summary, the proposal would significantly enhance biodiversity on the site through the provision of green roofs and other soft landscape interventions. Further ecological enhancements will be required by conditions 23, 25 and 27 and the proposed landscaping improvements would be secured by condition 28.

ENERGY AND SUSTAINABILITY

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

10.165 The NPPF para 157 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

10.166 London Plan policy GG6 seeks to make London a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.

10.167 Policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.

10.168 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:

- connect to local existing or planned heat networks
- use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
- use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- use ultra-low NOx gas boilers

10.169 Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

10.170 Policy SI 4 (Managing Heat Risk) of the London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. The submitted energy strategy shows how they will reduce the potential for internal overheating and reliance on air conditioning systems.

10.171 Policy CS10 of the Islington Core Strategy requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.172 Policy DM7.1 of the Islington Development Management Policies requires development proposals to integrate best practice sustainable design standards and states that the council will support the

development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

Carbon Emissions

10.173 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.

10.174 At local level, the council requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible.

10.175 The submission indicates that the development would achieve an overall reduction of 55% in regulated emissions, which exceeds the London Plan target to achieve a 35% reduction. Only a 12% saving in regulated emissions at 'Be Lean' stage would be achieved, which fails to meet the requirement for non-domestic developments to achieve a 15% saving in London Plan policy. However, this is justified on the basis that some of the standard energy efficiency measures, such as fabric improvements, are impossible to achieve given heritage constraints. At the same time, a saving of 46% is estimated against a Part L 2013 baseline for total emissions. This meets the requirement is Islington Policy for developments not able to connect to a DEN to achieve a 27% reduction.

10.176 As part of the proposed development the new-build fabric and services would be designed to reduce the building's carbon dioxide emissions and energy consumption. These measures include: fabric improvements, especially to the new build elements; lighting efficiency and controls, mechanical ventilation with heat recovery and improved U-values.

Zero Carbon Policy

10.177 As noted earlier, policy SI 2 of the London Plan stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.178 The Council's Environmental Design SPD states that "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.

10.179 The offset contribution of £30,452 has been confirmed by the Council's Energy Officer and is secured via S106.

BE LEAN- Reduce Energy Demand

10.180 Part A of policy DM7.1 states "*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*" It further states that "*developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy*".

10.181 The proposed U-values for the new build elements are: Walls= 0.2; Roof= 0.13; Floor= 0.15; Windows= 1.31, while the existing building achieves U-values of: Walls= 1.22; Roof= 0.5; Floor= 2.75; Windows=5.75. An air permeability of approx. 5m³/hr/m² is specified. LEDs and appropriate

controls have been specified. These are considered to be acceptable U-values given obvious heritage constraints.

Overheating and Cooling

- 10.182 Part A of policy DM7.5 of the Islington Development Management Policies requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 10.183 Thermal modelling has been carried out using CIBSE TM49 weather files and assessed against the criteria of CIBSE TM52 as required in GLA Energy Assessment Guidance. Results of this modelling have been provided in the Sustainable Design & Construction Statement (SDCS) for a natural ventilation scenario. The SDCS shows how the GLA Cooling Hierarchy has been followed and states that active cooling will be provided by the VRF ASHP system to ensure the building does not overheat. This is considered acceptable given the limitations of working within the constraints of a listed building.

BE CLEAN- Low Carbon Energy Supply

- 10.184 In respect to energy (heating and cooling) supply, it is proposed that such would be provided by an air source heat pump.
- 10.185 Part C of policy DM7.3 of the Islington Development Management Policies states “*major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.*”
- 10.186 The proposed development is within 500m of the Bunhill Heat and Power Network however, the applicant initially produced calculations which suggest that the carbon intensity of the Bunhill Network is higher than the ASHP specified in Appendix 5 of the SDCS. However, the onus is on the applicant to demonstrate whether connection is technically feasible and to ensure that the proposed development meets Islington and London Plan carbon targets. The development of heat networks itself is a strategic goal of policy.
- 10.187 The SDCS Addendum, which has been submitted to address issues raised states that feasibility assessments will be undertaken for connection to the Bunhill and Citigen networks. The feasibility regarding future connection to the Bunhill and Citigen networks would be required by condition in the event of planning permission being granted (condition 21). The submitted SDCS addresses future connection to the Bunhill Network. A protected pipework route to Garrett Street has been included in the design, leading to a plant room set aside for heat exchangers.

Shared Energy Networks

- 10.188 Part D of policy DM7.4 states “*Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.*”
- 10.189 The applicant has now provided evidence that they have contacted neighbouring buildings to assess the possibility of forming a Shared Heating Network. The SDCS addendum however states

that priority is being made to connect to Bunhill or Citigen heat networks although this is dependent on feasibility studies that have not yet been issued. This would be suitably conditioned (21).

CHP/CCHP or Alternative Low Carbon On Site Plant

- 10.190 In accordance with the London Plan hierarchy, where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).
- 10.191 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes."
- 10.192 On-site CHP was discounted for use on this development. Due to the relatively low domestic hot water demand related to office and retail uses and the lack of a stable heating demand baseload, the use of a Combined Heat and Power (CHP) system was not deemed as an adequate strategy for this project. However, the application proposes ASHP to provide heating and cooling. This is on the basis the ASHP VRF system proposed has a lower carbon intensity than connection to the Bunhill Network.

BE GREEN- Renewable Energy Supply

- 10.193 The Mayor's SD&C and SPD reads "*although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.*"
- 10.194 The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets."
- 10.195 A variety of technologies were assessed in order to determine if they would be suitable for the site and proposed development. Solar thermal, biomass, waste to energy, wind turbines and fuel cells have been rejected for valid reasons. A Solar PV has been specified and a study into shading carried out. This has identified a suitable area for a 115m² Solar PV array (*condition 24*).

BREEAM- Sustainable Design Standards

- 10.196 Part A of policy DM7.4 of the Islington Development Management Policies states "*Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding.*" The Council's Environmental Design Guide states "*Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.*"
- 10.197 The SDCS Addendum states that it is not possible to achieve an 'Excellent' BREEAM rating without improving the thermal performance of the building fabric which has been ruled out to protect the heritage of the Grade II listed building. A condition (22) is recommended to secure details of how the proposed development would achieve a BREEAM 'Very Good' rating with reasonable endeavours to achieve 'Excellent'.

Draft Green Performance Plan

- 10.198 Policy DM7.1 of the Islington Development Management Policies and the Environmental Design SPD (8.0.12 – 8.0.18) states "applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for

monitoring the progress of the plan over the first years of occupancy.” The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.

10.199 A Draft Green Performance Plan has been provided with the application. This does not include measurable targets for energy consumption, CO2 emissions and water usage. An updated Draft GPP has been provided during the course of the application, which includes measurable targets for energy consumption, CO2 emissions and water usage.

Sustainable Drainage

10.200 Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the ‘Wat 01’ water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.

10.201 Policy CS10 of the Islington Core Strategy requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. Policy DM6.6 of the Islington Development Management Policies is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a ‘greenfield rate’, where feasible.

10.202 The proposal would also need to demonstrate achieving all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required. This is recommended to be secured by condition 22.

HIGHWAYS AND TRANSPORT

10.203 Paragraph 108 of the NPPF 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.

10.204 Policy T4 of the London Plan 2021 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. A Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of this policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

10.205 Policy DM8.1 of the Islington Development Management Policies states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.

10.206 The site has excellent access to public transport and the Public Transport Accessibility Level is 6A. There are a number of bus routes within walking distance of the site on Old Street providing connection to the city and locations across London. Old Street Station, which is also within walking distance, is served by London Underground and National Rail routes and Farringdon, Moorgate and Barbican Stations are all in close proximity to the site.

10.207 The site benefits from good pedestrian accessibility to surrounding retail, employment, leisure, and public transport nodes. It is located within walking distance of local amenities such as Shoreditch, Farringdon and the Barbican. The footways around the site are generally in good condition, although the widths of the footways on Garrett Street are not particularly generous with some local residents objecting on the grounds of highways safety, particularly when the Garrett Street becomes a cul-de-sac during the operating hours of the Whitecross Street market.

10.208 The local cycle network within the site's immediate vicinity is well-developed with designated cycle routes running along Golden Lane, Banner Street and Whitecross Street. There are a number of Sheffield cycle stands as well as cycle hire stands in close proximity of the site on Whitecross Street, Golden Lane and Old Street.

10.209 The application proposes to increase the commercial floorspace on site by 833sqm, from 1,194sqm (GIA) to 2,027sqm (GIA), including the additional ground floor café which would be operated as part of the light industrial floorspace. For the purposes of transport requirements, the floorspace increases are broken down as 394sqm of additional light industrial and 439sqm of additional office floorspace, resulting in a total of 1,191sqm of light industrial floorspace and 836sqm of office floorspace.

Vehicle Parking

10.210 No vehicle parking is proposed on-site which is considered acceptable and in accordance with policy CS10 of the Islington Core Strategy and policy DM8.5 of the Islington Development Management Policies. These policies require new developments to be car free.

10.211 The site has a PTAL rating of 6a, which indicates that the site benefits from excellent public transport provision. The site is in close proximity to multiple thoroughfares within the south of the borough within the Congestion Charging Zone and is located within a CPZ restricting car parking 24 hours a day, Monday to Saturday. The two existing parking bays at the front of the site would be reconfigured as shown below and would be made available to blue badge holders.

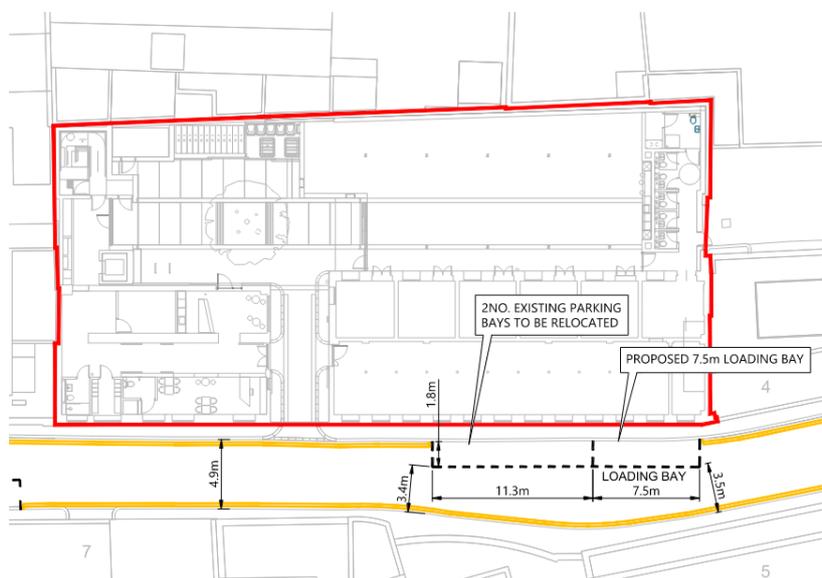


Fig 10.16 Highways Layout

10.212 With regard to disabled parking, there is no disabled parking proposed on site, however, it is anticipated that the need for disabled parking provision would increase as a result of the development. In accordance with Policy DM8.5 and the guidance with the Planning Obligation SPD, a financial contribution of £4,000 is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the S106 legal agreement.

Cycling

10.213 In terms of cycling, policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Policy T2 of the emerging Local Plan requires cycle parking at a ratio stipulated within Appendix 4 of the document.

10.214 For office developments 1 space is required for every 75sqm, whereas for light industrial floorspace 1 space is required for every 250sqm of floorspace. For the total office floorspace proposed on site, this equates to 16 cycle spaces, whereas the light industrial floorspace would require 5 cycle spaces. The proposed development proposes a significant improvement to cycle parking in comparison to the existing site which offers no formal spaces currently. The scheme proposes 24 long stay cycle parking space delivered as two-tier spaces within a dedicated secure store accessed from the central courtyard. This exceeds the requirements set out in policy. Moreover, this would be complemented by a single accessible bicycle space located within the entrance undercroft to take advantage of the cover provided by the building above and the natural surveillance offered by the café and reception. Two Sheffield stands are proposed within the central courtyard, providing 4 spaces, to be used by visitors.

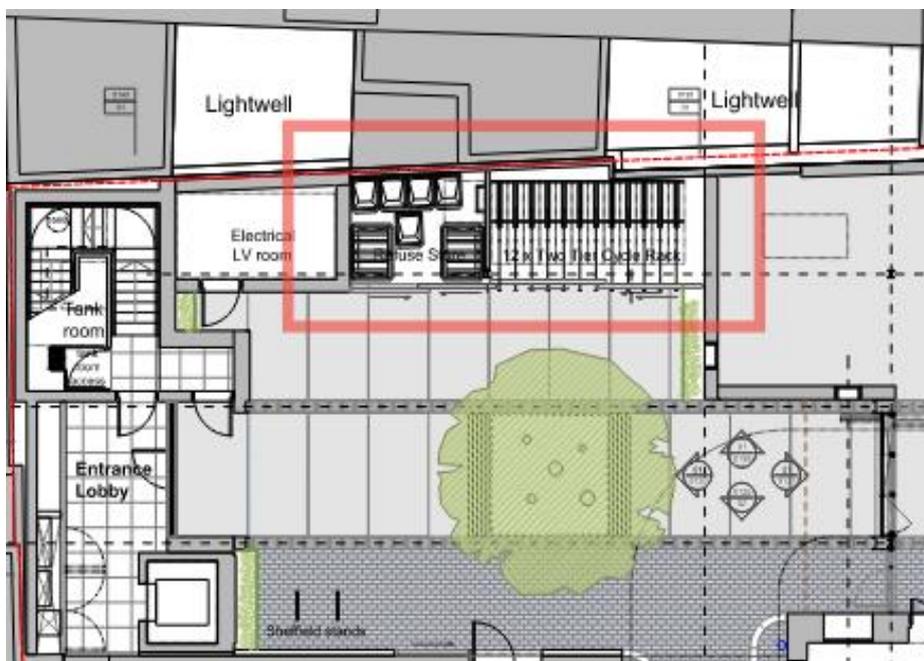


Figure 10.17: Courtyard Cycle Parking

10.215 Although the amount of cycle parking proposed is considered acceptable, further details are required to demonstrate that such facilities would be fully accessible. These details would be secured by condition (35) in the event of approval.

10.216 Overall, the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, Development Management Policy DM8.4 and emerging Local Plan Policy T2.

Servicing and Delivery

10.217 Part A of policy DM8.6 (Delivery and Servicing for New Developments) states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that onsite provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.

10.218 Although the development constitutes more than 200sqm of commercial floorspace, the application does not propose on-site servicing and delivery. This is mainly due to the relatively small size of the site and the heritage constraints which would not permit the enlargement of the main entrance doors. Although it is understood that the previous use of the site as a builders merchants utilised Nags Head Courtyard which is accessed from Golden Lane, the applicants have confirmed that this would require a right of access over neighbouring land which is not in the applicants ownership. While the previous occupiers may have benefited from an informal arrangements, it may prove difficult to formalise this arrangement as part of a planning application without the consent of a 3rd party.

10.219 In any case, the proposal is considered to result in approximately 5-6 servicing and delivery trips per day which would be accommodated in the on-street servicing bay shown on plan below. Further details will need to be provided by condition (11) in the event of planning permission being granted in order to ensure that deliveries to the site are suitably managed to prevent adverse impacts on the surrounding highway network. The arrangement below requires the reconfiguration of existing parking space, the cost of which would be paid for by the developer and secured through the section 106 agreement in the event of planning permission being granted. Tracking and swept path diagrams have been provided to demonstrate that this would not give rise to unacceptable highways impacts.

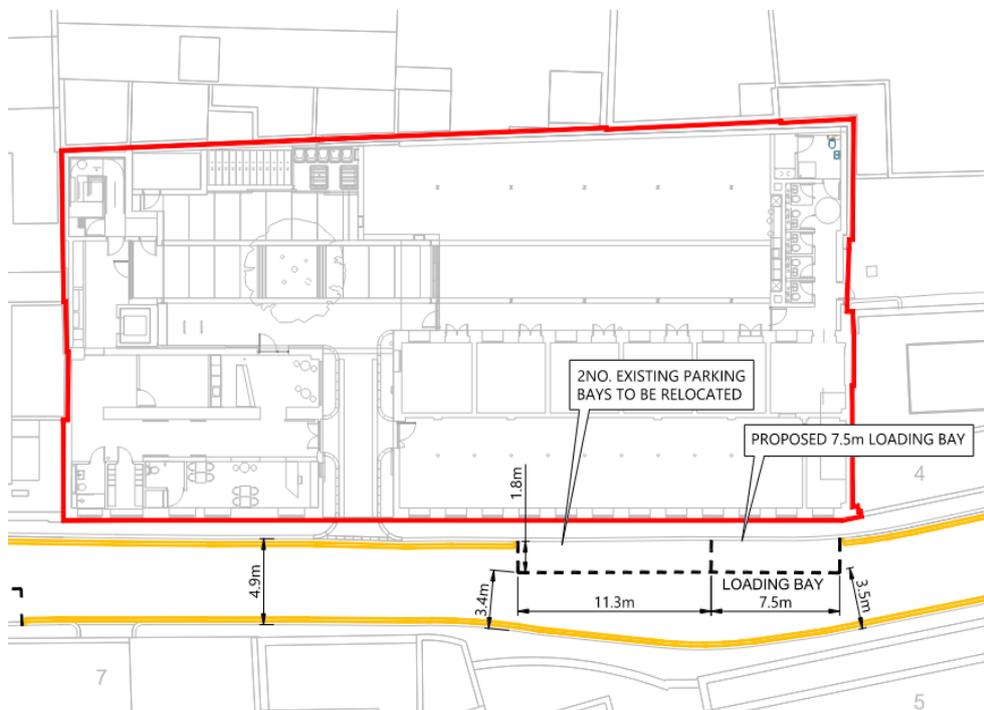


Fig 10.18 Servicing Arrangements / Loading Bay

10.220 In terms of refuse and recycling, officers have had regard to the council's refuse and recycling storage requirements, and it can be concluded that the proposed provision and arrangements are considered acceptable for the office and light industrial uses. It is recommended that final details of servicing and delivery should be submitted and agreed by the council prior to the occupation of the development and this is secured by condition 11.

Pedestrians

10.221 A number of objections have been received on the grounds of highways safety and in particular pedestrian safety on Garrett Street. While these objections on the whole describe the existing situation as being unsafe, the impacts of the proposal on highways safety need to be fully considered to understand what mitigation measures may be required to create a safer pedestrian environment.

10.222 The submitted Transport Statement and Delivery and Servicing Plan estimates based on standard formula that the proposal would result in 5-6 servicing and delivery trips per day, mainly by van or medium-sized vehicles that would be utilise the designated on-street delivery bay. The submitted documents also assume that this would be a reduction in delivery and servicing trips compared to the existing / last use as a builders merchants.

10.223 It is noted that many of the larger vehicles previously accessing the builders merchants used a route from Golden Lane via Nags Head Courtyard to access the site and as such would have had less impact on Garrett Street. In any case, the issue with the use of Garrett Street for delivery and servicing vehicles is not the use of the highway per se; rather the issue results from the fact that Garrett Street becomes a cul-de-sac from 9am to 2.30pm and that this is not sign-posted when entering Garrett Street from Golden Lane. As a result vehicles steering into Garrett Street between these times find that they have to either reverse back down Garrett Street or perform a somewhat problematic 3-point turn in a narrow street.

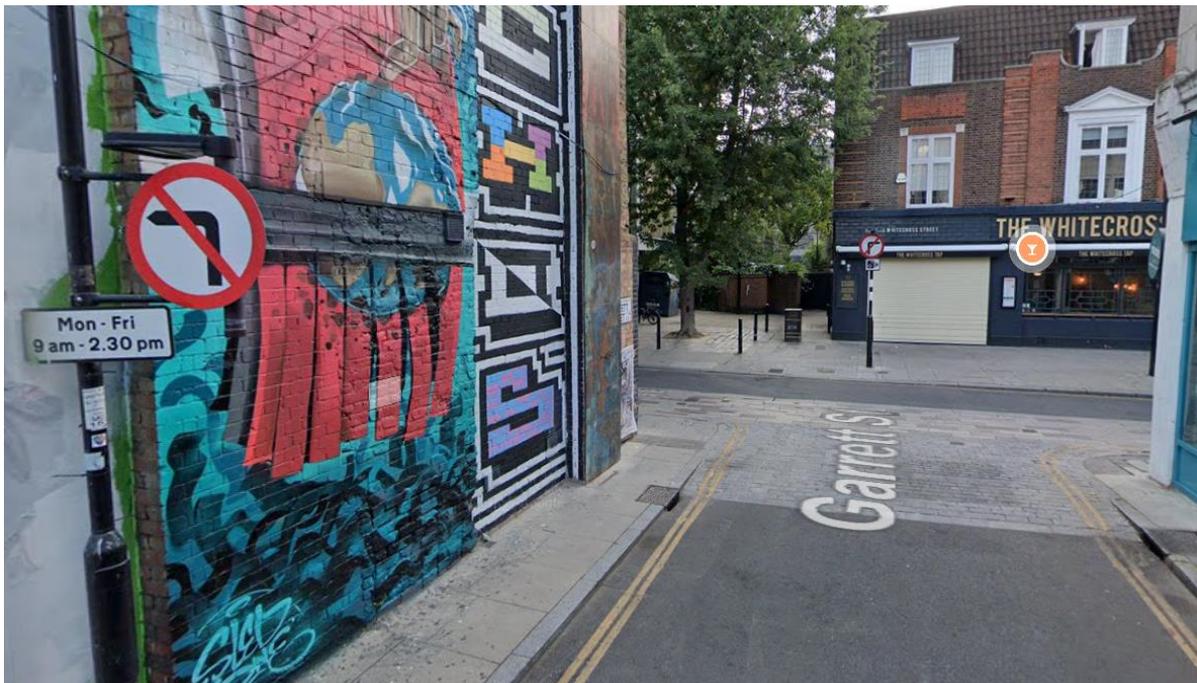


Image 10.6: Garrett Street – Whitecross Street junction

10.224 In order to address this situation, the applicants have confirmed their willingness to contribute towards additional sign-posting at the Garrett Street / Golden Lane junction through the section 106 agreement and their implementation would be managed by a section 278 agreement.

10.225 Moreover, there would be restrictions on the servicing and delivery arrangements for the proposed use so that servicing and delivery vehicles only access the site outside of the hours of 9am to 2.30pm Monday to Friday, with further details required by condition (11). This would be a significant improvement on the current situation, which essentially allows uncontrolled delivery and servicing arrangements to the site.

10.226 A number of objections have also been received with regard to general impacts on the surrounding highways network and increased footfall. The application is accompanied by a trip generation assessment which concludes that there is likely to be an increase of approximately 20 additional person trips during the morning and evening peak hours. The vast majority of these additional trips would be undertaken by public transport and on foot, with others arriving by bicycle. This is not considered to give rise to undue impacts on the surrounding highways network.

Construction Impacts

10.227 The proposed construction works would inevitably have some impact on the local area during the construction period. As such, a Construction Management Plan would need to be submitted and

agreed by the Council prior to any construction work commencing on site; this is echoed by the Council's Public Protection Team who have recommended submission of a final version of a CMP (condition 6).

10.228 A full Construction Management Plan should outline measures for the routing, accommodation, loading and unloading of construction vehicles during the entirety of the construction phase. A construction programme should also be provided within the CMP once a contractor has been appointed. This will set out indicative timescales for each phase of construction. This is secured by condition (6) in the event of planning permission being granted, to ensure that the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbouring amenity, the wider environment, or the safe and efficient operation of the highway network.

10.229 The Council's Highways Team has recommended that the applicant would need to cover any cost to repair any damages to the public footway/carrageway caused by the development. This would be secured through the section 106 agreement.

10.230 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,666 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways Summary

10.231 Overall, it is considered that the application would have adequate provision for waste storage, accessibility, cycling, servicing and deliveries, subject to conditions and legal agreement. The proposal would then be acceptable and would comply with policies T5 and T6 of the London Plan 2021, policies CS10, CS11 and CS13 of the Islington Core Strategy 2011; and DM8.2, DM8.4, DM8.5 and DM8.6 of the Islington Development Management Policies 2013 and Policies T2, T3 and T5 of the emerging Local Plan.

FIRE SAFETY

10.232 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. Such statements should contain: the building's construction; means of escape for all building users; features that reduce the risk to life; access for fire service personnel and equipment; provision for fire appliances; and future modifications to the building.

10.233 The Fire Statement submitted with the application, has been prepared by Hoare Lea, and a suitably qualified Chartered Engineer has been involved in the document. Both the HSE and the London Fire Brigade have been consulted on the development and no objections have been raised to the submitted Fire Statement. In response to queries from the Council's Building Control Officer relating to the requirements of the London Plan policy D12b), a revised document has been submitted and amended dated 30th November 2022.

London Plan policy D12(b) requires the following detail:	Response:
1. The building's construction: methods, products and materials used, including manufacturers' details.	The subject site comprises an existing building with the retained sections of building consisting of traditional construction. The new construction elements will incorporate

	<p>blockwork and brickwork with mineral insulation, and a green roof on top of a steel frame and timber trusses. The extension to the building will be enveloped by aluminium insulation panels and fixed glazing panels, with single ply membrane on the roof with pebble cover on top of a steel frame and timber trusses.</p> <p>The elements of structure for the building will achieve no less than 60 minutes fire resistance due to the building having a top floor height between 5m and 18m. – The third floor is proposed to be constructed as a compartment floor.</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach.</p>	<p>The occupants the buildings will adopt a simultaneous evacuation strategy in which all occupants within the building will evacuate on activation of the fire detection system.</p> <p>The building will have two protected staircases that serve all upper floors, located at opposite ends of the floor plate. Both staircases will have clear widths of 1200mm.</p> <p>The eastern staircase will be lobbied at all levels, whereas the western staircase does not have lobbies. Therefore, the occupancy of the building will not be greater than the capacity of the eastern staircase.</p> <p>A disabled refuge is located in the eastern staircase lobby at all levels, and a refuge is located within the western staircase (without impeding the clear width of the escape route).</p>
<p>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans.</p>	<p>The buildings will be provided with a category L2 detection and alarm system, in accordance with BS 5839-1. Activation of the detection and alarm system will operate any fire curtains located on the ground floor.</p> <p>The staircases will be constructed with 60 minutes fire resistance to protect occupants.</p> <p>Fire resisting construction and the use of fire curtains will be provided to protect occupants utilising the main entrance to evacuate the building.</p>
<p>4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these.</p>	<p>The Fire Service will access the building from the ground floor and will have access into the lobbied staircase via the main entrance to access all upper floors.</p> <p>The eastern staircase will be provided with a dry fire main. This will comprise an inlet adjacent to the Fire Service access point on</p>

	Garrett St and outlets within the staircase lobbies on all levels.
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building.	There is Fire Service appliance access via Garrett St. and Golden Lane. If fire hydrants are not already available in the vicinity of the development, then they will be provided such that there is one within 90m of any dry riser inlet.
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	Any future modifications to the scheme or fit-out of commercial units will be subject to Building Regulations approval and should consider the base build fire strategy, such that fire safety measures are not compromised within the development. There are currently no intended additional alternations to be made to the building.

10.234 The submitted information is specific and relevant to the proposal and the Fire Statement references compliance with BS9999. It is noted that the author of the submitted Fire Statement is a qualified person with expertise in fire safety and engineered solutions, and as such, the applicant has considered the fire safety of the development as part of the overall scheme. A few final questions have been asked by the Council's Building Control on the revised Fire Strategy. These would need to be addressed with a final revised version in the event of permission being granted (condition 19).

PLANNING OBLIGATIONS AND CIL

10.235 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.236 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a S106 agreement.

10.237 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy 2011 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to S106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

10.238 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a S106 agreement.

- A bond/deposit to cover costs of repairs to the footway (£16,845) and for repairs to the highway (£12,953). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council;
- Reconfiguration of the parking and loading bays alongside the site in accordance with the submitted highways plan, secured through a highways agreement;
- Contributions towards additional road signage as detailed above;
- Provision of 1,191sqm of affordable workspace at ground and first floor level at Cat B fit out in perpetuity at peppercorn rent not to implement the permission until an agreement for lease has been entered into for the affordable workspace and the AWS to be practically completed (to CAT-B and in accordance with the council's affordable workspace specification) before the council surrender of the Hylo affordable workspace lease;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- Carbon offsetting contribution of £30,452;
- Future connection safeguarded / secured (Energy network) (as covered within the submitted energy statement);
- Code of construction monitoring fee £1,666;
- 1 x construction placements or employment/training contribution of £5,000.
- Employment and training contribution of £10,431 for local residents;
- Accessible transport contribution £4,000;
- Submission of draft Green Performance Plan;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;
- That permission can not be implemented until an agreement for lease is in place for the affordable workspace;
- Associated legal fees.

PLANNING BALANCE ASSESSMENT

10.239 Paragraph 47 of the NPPF dictates that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise"*.

10.240 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with the London Plan Policies SD4, SD5, E1 and

E4 Islington Core Strategy CS7 and CS13, Finsbury Local Plan BC8, emerging Local Plan Policy B2 and emerging Bunhill and Clerkenwell AAP Policies BC1, BC2 and BC7 as well as the emerging Site Allocation BC31, which support the retention of industrial floorspace and encourage the intensification and modernisation of office floorspace at this location within the CAZ, subject to the acceptability of other material considerations.

10.241 The proposal includes the provision of 1,191sqm (GIA) of affordable workspace at CAT B fit-out in perpetuity at peppercorn rent. This consists of 1,000sqm (GIA) of relocated affordable workspace from Finsbury Tower (HYLO Building) as well as additional affordable workspace as detailed in the report. This is both a quantitative increase and qualitative improvement over that which was secured at Finsbury Tower and thus considered to be a significant planning benefit. Moreover, as detailed in the report, the proposal also offers the Affordable Workspace Programme the chance to diversify to a broader range of business typologies and to develop a space to meet the needs of creative industries and makers within the borough. The subject building is considered unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses which new build office spaces may not in this moment of time.

10.242 On the other hand, a heritage harm has been identified to the grade II listed building. The proposed development is considered to adversely affect the special architectural and historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of Chapter 16 of the NPPF (2021) which seeks to conserve and enhance the historic environment and Policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011, which seek to protect and enhance Islington's built and historic environment. That being said, the proposal was presented to the Design Review Panel and was commended for its design, which is considered to balance out some of the identified harm to the heritage asset. The proposal is considered to be of a high quality and contextual design with additions that are considered to be sympathetic to the surrounding context, subject to conditions related to design and materials (*conditions 3, 39 and 40*).

10.243 There is a degree of conflict with policies relating to amenity (policy DM2.1) and specifically in relation to daylight impacts. This has been carefully examined and while some of the adverse daylight impacts are considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints. It is considered that the level of harm to neighbouring amenity would not be significant to justify a warrant of refusal of planning permission on this ground.

10.244 The proposal is considered to be a sustainable form of development, involving the retention of the existing building with a significant embodied carbon saving. There are also significant operational carbon savings resulting from the proposed design, which exceed those required by planning policy. Furthermore, the proposal results in a significant increase in biodiversity on site with a consequent uplift in the site's Urban Greening Factor. Finally, the site's location, highly connected to London's public transport network, along with the significant increase in cycle parking on site, provides further support for the proposed increase in office floorspace here.

10.245 It should be recognised that the scheme involves the following benefits, which have been discussed throughout the report and should be afforded weight:

- Uplift in commercial office floorspace (833sqm GIA) within the CAZ involving the creation of modern and inclusive floorspace;
- Reuse of the vacant building with policy-compliant uses;
- Increase in employment at the site, as well as the relevant jobs and training contributions;
- Qualitative improvements and quantitative increase in affordable workspace beyond policy requirements;
- Provision of high quality affordable workspace at a well-considered and connected location;

- Improvements to the energy efficiency of the operation of the building and reuse of structural elements of the existing building in its redevelopment as well as contributions to bring the development to a net zero carbon state.

10.243 It is considered that the harm which has been identified to result from the proposed development would be outweighed by the significant benefits outlined above. As a consequence, it is considered that the planning balance is weighted in favour of the proposal and the application is therefore recommended for approval subject to conditions and the section 106 agreement.

11. CONCLUSION

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- A bond/deposit to cover costs of repairs to the footway (£16,845) and for repairs to the highway (£12,953). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council;
- Reconfiguration of the parking and loading bays alongside the site in accordance with the submitted highways plan, secured through a highways agreement;
- Contributions towards additional road signage as detailed above;
- Affordable workspace: Provision of 1,191sqm of affordable workspace at ground and first floor level at Cat B fit out in perpetuity at peppercorn rent; not to implement the permission until an agreement for lease has been entered into for the affordable workspace and the affordable workspace to be practically completed (to CAT-B and in accordance with the council's affordable workspace specification) before the council surrender of the Hylo affordable workspace lease;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- Carbon offsetting contribution of £30,452;
- Future connection safeguarded / secured (Energy network) (as covered within the submitted energy statement);
- Code of construction monitoring fee £1,666;
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000;
- Employment and training contribution of £10,431 to improve the prospects of local people accessing new jobs created in the proposed development;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;

- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures;
- Feasibility and connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future;
- Submission of, and compliance with, a Green Performance Plan;
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

ALTERNATIVELY, should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawing Numbers PL-00-0001; PL-00-0010; PL-00-0011; PL-00-0012; PL-00-0013; PL-00-0020; PL-00-0025; PL-00-0026; PL-00-0030; PL-00-0040; PL-00-0042;</p>

	<p>Proposed Drawing Numbers PL-00-0110 Rev P03; PL-00-0111 Rev P02; PL-00-0112 Rev P02; PL-00-0113 Rev P02; PL-RF-0114 Rev P02; PL-00-0115 Rev E; PL-00-0120 Rev P01; PL-00-0125 Rev P01; PL-00-0126 Rev P02; PL-00-0130 Rev P02; PL-00-0131 Rev P02; PL-00-0140 Rev P01; PL-00-0141 Rev P01; PL-0142 Rev P01; PL-00-0144 Rev P02; PL-00-0145 Rev P02; PL-00-0120 Rev P01;</p> <p>Planning Statement by DP9 dated April 2022;</p> <p>Design & Access Statement by HCL Architects dated 25th April 2022;</p> <p>DAS Addendum dated 1st November 2022 by HCL Architects;</p> <p>Archaeological Assessment by AECOM dated December 2021;</p> <p>Construction Management Plan (Draft pro forma);</p> <p>Daylight & Sunlight Report (Issue 03) by GIA dated 9th December 2022;</p> <p>Delivery & Servicing Plan by Caneparo Associates dated September 2022;</p> <p>Fire Safety Statement (Rev 02) dated 30th November 2022;</p> <p>Health Impact Assessment by DP9;</p> <p>Heritage Statement by Montagu Evans dated January 2022;</p> <p>Plant Noise Assessment (Revision 01) by RBA Acoustics dated 22nd December 2021;</p> <p>Preliminary Ecological Appraisal by AECOM dated December 2021;</p> <p>Site Waste Management Plan dated April 2022;</p> <p>Statement of Community Involvement dated April 2022;</p> <p>Structural Method Statement by London Structures Lab;</p> <p>SUDs Strategy Report by London Structures Lab dated January 2022;</p> <p>Sustainable Design & Construction Statement (Issue 4) by RHB Partnership dated May 2022;</p> <p>Sustainable Design & Construction Statement Addendum (Part 2) by RHB dated December 2022;</p> <p>Transport Statement by Caneparo Associates dated April 2022;</p> <p>Travel Plan by Caneparo Associates dated April 2022;</p> <p>Utilities Statement (Issue 3) by RHB Partnership dated April 2022;</p> <p>Ventilation Statement (Issue 3) by RHB Partnership dated April 2022;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, detailed drawings to a scale of no less than 1:10 unless otherwise specified (including cross-section, elevation, glazing, materials, colour/finish, furniture) in respect of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:</p> <ul style="list-style-type: none"> i. Replacement windows to the existing building, which shall match the existing b. New doors to the existing listed building c. Details of plumbing and ventilation service runs including details of any associated alteration to the historic fabric d. Details of the electrical service runs including details of any associated alteration to the historic fabric e. Method statement and details of any necessary repairs to the structure of the building f. Details of the new windows and ventilation panels to the retained ramps g. Details of the new stairs and breakout areas within the internal ramp areas including fixings and relationship to retained fabric h. Details and samples of the proposed external surfacing materials <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Floor Build-up (Details and compliance)

	<p>CONDITION: Details of proposed floor build-up to each floor at 1:5 in section and elevation, showing retention of the existing flooring and relationship to existing floor levels, as well as details of the pipework within the void, any insulation, and the new floor covering, which shall be a lightweight overlaid finish, shall be submitted to and approved in writing by the local planning authority prior to the relevant part of the works commencing.</p> <p>The works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	Roof Level Structures (Details)
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
6	Construction Management Plan (Details and Compliance)
	<p>CONDITION: Prior to commencement of works hereby approved, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP), including details of demolition, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction and demolition phases of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
7	Impact Piling (Compliance)
	<p>CONDITION: No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

	<p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
8	<p>Sound Insulation (Details and Compliance)</p> <p>CONDITION: Full particulars and details of a scheme for sound insulation and noise control measures for the proposed Class E(iii) light industrial space and any associated equipment of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
9	<p>Plant Noise (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014+A1:2019.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
10	<p>Post-Installation Report (Details)</p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 9. The report shall include site measurements of the plant in situ. The report shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure the protection of neighbouring amenity in terms of noise and vibration.</p>
11	<p>Refuse, Delivery & Servicing (Details and Compliance)</p> <p>CONDITION: Details of the delivery & servicing strategy and site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
12	<p>No Access to Roof Space (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, the outdoor spaces, including any 3rd floor roof terraces, shall not be accessible except for maintenance purposes only.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.</p>
13	<p>Opening Times (Compliance)</p>

	<p>CONDITION: The courtyard amenity area hereby approved shall not operate outside the hours of: 0800 to 1900 hours Monday to Friday.</p> <p>REASON: In the interests of residential amenity.</p>
14	Internal Lighting (Details)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development and subsequently implemented prior to occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
15	Lighting (Details and Compliance)
	<p>CONDITON: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
16	Class E Restrictions (Compliance)
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the 1,191sqm (GIA) of permitted light industrial floorspace on the ground and first floors and 833sqm (GIA) of permitted office floorspace. With the exception of the ancillary café use shown on Plan No PL-00-0110 Rev P03 the building hereby approved shall only be used for uses within Use Class E(g) and for no other purpose, including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can control the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future. Loss of office floorspace within this location will have potential negative impacts on the borough's economy. This is also in order to protect the strategic functioning of the CAZ.</p>
17	Restriction of Use (Compliance)
	<p>CONDITION: A minimum of 1,191sqm (GIA) of E(g)(iii) floorspace shall be provided. The floorspace) shall be strictly limited to uses within the use E(g)(iii) use class and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town</p>

	<p>and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future. This is relevant due to the site allocation which designates the site for light industrial uses.</p>
18	Restriction of PD Rights- Class E to residential (Compliance)
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place 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. Loss of commercial floorspace within this location will have potential negative impacts on the borough's economy.</p>
19	Fire Safety Strategy (Details/Compliance)
	<p>CONDITION: Notwithstanding the plans and documents hereby approved, a revised Fire Statement shall be submitted and approved in writing by the Local Planning Authority prior to works commencing on site.</p> <p>The development shall be carried out in accordance with the details approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
20	Energy Strategy (Compliance)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, which shall provide for a reduction in carbon emissions of no less than 46% (total emissions) as detailed within the revised Sustainable Design & Construction Statement (dated 8th December 2022) by RHB Partnership shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy features/measures within the approved SDCS, a revised strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
21	District Energy Network (Details and Compliance)
	<p>CONDITION: Prior to superstructure works commencing on site, details confirming whether connection to the Bunhill and Citigen Networks is feasible shall be submitted and approved by the Local Planning Authority. In the event that connection is considered feasible, the development should connect within a timeframe agreed with the Local Planning Authority prior to practical completion of the development hereby approved.</p> <p>In any event, details of the plant room allocated for the future connection to a district energy network, protected pipe route to site boundary and how the development will be futureproofed</p>

	<p>for connection to a future DHN, shall be submitted and approved by the Local Planning Authority prior to occupation of the development hereby approved. 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 the facility is provided and allows for the future connection to a district heating system.</p>
22	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2018) of no less than 'Very Good' and shall use reasonable endeavours to achieve a rating of 'Excellent'.</p> <p>The proposal would also need to demonstrate how all BREEAM credits for water efficiency would be achieved. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required.</p> <p>No building shall be occupied until a final Certificate has been issued certifying that the highest feasible BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.</p> <p>REASON: To ensure that the development achieves the highest feasible BREEAM rating level to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p>
23	Green Roof (Details and Compliance)
	<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 b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
24	Solar PVs (Details and Compliance)
	<p>CONDITION: Prior to the commencement of relevant works on site, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p>

	<ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans); . <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
25	Green Wall (Details)
	<p>CONDITION: Notwithstanding the approved plans, details of proposed green wall(s) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The area of green wall shall be maximised throughout the development and justification should be provided for any omissions.</p> <p>The green wall(s) 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 improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
26	Bird & Bat Boxes (Details)
	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of relevant works, details of bird and bat boxes (including swift boxes) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
27	Biodiversity measures (Compliance)
	<p>CONDITION: The biodiversity measures and ecological enhancements identified within the Preliminary Ecological Appraisal, dated December 2021, by AECOM, shall be implemented prior to the occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The details hereby approved shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity.</p>
28	Landscaping (Details and Compliance)
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ol style="list-style-type: none"> a. an updated Access Statement detailing routes through the landscape and the facilities it provides; b. a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c. existing and proposed underground services and their relationship to both hard and soft landscaping; d. proposed trees: their location, species, size and section showing rooting area; e. soft planting: including all buffer planting areas;

	<p>f. topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g. enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h. hard landscaping: kerbs, edges, steps, ridge and flexible paving, and furniture including bike racks, seating and planters;</p> <p>i. wayfinding and signage;</p> <p>j. artwork;</p> <p>k. phasing of landscaping and planting;</p> <p>l. raingardens within the landscaping proposal;</p> <p>m. any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
29	<p>SUDS (Compliance and Details)</p>
	<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 relevant 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). The details shall demonstrate how the site will manage surface water in excess of the design event, shall set out a clear management plan for the system and confirm whether a pump station is required for the geo-cellular storage tanks.</p> <p>The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
30	<p>Secured by Design (Compliance)</p>
	<p>CONDITION: Notwithstanding the approved plans and documents, prior to the occupation of the development hereby approved, the development shall achieve Secured by Design – Commercial Development accreditation. The development shall be carried out strictly in accordance with the details set out in the accreditation and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
31	<p>Inclusive Design (Compliance and Details)</p>

	<p>CONDITION: Details including floorplans, sections and elevations at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on any of the part of the development hereby approved. The details shall include how the development would comply with the relevant parts of the Inclusive Design in Islington SPD</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 the development is of an inclusive design.</p>
33	Management of Courtyard Space (Details and Compliance)
	<p>CONDITION: Prior to the proposed use of the courtyard space, an Operational Management Plan should be submitted and approved in writing by the Local Planning Authority. The Plan shall provide details of the management of noise from all external spaces as well as restrictions on access.</p> <p>The courtyard and external spaces shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.</p>
34	Signage (Details and Compliance)
	<p>CONDITION: Details of all signage for the development hereby approved shall be submitted and approved in writing by the Local Planning Authority.</p> <p>Details of signage for the affordable workspace unit as laid out on plan no. PL100 Rev PL02 shall be agreed in consultation with the Council's Inclusive Economy Team.</p> <p>The agreed details shall be installed prior to the occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing.</p> <p>REASON: In the interests of visual amenity and to ensure that the entrance approach is both welcoming and inviting.</p>
35	Cycle Parking (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of bicycle storage areas, including cycle parking product specification, which shall be secure and provide for no less than 24 long-stay bicycle spaces as well as 6 short-term cycle parking spaces shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The approved cycle storage shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
36	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p>

	<p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
37	<p>Obscured Glazing (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, details of obscured glazing and privacy screens to mitigate against overlooking from any new windows and openings to existing residential properties in 86-88 Banner Street shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking to habitable rooms within adjoining residential properties, to protect the future amenity and privacy of residents.</p>
38	<p>Retained Fabric (Compliance)</p> <p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work with regard to the methods used and to colour, material, texture, and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
39	<p>Hand-held tools (Compliance)</p> <p>CONDITION: No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
40	<p>Rainwater goods / guttering (Compliance)</p> <p>CONDITION: All rainwater goods/guttering shall be black painted cast metal and so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
41	<p>Partition Walls (Compliance)</p> <p>CONDITION: All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
42	<p>Plumbing and Pipes (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>

List of Informatives:

<p>1</p>	<p>Construction Works</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<p>2</p>	<p>Highway Requirements</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 – “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
<p>3</p>	<p>Highways Requirements (2)</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing. Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current</p>

	Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.
4	Highways Requirement (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk Any damage or blockages to drainage will be repaired at the cost of the developer.</p> <p>Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage</p>
5	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</p>
6	Tree Works Specification
	<p>The following British Standards should be referred to:</p> <ol style="list-style-type: none"> a. BS: 3882:2015 Specification for topsoil b. BS: 3936-1:1992 Nursery Stock – Part 1: Specification for trees and shrubs c. BS: 3998:2010 Tree work – Recommendations 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
7	Thames Water 1

	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (79pprox. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.</p> <p>The developer should take account of this minimum pressure in the design of the proposed development.</p>
8	<p>Thames Water 2</p> <p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.</p> <p>https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes.</p> <p>Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk</p>
9	<p>Thames Water 3</p> <p>Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.</p> <p>https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-nearour-pipes</p>
10	<p>Groundwater Risk</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk .</p>
11	<p>Fire Safety</p> <p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings.</p> <p>Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on Building Control@islington.gov.uk.</p>
12	<p>Approved Plans & Sections</p> <p>For the avoidance of doubt, submitted plan number PL-00-0143 Rev P02 is hereby not approved given its inconsistencies with other submitted drawings.</p>

RECOMMENDATION C

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawing Numbers PL-00-0001; PL-00-0010; PL-00-0011; PL-00-0012; PL-00-0013; PL-00-0020; PL-00-0025; PL-00-0026; PL-00-0030; PL-00-0040; PL-00-0042;</p> <p>Proposed Drawing Numbers PL-00-0110 Rev P03; PL-00-0111 Rev P02; PL-00-0112 Rev P02; PL-00-0113 Rev P02; PL-RF-0114 Rev P02; PL-00-0115 Rev E; PL-00-0120 Rev P01; PL-00-0125 Rev P01; PL-00-0126 Rev P02; PL-00-0130 Rev P02; PL-00-0131 Rev P02; PL-00-0140 Rev P01; PL-00-0141 Rev P01; PL-0142 Rev P01; PL-00-0143 Rev P02; PL-00-0144 Rev P02; PL-00-0145 Rev P02; PL-00-0120 Rev P01;</p> <p>Planning Statement by DP9 dated April 2022;</p> <p>Design & Access Statement by HCL Architects dated 25th April 2022;</p> <p>DAS Addendum dated 1st November 2022 by HCL Architects;</p> <p>Archaeological Assessment by AECOM dated December 2021;</p> <p>Construction Management Plan (Draft pro forma);</p> <p>Heritage Statement by Montagu Evans dated January 2022;</p> <p>Structural Method Statement by London Structures Lab;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Retained Fabric (Compliance)
	<p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work with regard to the methods used and to colour, material, texture, and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	Hand-held tools (Compliance)
	<p>CONDITION: No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	Partition Walls (Compliance)

CONDITION: All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.
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REASON: In order to safeguard the special architectural or historic interest of the heritage asset.

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
- National Planning Practice Guidance (on-line and regularly updated)

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 – The Spatial Development Strategy for Greater London

- Policy GC2 - Making the best use of land
- Policy SD4 - The Central Activities Zone (CAZ)
- Policy D1 - London's form, character and capacity for growth
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E3 – Affordable workspace
- Policy E7 - Industrial intensification
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth
- Policy G5 - Urban greening
- Policy SI 2 - Minimising greenhouse gas emission
- Policy SI 13 - Sustainable drainage
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling

B) Islington Core Strategy 2011

- Policy CS7 Bunhill and Clerkenwell
- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste
- Policy CS13 Employment spaces
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

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

Employment

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

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 & Servicing

D) Finsbury Local Plan

BC8 – Achieving a mix and balance of uses

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London 2016
- Character and Context 2014
- Sustainable Design and Construction 2014

Islington SPG/SPD

- Urban Design Guide 2019
- Conservation Area Design Guidelines 2002
- Environmental Design 2012
- Inclusive Design SPD

Emerging policies relevant to this application are set out below:

- Policy SP1 – Bunhill & Clerkenwell
- Policy B1 - Delivering business floorspace
- Policy B2 - New business floorspace
- Policy B3 - Existing business floorspace
- Policy B4 - Affordable workspace
- Policy R1 - Retail, leisure and services, culture and visitor accommodation
- Policy R3 - Islington's Town Centres
- Policy G4 - Biodiversity, landscape design and trees
- Policy G5 - Green Roofs and vertical greening
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy S4- Minimising greenhouse gas emissions
- Policy S6 - Managing heat risk
- Policy S7 - Improving Air Quality
- Policy T2- Sustainable transport choices
- Policy T5 - Delivery, servicing and construction
- Policy DH1 - Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 - Heritage assets

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Our ref: Q2021/2956/DRP

Date: 28 October 2021

Dear Mr Law,

ISLINGTON DESIGN REVIEW PANEL
RE: 10-14 Garrett Street

Thank you for attending Islington's Design Review Panel meeting on 19 October 2021 for a first review of the above scheme. The proposed scheme under consideration is for 'Refurbishment of the existing building to provide market and affordable workspace. The proposals involve internal refurbishments, a single storey extension which is futureproofed, a single storey building within the courtyard and landscaping improvements.'

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. Given the Covid-19 pandemic situation, this DRP was carried out virtually.

The scheme was reviewed by Dominic Papa (chair), Cordula Zeidler, Stafford Critchlow, and Tim Attwood. It included a presentation from the design team followed by a question and answer session and discussion of the proposals. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Chair of the Panel welcomed the opportunity to comment of the scheme and thanked the design team for a clear presentation with lots of information. A question and answer session then took place followed by a commentary on the scheme provided by each panel member. The meeting concluded with the Chair's summing up. Each section is recorded below.

Questions and Answers

Panel query: The panel sought clarification regarding the ventilation and mechanical extraction.

Answer: Underfloor slimcore fan units would be used under a new raised floor (400mm above existing). Air source heat pumps would provide both heating and hot water. Some cooling would be needed through floor grilles. Fresh air would come through the existing openable windows, with good cross-ventilation at high level, supplemented by the existing wall vents. Only smoke detection and lighting would be needed on the ceilings.

Panel query: Has the view of the rooftop extension been considered from the rear, i.e. from the residential buildings to the south?

Answer: No views have been drawn, but it would be visible. The mass has now been broken up with the 'rustier' new floor element above the existing building and the newly proposed louvred area housing the air source heat pumps.

Panel query: Have the logistics regarding size and location of the bin stores been considered?

Answer: The bin store and cycle stores have been sized correctly according to the Council's requirements and the operational requirements of potential users, based on collections twice a week. The bins would need to be moved through the courtyard to be emptied.

Panel Query: Is it possible to do any thermal improvements to the existing building, as it will take a considerable amount of energy to heat it as it is.

Answer: The plan is not to plasterboard throughout inside and all calculations have been done with solid brick walls. There would be better insulation with the rooftop extension in place, and the core and extension would be insulated. It may be possible to insulate within the new raised floor, but it would be a shame to cover the exposed brickwork.

Panel Query: What were the original windows and would the existing ones be replaced?

Answer: Research shows that there was a fixed lower pane and an inward-opening 3-light upper pane, as is existing in most locations. The existing windows are in different conditions with some replacements, but this design would be retained throughout.

Panel Query: Courtyard paving does not seem to replicate historic situation, as normally smaller cobbles would be used rather than large slabs.

Answer: The courtyard is tarmac at the moment and no excavations have discovered evidence of earlier coverings. Permeable paving in cobbles would be difficult, but it may be possible to do in Yorkstone. The new tree and tree pit would aid with drainage. It may be possible to differentiate between the seating and circulation areas with different slab sizes, using larger slabs and open joints on the circulation routes.

Panel Query: Were the blind windows at 2nd flr level originally open?

Answer: They were, and the blocking is a late 20th century alteration to use the area as a shooting gallery.

Panel Query: Does the ramp remain and could it be utilised again?

Answer: The ramp is still in place under the removable steps but is difficult to access now. It is too steep to be used for pedestrian access. It is possible that the historic ramp included a section to the side which was stepped but this is unclear.

Panel Query: What was the roof of the ramp originally?

Answer: Unclear, not shown on the Pathé film.

Panel Query: Is the front of the building the right location for a café?

Answer: It would be more of a social hub than a café. The area is currently a series of small spaces which seem difficult to adapt for another use. If it was further from the street it would take up space that could be better used for affordable workspace. In addition, the office area by the entrance to the courtyard is a key pivot point and security could police the café from that area. At present, it is unclear how the café would be run by tenants.

Panel Query: Clarification sought over the location of the escape route

Answer: At present this is undecided as it is unclear whether the escape route through Nags Court would be permitted. The glazed area would be the natural circulation area for the extension.

Panel Query: There are residential roof terraces to the south east and south of the site, has the impact of the lift height etc. been considered regarding privacy?

Answer: There would be no overlooking of the terraces from the south east side of the building, only to the north. The lift height has been kept as low as possible, and the proposed core would not project above the party walls to the east. One resident has extended their garden a little but the core would not be near that.

Panel Query: Clarification sought regarding the safety of the glazing to the ramp and the internal height of the steps/breakout areas, as the CGI/elevations shows it to be very clear and clean with no transoms

Answer: The exact layout has not been clarified yet. At present the glazing would be below 900mm so still needs careful consideration – the breakout areas could look cluttered from the courtyard. The steps should be against the internal wall rather than the glazing, so it is possible that there could be a buffer area between the glazing and the breakout areas. This might provide an opportunity to improve the thermal performance along that wall.

Panel Commentary:

The panel agreed that the use was suitable for the building, and that it was an opportunity to clear out the accretions and clutter from previous owners, and enhance the listed building. There appears to be a desire to preserve as much fabric as possible.

Overall approach: The panel was less convinced about how the proposed interventions would combine. The listed building is robust and simple with a single original purpose; the alterations contrast to this by appearing complicated, lacking that strength of character and clarity. There is a need to 'calm down' the appearance and highlight the listed building; reducing the number of materials proposed would help significantly. At present, it appears as if the individual elements of the proposal have been designed in isolation in response to a brief rather than as part of a cohesive whole.

Ground Floor Extension: the panel felt that providing workspace in the former industrial working yard was a good use, but it should be a clearly subservient element. Using the existing hay store/cart shed as the footprint for a more solid element, then filling the space between that and the stable with glazing would enable the full elevation of the stable to be appreciated while creating a subservient workspace in the courtyard. This would also provide a bigger breakout area from the grooming stables, which currently appear to be just a door width wide. This could be a dynamic space but at present hides the character of the main building. This relationship needs to be explored more with the hierarchy of the stable block given precedence. The roof design might be made more 'special' and intensive rather than a flat sedum roof.

Rooftop extension: separating the materials between the air source heat pumps and the extension enables the ramp to be seen more clearly without the new elements becoming the dominant feature. Pulling it away from the front elevation has helped minimise its potential impact on the streetscene. There was some concern over the appearance of the louvred metal panels to the air source heat pumps, and their overall size. This should be calculated more carefully to see if it can be reduced.

Core: the plan is complicated, and the elevations poor at present, with too many materials. A feature work of art on the rendered panel would be encouraged, particularly if it reflected the heritage of the site. This may also serve to enable the remainder of the materials to be calmed

down and made quieter. While the panel accepted that an additional core was needed, it should be simplified in appearance.

Café: the panel were unconvinced about the proposed location of the café, particularly as it was described as being an intended social hub for the site. Locating it by the entrance, when it must be walked past to get to reception and has no interaction with the courtyard, is a missed opportunity to support the use of the courtyard and should be reconsidered.

Although the bins and cycle stores have been designed to be the correct size for the scheme, the location is undesirable as it requires them to be dragged through the courtyard. This should be reconsidered.

Other considerations: Lighting needs to be considered in greater detail, both internally and within the courtyard. Additional greenery to the courtyard would be a benefit. The drainage to the scheme and the hard standing in the courtyard should be worked up in more detail.

Chair's Summing Up

Thanks were given for the presentation, and in particular the video walk-through. The overall issue appeared to be how can a building be created that shows off the heritage elements to their best, calming down the interventions while adding to them.

The ability to appreciate the elevation of the listed stable should be increased, with a greater glass roof to the new ground floor extension being one way to achieve this.

The panel are comfortable with the principle of the rooftop extension, and the reduction in its earlier proposed size. Seeing it as a definitively separate structure helps the listed building be seen as the main structure of importance.

There is general concern around the café regarding its location and function. This should be explored in more detail, particularly with regard to the interaction with the courtyard, and in association, the location of the bin store with its potential detrimental impact on the courtyard.

There is general concern around the management of the materials and how they compete with the simplicity of the listed stable. A general quietening of the materials and design of the new elements would be beneficial.

The panel recommend that they see the scheme again once the design has evolved and the considerations above developed in association with the Council's duty to preserve the building. It would be useful to consider the site in a more immersive way, and also to have the ability to consider the scheme more careful in relation to the neighbouring buildings.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

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

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Our ref: Q2021/3456/DRP

Date: 24 January 2022

Dear Mr Law,

ISLINGTON DESIGN REVIEW PANEL RE: 10-14 Garrett Street

Thank you for attending Islington's Design Review Panel meeting on 16 December 2021 for a second review of the above scheme. The proposed scheme under consideration is for 'Refurbishment of the existing building to provide market and affordable workspace. The proposals involve internal refurbishments, a single storey extension which is futureproofed, a single storey building within the courtyard and landscaping improvements.'

Review Process

The Design Review Panel provided expert impartial design advice following the 10 key principles of design review established by Design Council/CABE in a virtual fashion on 19 October 2021. The panel consisted of Dominic Papa (chair), Cordula Zeidler, Stafford Critchlow, and Tim Attwood, and these panel members were also in attendance for the second review. It included a presentation from the design team followed by a question and answer session and discussion of the proposals. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Chair of the Panel welcomed the opportunity to comment on the amendments to the scheme, and thanked the design team taking on board several of the Panel's previous comments. A question and answer session then took place followed by a commentary on the scheme provided by each panel member. The meeting concluded with the Chair's summing up. Each section is recorded below.

Questions and Answers

Panel query: Query over the type of brick used, and the pattern or voids proposed to the vertical elements. What type of brick used, is it pattern or void on vertical elements?

Answer: Brick to be used to avoid replicating poor quality flettons.

Panel query: Clarification requested over the detailing of the glass to the ramp

Answer: To replicate the large open panels as originally designed and express the suggestion of a void, large sheet of glass within minimal framing are proposed, set back to minimise the appearance of framing. Ventilation is to be provided through the solid timber elements instead.

Panel query: Clarification sought on the largest opening into the buildings

Answer: Through bi-folding doors on the proposed single storey extension – about 2.8m width. The largest existing opening into historic building is 1.6m wide. Change of level within the historic building is internal, and the width of the door is limiting factor.

Panel Query: Is glazing in front of stable bigger than before?

Answer: Glazed strip in front of stable is now proposed as 1630mm, a marginal increase on previous proposal.

Panel Query: Clarification over the purpose of the full height rendered panel, and how unsuitable weathering would be avoided.

Answer: Panel to be decorated with artwork, to be changed as and when needed. The panel would also reflect light into the courtyard, and signposts where the entrance to the building would be. Ongoing maintenance would minimise unsuitable weathering if panel left unpainted.

Panel Query: Clarification over the use of the concrete floor to the extension.

Answer: this had been requested by the Inclusive Economy team.

Panel Commentary:

The Panel welcomed the amendments to the scheme following the previous DRP review.

Historic stable building:

The robust building lends itself well to a conversion. Queries regarding logistics and openings were raised because industrial use would be a more sympathetic use than offices with different occupants. Enabling it to be light industrial (even if not immediately) would be good, so any scheme should be designed that way from start. At present the proposal appears to be more for office use than light industrial, which the panel would like to see more of. There is the potential not to have a raised floor to the front right section (within the stable opposite the entrance) for light industrial use. The 300mm slope front to back (away from the road) would be suitable for machinery, and this would not require the underfloor services proposed for the remainder of the building.

The relocation of the café to open onto the courtyard was considered a positive move. A new location for the accessible toilet was suggested to prevent having to go through the hub to access it.

Proposed single storey extension: Overall it was felt that the applicant had taken on board the spirit of the previous panel's comments regarding the proposed extension, but not the reality of what had been asked for. The building is still cramped against the back of the stable building, and this could and should be improved. The glazed link has been widened at the entrance to the courtyard, but not at the connection to the listed building where it is needed. Fixing the problem created by the need to pull away from the listed building would result in too much pressure on services under the roof and require additional cooling, meaning more plant.

The point about overheating was taken, but the light was now balanced. Aggregating glazing to one side could be achieved by moving the glazed rooflights from over the original hay store/cart shed location, but this will come down to how it is designed for light industrial rather than offices.

Core extension: There were still mixed opinions on the suitability of the render panel for artwork. Concern was raised as to how this could be enshrined in a permission, as plain render would not weather well if left blank and due to its size would have a negative impact. It was suggested that just one material plus the rendered area for proposed artwork would be suitable here. This simpler palette needed to be more robust and industrial. Potentially brickwork with artwork shipped in on panels might be more suitable.

Courtyard: Granite setts were appropriate for the thoroughfare, with diamond checkers for the edging, bringing this through into the new extension. The cart store being expressed by pulling out a structural bay was seen as a slight improvement. Bi-folding doors open onto workspace directly opposite new entrance lobby was seen as important for a light industrial use.

The location of the refuse store is still an issue as this will require trundling bins across the courtyard which was considered a great shame. However, it was recognised that putting the refuse store anywhere else would be as harmful if the historic access to the east could not be utilised.

Roof extension: the louvres have been pushed away from ramp façade and this was considered to be an improvement. The paraphernalia of safety devices would not now be needed on that elevation.

The relationship of the ramp and brickwork/steps has been worked on. The materials and lighting was seen as encouraging.

Chair's Summing Up

The Chair concurred with the other panel members in that there needed to be more glazing to separate the extension from the historic structure. The clarity of the hay store, building, and yard, and their relationship needs to be registered and finessed.

The industrial use should be explored more and made more robust. It was acknowledged that the applicant was responding to the brief from the Affordable Workspace team, but this needs to be demonstrated in terms of different uses on different floors rather than just open plan offices. The 'industrial vibe' is greatly missing at present.

The tree was considered to be in the wrong place. It would be difficult to bring in larger pieces of equipment or machinery and turn them into an extension if the tree is located where currently shown; it would inhibit manoeuvrability. Pushing it closer to the lobby entrance would be preferable as it would be more of a feature for the entrance and would get more sun. Having some dark in the courtyard would also be necessary for the tree, so lighting needs to demonstrate this.

Some of the subtleties such as the glazing to the ramp are welcome, but there are issues regarding the render, the amount of glazing, and separation of the extension from the main building which all need working on, as well as how to support industrial use rather than mainly office space.

How will the affordable workspace be supported, used, and accessed? This is currently missing from the documentation and should be considered, together with dividing spaces through shelving rather than walls, exploring mini partnerships and Micros SMEs, and demonstrating how adaptable and flexible the building can be for a multitude of uses.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

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

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PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING COMMITTEE		AGENDA ITEM
Date:	10 th January 2022	NON-EXEMPT

Application number	P2022/2063/FUL and P2022/2097/LBC
Application type	Full Planning Application & Listed Building Consent
Ward	Bunhill Ward
Listed building	Grade II Listed Building
Conservation area	St Luke's Conservation Area
Development Plan Context	Central Activities Zone Moorfields Archaeological Priority Area Bunhill & Clerkenwell Special Policy Area Employment Priority Area (General) Local Cycle Routes Tree Preservation Orders Article 4 Direction A1-A2 (Rest of the borough) Article 4 Direction B1(c) to C3 Site Allocation BC31 (Travis Perkins – 10-14 Garrett Street)
Licensing Implications	N/A
Site Address	10-14 Garrett Street London EC1Y 0TY
Proposal	Refurbishment of existing listed building, including internal and external alterations, alongside proposed single storey courtyard infill extension, four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works. Listed Building Consent ref: P2022/2097/LBC also submitted.

Case Officer	Stefan Sanctuary
Applicant	Garrett Street Estates Limited
Agent	DP9

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission to both Full Planning and Listed Building Consent Applications:

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

The listed building consent:

1. Subject to Conditions set out in Appendix 1 (Recommendation C);

2. SITE PLAN (site outlined in red)



Site Plan – Application Site outlined in Red, showing HYLO (relocated AWS floorspace in Golden/Brown)

3. PHOTOS OF SITE/STREET

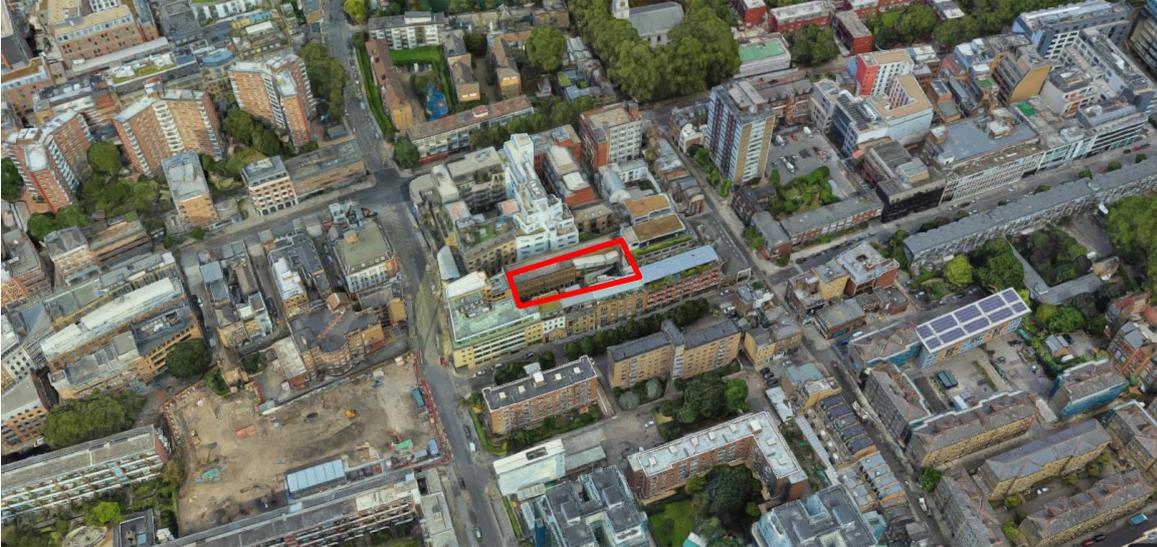


Image 3.1: Aerial View - Looking North



Image 3.2: Aerial View - Looking East



Image 3.3: View of northern Garrett Street elevation



Image 3.4: View of building from within courtyard

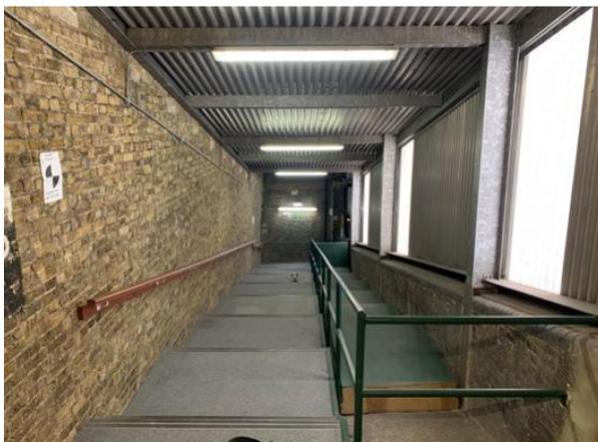


Image 3.5: View of building's interior

4. SUMMARY

- 4.1 This planning application seeks planning permission and associated listed building consent and the report addresses both. The site is located within the St Luke's Conservation Area and the subject building is a grade II listed former stables building.
- 4.2 The development proposals include the refurbishment of the existing listed building, including internal and external alterations, alongside a proposed single storey courtyard infill extension, a four storey rear addition and a single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as ancillary café use, the provision of landscaping, cycle storage, waste storage and other associated works.
- 4.3 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with London Plan Policies SD4, SD5, E1 and E4, Islington Core Strategy CS7 and CS13, Finsbury Local Plan BC8, emerging Local Plan Policy B2 and emerging Bunhill and Clerkenwell AAP Policies BC1, BC2 and BC7 as well as the emerging Site Allocation BC31, which support the retention of industrial floorspace and encourage the intensification and modernisation of office floorspace at this location within the CAZ, subject to the acceptability of other material considerations. The proposed mix of light industrial and office floorspace is considered to strike the right balance between the various policy aspirations for the site, the Bunhill & Clerkenwell area, the wider borough and for London as a whole.
- 4.4 The proposal includes the provision of 1,191sqm (GIA) of affordable workspace at CAT B fit-out in perpetuity at peppercorn rent. This would consist of 1,000sqm (GIA) of relocated affordable workspace from Finsbury Tower (HYLO Building) as well as additional affordable workspace as detailed in the report. This would be both a quantitative increase and qualitative improvement over that which has been secured at Finsbury Tower and thus considered to be a significant planning benefit. Moreover, as detailed in the report, the proposal would offer the Affordable Workspace Programme the chance to diversify to a broader range of business typologies and to develop a space to meet the needs of creative industries and makers within the borough.
- 4.5 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. These duties have been fully considered and special attention has been paid to the desirability of preserving and enhancing the character and appearance of the St Luke's Conservation Area. It is considered that while the character of the Conservation Area would be preserved and the sensitive reuse of the building for compatible and sympathetic uses is to be supported in principle, some of the proposed works are considered to adversely affect the special architectural or historic interest of the listed building.
- 4.6 There is a degree of conflict with policies relating to amenity (policy DM2.1) and specifically in relation to daylight impacts and increased sense of enclosure. This has been carefully examined and while some of the adverse impacts are considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints. It is considered that the level of harm to neighbouring amenity would not be significant enough to justify a warrant of refusal of planning permission on this ground.
- 4.7 The proposal is considered to be a sustainable form of development, involving the retention of the existing building with a significant embodied carbon saving. There are also significant operational carbon savings resulting from the proposed design, which exceed those required by planning policy. Furthermore, the proposal results in a significant increase in biodiversity on site with a consequent uplift in the site's Urban Greening Factor. Finally, the site's location, highly connected to London's public transport network, along with the significant increase in cycle parking on site, provides further support for the proposed increase in commercial floorspace here.
- 4.8 All other matters related to highways impacts, transport infrastructure, sustainability, ecology, inclusive design, safety and security have been assessed and are considered acceptable and in

accordance with planning policy, subject to relevant conditions in Appendix 1. Overall, and on balance, the applications are considered to be in accordance with the relevant policies within the Development Plan, and are therefore recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

5. SITE AND SURROUNDINGS

- 5.1 The site is rectangular in shape and is located on the south-side of Garrett Street, within Bunhill Ward in the south of the borough. The existing building is three storeys in height and was constructed as a stables for 100 shire horses in 1897. Many of the original features remain and the building is grade II statutorily listed. There have nonetheless been a considerable number of modern interventions; the original blacksmith's building has been removed and a more recent lean-to is located in the courtyard space. Further minor interventions to the building have also occurred in association with the building's more recent use as a shooting gallery and most recently as a builder's merchants.
- 5.2 Though the current building is vacant, its most recent use was as a builder's merchants by Travis Perkins. The planning history shows an application in 2007 (P071828) granting permission for the 2nd floor to be converted to offices. The application documentation at the time referred to the remainder of the building retaining its B8 (storage & distribution) use. While photographs presented with this application show the 1st floor being used by Travis Perkins as a retail shop, this would be considered as ancillary to the main use of the ground floor as B8 / sui generis industrial use. Similarly, the 2nd floor office floorspace was granted a personal permission to Travis Perkins (controlled by planning condition) and was seemingly only used in association with the main use of the building as a builder's merchants, which is considered a sui generis industrial use. The uses of the existing building will be considered in more depth in subsequent sections of the report.
- 5.3 The surrounding townscape is varied, ranging from 3-7 storeys in height with a mix of buildings in commercial and residential use. Garrett Street itself is a narrow street in an urban block straddled by Golden Lane to the west, Whitecross Street to the east, Old Street to the north and Banner Street to the south. Both Banner Street to the south as well as the north side of Garrett Street contain residential properties in close proximity or directly adjoining the application site. The site is located within the St Luke's Conservation Area as well as the Moorfields Archaeological Priority Area.
- 5.4 The site has a an excellent PTAL rating of 6a, is within walking distance to Old Street and Barbican underground stations and there is a local cycle route running along Golden Lane in the vicinity of the site. While the area is generally pedestrian-friendly, particularly on Whitecross Street where the market becomes pedestrianised, Garrett Street itself suffers from somewhat narrow pavements.
- 5.5 Finally, in terms of site designations, the site is located within London's Central Activities Zone, the Bunhill and Clerkenwell Key Policy Area and an Employment Priority Area (General) in the Finsbury Local Plan. The site is also identified as being within Central Finsbury as well as being subject to Site Allocation BC31 (Travis Perkins, 10 Garrett Street) within the emerging Bunhill & Clerkenwell Area Action Plan (AAP).

6. PROPOSAL

- 6.1 The proposed development includes the refurbishment of the existing listed building, including internal and external alterations, alongside a proposed single storey courtyard infill extension, a four storey rear addition and single storey roof extension to provide Class E(g) floorspace (with identified areas at ground and first floor restricted to Class E(g)(iii) light industrial) as well as an ancillary café use; the provision of landscaping; cycle storage; waste storage and other associated works.

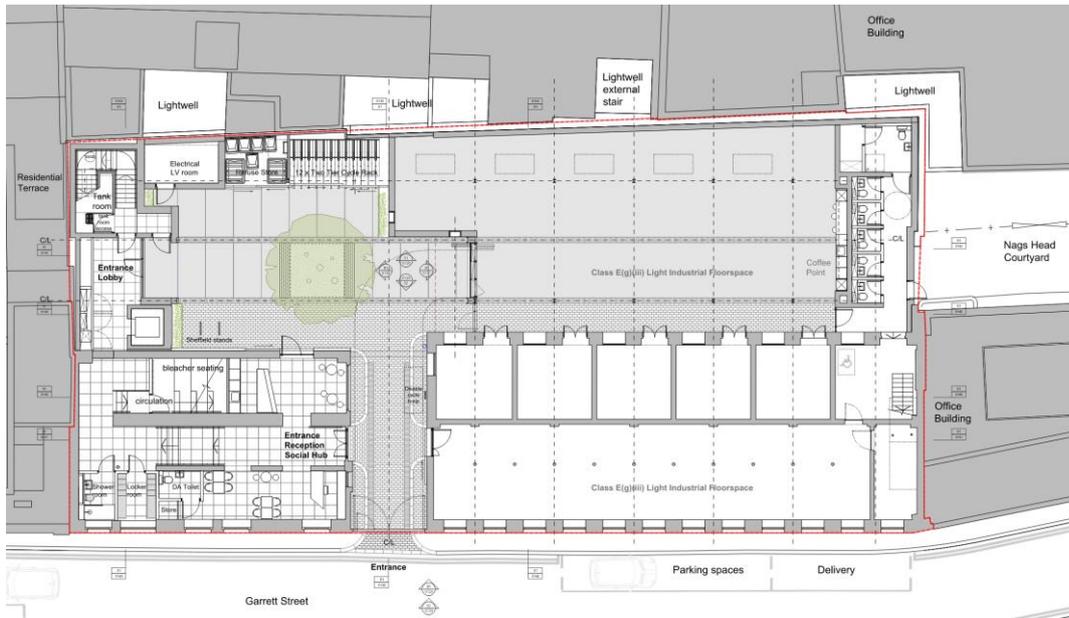


Fig. 6.1: Proposed Ground Floor Plan (plan rotated so that south faces up)

6.2 Described in more detail, the proposed development introduces a new courtyard building at ground floor level, to replace the existing lean-to, which provides new Class E(g)(iii) floorspace as well as bathroom, toilet and end-of-trip facilities. Within the existing building, a new entrance, reception area and ancillary café are provided with direct access to and from the courtyard. A new 4-storey building is proposed at the eastern side of the courtyard to accommodate a new entrance lobby, lift and stair core to allow for separate access to the upper floors. The courtyard also includes a new refuse store, bicycle storage alongside new hard and soft landscaping interventions. The rest of the ground floor accommodates light industrial floorspace within the existing structure.

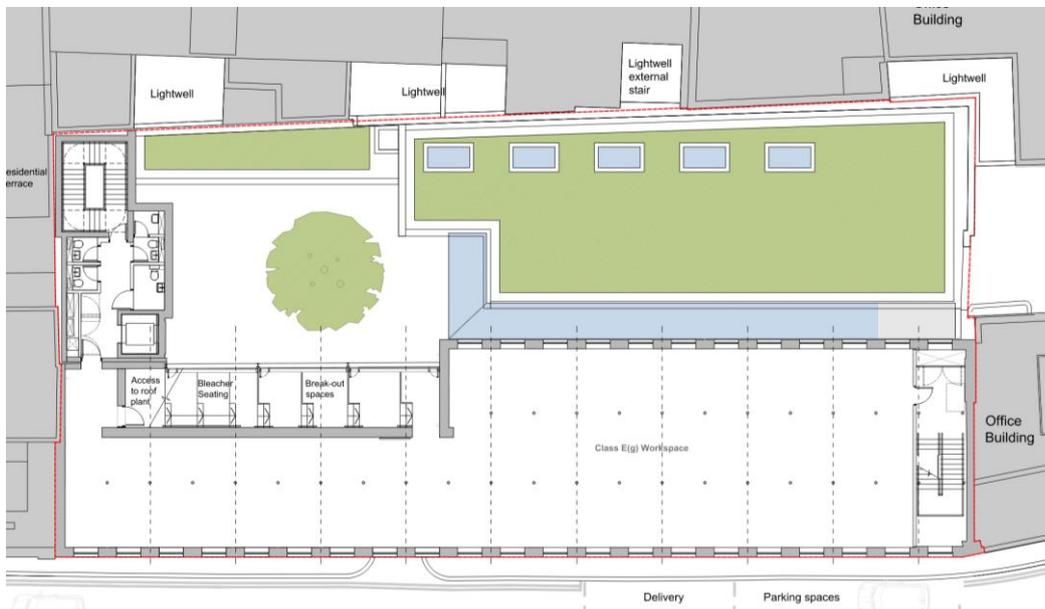


Fig. 6.2: Proposed 1st Floor Plan

6.3 On the upper levels, the proposal includes further business floorspace, with light industrial floorspace provided at 1st floor level and office floorspace provided at 2nd and 3rd floor levels. The 3rd floor constitutes a roof extension to the listed building, which is set in from all sides to minimise its visual impact. Inclusively-designed lift access is provided in the new 4-storey extension, while the existing stairs, including ramp, is retained to provide alternative access routes.



Fig. 6.3: Proposed Visualisation from courtyard

6.4 A breakdown of the existing and proposed floorspace is provided below. As the 2nd floor was converted to an office under a previous planning permission as explained in paragraph 5.2 above, the table below refers to existing office uses. However, this is considered in more depth in the subsequent land use section of the report as this office use was a personal permission to Travis Perkins and was only lawfully used in association with the light industrial uses on site.

	Existing GIA (sui generis industrial use & office use)	Existing NIA (sui generis industrial use & office use)	Proposed GIA (light industrial & office floorspace)	Proposed NIA (light industrial & office floorspace)
Ground Floor	375sqm (industrial)	256sqm (industrial)	697sqm (Class Eg(iii) incl. ancillary café) + 26sqm (Eg(i))	533sqm (Class Eg(iii) incl. ancillary café)
First Floor	422sqm (industrial)	308sqm (industrial)	482sqm (Class Eg(iii))	371sqm (Class Eg(iii))
Second Floor	397sqm (office)	287sqm (office)	462sqm (Eg(i) floorspace)	385sqm (Eg(i) floorspace)
Third Floor	N/A	N/A	348sqm (Eg(i) floorspace) + 12sqm (Eg(iii))	272sqm (Eg(i) floorspace)

Table 6.1: Existing and Proposed Uses (across floors)

6.5 There is an increase in both light industrial and office floorspace as a result of the development, which is shown more clearly in the comparison table below. Though the proposed café use could be considered a separate use, this would be operated in association with the affordable workspace across ground and first floor and is treated here as part of the light industrial use.

	Existing (in GIA)	Proposed (in GIA)	Total increase (in GIA)
Industrial	797sqm	1,191sqm	394sqm
Office	397sqm	836sqm	439sqm
TOTAL	1,194sqm	2,027sqm	833sqm

Table 6.2 Existing and Proposed Uses (Total)

6.6 It should be noted that the table above provides a comparison between how the building was last used in the left column and the uses that are proposed by this planning application in the middle column. In lawful planning terms however, the existing building would be treated as one sui generis industrial planning unit. As such, the proposal would constitute a retention of light industrial uses on site and a more significant uplift in office uses, of some 833sqm. The existing and proposed uses will be considered in more detail in the land use section of the report.

7. RELEVANT HISTORY:

There are several recent planning application for development at the application site. These are as follows:

- 7.1 950424: An application for the change of use to trade/D.I.Y store was approved on the 2nd October 1995.
- 7.2 960183: An application for the erection of part single and part two storey extension on roof for use as company offices was refused on the 14th March 1996.
- 7.3 P071828: An application for the change of use of the second floor from B8 (storage & distribution) to B1(business) and associated external alterations (Listed Building Consent application ref: P071829 also submitted) was approved on the 18th September 2007.
- 7.4 A number of other planning applications for minor alterations to the building have been received over the years. These are not considered particularly relevant to this planning application.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 457 adjoining and nearby properties on Garrett Street, Banner Street, Whitecross Street, Old Street, Golden Lane, Fortune Street and Roscoe Street on the 13th June 2022.
- 8.2 A site notice and press notice were displayed on 16/06/2022. The public consultation of the application therefore expired on 10/07/2022; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 A total of 21 letters were received from the public following the first consultation letter, including one from a planning agent representing occupiers of flats in Banner Street, with the following comments and questions about the application: (with the paragraph that provides responses to each issue indicated within brackets):
- The proposal would result in an unacceptable impact on the surrounding highways network [*paragraphs 10.208 – 10.223*];

- The development would result in highways and pedestrian safety issues, particularly during the opening hours of Whitecross Street Market when Garret Street effectively becomes a one-way street [10.211 – 10.225];
- The increased footfall and delivery and servicing vehicles that the development will result in will become a hazard, particularly to children and wheelchair users, if not managed properly [10.215 – 10.226];
- The proposal will lead to unacceptable vibration, noise and disturbance from use of courtyard space as well as mechanical plant and equipment [10.135 – 10.139];
- Light pollution from the development will be unacceptable if not managed properly [10.143 – 10.145];
- Increased numbers visiting the site will lead to increased air pollution to the detriment of neighbouring residential occupiers [10.148 – 10.149];
- The proposed coffee shop will impact on the retail market on Whitecross Street [10.14];
- The use of café and courtyard space should be properly managed in order to suitably mitigate against any impacts on neighbouring residential amenity [conditions 13 and 33];
- The proposal will lead to overshadowing and a loss of daylight and sunlight to neighbouring occupiers [10.120 – 10.131] ;
- The location of the refuse store adjacent to neighbouring residential properties would give rise to unacceptable noise and disturbance, foul smells and bad odours [10.137 – 10.141];
- Access to the courtyard presents a safety and security risk [10.150 – 10.154] ;
- The proposal would have an adverse impact on physical and mental well-being as a result of increased traffic, noise, disturbance, pollution, safety & security risks [10.120 – 10.155];
- The proposed roof extension is unacceptable on a listed building [10.52 – 10.56, 10.70 – 10.73 and 10.83 – 10.87];
- The submitted Daylight & Sunlight Assessment is incomplete and incorrect and can not be relied upon [10.117 – 10.137];
- The proposal would result in an increased overlooking and loss of privacy [10.132 – 10.136];
- The use of the building for light industrial purposes is concerning so close to residential properties [10.12 and 10.137 – 10.141];
- New developments here should focus on housing rather than commercial office of which there is already enough in a post-Covid era [10.2 – 10.20] ;
- The four-storey extension to accommodate the stair and lift core is excessive and out-of-keeping with its surrounding [10.53 – 10.60];
- The proposal would result in an unacceptable loss of outlook and sense of enclosure [10.135 – 10.137];
- The impact of the development on adjacent roof terraces and balconies has not been properly considered and assessed [10.130 – 10.134];
- The café use would cause unacceptable disturbance and detrimentally affect the amenity, character and function of an area [10.135 – 10.139];

- The proposal will result in direct harm to both the listed building and Conservation Area [10.64 – 10.93];
- That the proposal would result in ecological impacts that have not been fully tested or assessed [10.154 – 10.161];
- The proposed reconfiguration of car parking at the front of the site would result in difficulties for those in 5 Garrett Street accessing their car park [10.216 – 10.224];

8.4 Following the submission of amendments to the application, a re-consultation letter was sent out to the neighbouring occupiers who had previously objected. The letter was sent out on the 8th November 2022. At the time of the writing of this report, a total of 7 further letters of objection were received, mainly from the same previous objectors raising similar points. Two letters from new objectors were received raising the specific above-mentioned point that the proposed reconfiguration of car parking at the front of the site would result in difficulties for those in 5 Garrett Street accessing their car park.

External Consultees

8.5 A number of external statutory and non-statutory consultations were carried out. The following is a summary of the responses received:

8.6 **Health & Safety Executive:** No comment or objection to the proposal.

8.7 **Thames Water:** No objections in principle to the proposal subject to condition 7 and informatives (7-10) on Water, Impact Piling, Waste Water Ground Water and Surface Water Drainage.

8.8 **Historic England:** No objections to the proposal.

8.9 **London Fire Brigade:** No comments received.

8.10 **Design out Crime Officer:** has made the following comments and recommendations for this site:

- The design and access statement (DAS) makes reference to the plant, cycle and refuse store doors designed to conceal the contents within. This is very positive and the lack of 'visual permeability', especially for the cycle store, will help to 'remove the target' (cycle) from view of any opportunistic thief.
- The applicant proposes some 'hit and miss' brickwork within the courtyard area, but this appears to start from the first storey. This is positive as it removes this from becoming either a place to stash items (drugs, weapons etc) or as a climbing aid up the building.
- It is important that the main entrance gates are floor-to-ceiling to help prevent persons from crawling under or climbing over and contains sufficient access control and locking mechanisms such as integrated mag-locks. It is not known what the gate strategy is i.e. open during the day and closed at night, or left open 24/7. It is important to understand this strategy as this area and courtyard would be very vulnerable to misuse later into the day when premises are closed and unoccupied (condition 33).
- Section 7.7 from the applicant's DAS refers to the lighting scheme and in particular BS 5489-1:2020 - this is positive as lighting is very important for the site. It is noted that the lighting will be on a timer but it is important that lighting is available for those who might be present in later hours e.g. lone workers and important considerations to help to remove the fear of crime (conditions 14 and 15).
- It is recommended that external doors are security rated and certificated to SBD requirements to help to protect against intrusion and potential burglary/theft issues. This would also apply to any door or window defined as 'easily accessible' (below 3m in height).

- The above recommendations are a part of Secured by Design guidance and these proven crime prevention methods can help to protect a site and its residents from crime and disorder. Advice, guidance and the SBD process can be provided to the applicant free of charge.

Should any planning permission be granted for this proposal then I would respectfully request that this contains a relevant planning condition (30) 'whereby the development must achieve SBD accreditation, prior to occupation'.

Internal Consultees

- 8.11 **Planning Policy:** Policy suggests that the provision of off-site affordable workspace may be secured in exceptional circumstances but does not anticipate agreed planning obligations being revisited. The proposal to alter the planning obligation requiring the provision of affordable workspace at the HyLo building is considered unusual, especially as the type of floorspace on offer would change from office to light-industrial. While the proposal has seemingly secured the support of colleagues in Inclusive Economy, the proposal should not undermine policy requiring affordable workspace to be provided on-site.
- 8.12 Further to this, the relocation of the affordable workspace to the Garrett Street site would deliver an intensification of business use at the site and ensure no net loss of industrial floorspace in line with draft site allocation BC31. This is supported in principle. If the relocation of the affordable workspace does not take place, it is important to stress that the light industrial floorspace on site would need to be maintained in order to achieve policy support.
- 8.13 **Design & Conservation:** There is little heritage benefit arising from this proposal, except for the re-use of the building, the opening up of the windows and the removal of unsympathetic 20th century interventions such as internal partitions and services. The quantum of development proposed is considered too great to achieve the aims and requirements of policy and legislation, that of preserving the special interest of the listed building, which should be the main aim of a heritage-led scheme. While some of the proposed changes individually may have a small negative impact that might be argued for, cumulatively they are considered to diminish the historic building and its special interest.
- 8.14 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 8.15 Overall, the proposed works are considered to cause a high level of less than substantial harm to the historic building and its relationship to the yard, would involve loss of historic fabric and would cause harm to the retained fabric, visual amenity and the setting of heritage assets. As such the proposed works would adversely affect the special architectural or historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of the policies listed below, in particular Chapter 16 of the NPPF (2021) which seeks to conserve and enhance the historic environment, policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment and policy DM2.3 of Islington's Development Management Policies which seeks to protect and enhance Islington's historic environment.
- 8.16 Given the high level of less than substantial harm identified to the heritage asset, the public benefits of the proposal would need to outweigh any harm in order for the proposal to be successful and to be recommended for approval. In this case, the following design and heritage specific conditions would be recommended:

1. All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work.
2. No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.
3. All rainwater goods/guttering shall be black painted cast metal and so maintained.
4. All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.
5. Detailed drawings to a scale of no less than 1:10 unless otherwise specified (including cross-section, elevation, glazing, materials, colour/finish, furniture) in respect to all materials shall be submitted to and approved in writing by the local planning authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:
6. Details of proposed floor build-up to each floor at 1:5 in section and elevation, showing retention of the existing flooring and relationship to existing floor levels, as well as details of the pipework within the void, any insulation, and the new floor covering, which shall be a lightweight overlaid finish,

These conditions would aid in safeguarding the special architectural or historic interest of the heritage asset.

- 8.17 **Inclusive Economy Team:** The AWS team welcome the provision of workspace within this historic building and support the repurposing of this building for the community to support the growth and opportunities in the future for local residents and businesses.
- 8.18 The Garrett Street site offers the opportunity for the development of a long term (999 yr lease) site within an existing building that both protects and repurposes the historic asset but also offers the Affordable Workspace Programme the chance to diversify to a broader range of business typologies. It will develop a space to meet the needs of creative industries and makers within the borough. The Garrett Street building is unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses which new build office spaces may not. The AWS team see this as a chance to bring a broader range to the AWS portfolio with a consequent greater impact for Islington businesses and residents.
- 8.19 The proposed affordable workspace has been designed as a workspace and has two floors of provision. The space includes yard infill space on the ground floor, ground floor former stables, office spaces, a ramp to the first floor and the first-floor stables. The heritage led approach to the design is well considered and will enliven a currently underused and vacant historical asset. Future operators and all building users will need to be respectful of the historical features and to some of the limitations that they might pose in operation, e.g. circulation and access, especially for delivery, which may require greater staffing and consideration.
- 8.20 The proposal to have the artwork on the new-build wall to be removable will allow for replacement of artwork, which gives opportunity for the operator to run a competition for art works on a periodic basis. Consideration for signage for the site is shown in the entrance area. The site should be developed with one signage strategy which ensures that users and public are aware of the activities and businesses available within. This is specifically needed by any public access functions such as café, and makerspace open areas.
- 8.21 The Courtyard is described as with public access. The opening hours should be considered at later design stages. Section 6.35 of the Planning Statement highlights the delivery strategy at 4-5 per day. It is assumed that there is limited or no vehicle access to the site, and any access is intended only to be for extraordinary purpose (e.g. emergency repair) and not everyday purposes. Based on Workspace operator feedback and dependent on end users for the scheme – as maker space - some regular vehicle access for deliveries and collections may be required inside the yard.

- 8.22 The space should be delivered to CAT B fit-out to a good and uniform standard, in accordance with the council's affordable workspace specification (including access to toilets, cycle storage and a kitchenette or access to a café area). See AWS specification. The council expects that all affordable workspaces will conform to the relevant standards for access to natural light, defined by the British Council for Office Standards 2014.
- 8.23 **Inclusive Design Officer:** A number of points were raised with regards to the access and inclusive design aspects of the proposal, including around step-free access, accessible toilet facilities and mobility scooter charging points. The responses received are considered acceptable and the issues have been addressed, subject to an inclusive design condition (31) in the event of planning permission being granted.
- 8.24 **Energy:** A number of points were raised in relation to the applicant's energy strategy. These have now all been addressed. The application considered acceptable subject to conditions (20-22 and 24).
- 8.25 **Highways:** No objection in principle to the proposal given all works are within the site boundary. There are no objections in principle to the delivery and servicing on street, subject to a highways agreement being agreed in order to facilitate to reconfiguration of the existing parking bays.
- 8.26 **Public Protection:** The application is for refurbishment of the building including infill of the courtyard/convertng the ground floor into light industrial workspace. The submission includes a noise report which assesses the impact of the 5 x new condenser units on the third floor roof area. The rear extension building appears to have limited glazing other than the roof lights. The site was previously a builders' yard and it could be assumed that this would generate similar noise levels and the activities will now be enclosed.
- 8.27 No objections to the proposal subject to relevant conditions (6 and 8-15) on noise limits, plant noise, management of the courtyard, air quality, lighting and construction management.
- 8.28 **Building Control:** Comments made on the Fire Statement, which have now largely been addressed, subject to condition 19.
- 8.29 **Tree Officer:** No objection to this proposal.
- 8.30 **Sustainability comments:** The proposed green roof on new ground floor is welcomed. The Design and Access Statement states that the limitations of the listed building structurally, rules out a green roof on the main building. Justification has now been provided for the omission of green roof on some of the roofs. That being said, additional green roof areas should be required by condition (23) in order to increase the UFG further, which is currently 0.266.
- 8.31 The vertical greening proposed to 3 elevations to be planted in-ground is welcomed and should be confirmed via condition (25). The recommendations in the Preliminary Ecological Appraisal should be achieved, including those relating to planting for pollinators and the installation of swift boxes/bricks (*conditions 26-28*). Integrated bricks are preferred to boxes and we recommend these are installed in groups of three.
- 8.32 The reduction in surface water run-off is welcomed, although this does not quite achieve the equivalent to the maximum acceptable rate in our policy of 50 l/s/ha. Consideration should be had for the inclusion of blue roof attenuation in addition to the tanked permeable paving in the courtyard (*condition 29*).
- 8.33 **Building Control:** A number of points were raised to the submitted Fire Strategy. The points raised have now largely been addressed with a few minor points still outstanding. These final points will be addressed through the submission a of a final revised Fire Strategy (condition 19) in the event of planning permission being granted.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

National Guidance

- 9.1 Islington Council (Planning Committee), 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.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 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 Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty, inter alia, when determining all planning applications.

In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
- 9.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

Development Plan

- 9.11 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

- 9.12 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Central Activities Zone
 - Moorfields Archaeological Priority Area
 - Bunhill & Clerkenwell Special Policy Area
 - Employment Priority Area (General)
 - Local Cycle Routes
 - Article 4 Direction A1-A2 (Rest of the borough)
 - Article 4 Direction B1 to C3
 - Site Allocation BC31 (Travis Perkins – 10-14 Garrett Street)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan

- 9.14 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, with consultation on Main Modifications running from 24 June to 30 October 2022.
- 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.

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

- Policy SP1 Bunhill & Clerkenwell
- Policy SC3 Health Impact Assessment
- Policy B1 Delivering business floorspace
- Policy B2 New business floorspace
- Policy B4 Affordable workspace
- Policy B5 Jobs and Training Opportunities
- Policy R5 Dispersed retail and leisure uses
- Policy G4 Biodiversity, Landscaping and Trees
- Policy G5 Green Roofs and Vertical Greening
- Policy S1 Delivering sustainable design
- Policy S3 Sustainable design standards
- Policy S4 Minimising greenhouse emissions
- Policy S6 Managing Heat Risk
- Policy S9 Integrated water management and sustainable design
- Policy T1 Enhancing the public realm and sustainable transport
- Policy T2 Sustainable transport choices
- Policy T3 Car-free development
- Policy T4 Public Realm
- Policy T5 Delivery, servicing and construction
- Policy DH1 Fostering innovation while protecting heritage
- Policy DH2 Heritage Assets
- Policy DH3 Building Heights
- Policy DH5 Agent of Change, noise & vibration

Draft Bunhill & Clerkenwell AAP

9.18 Emerging Bunhill & Clerkenwell AAP policies that are relevant to this application are set out below:

- Policy BC1 Prioritising office uses
- Policy BC2 Culture, retail and leisure uses
- Policy BC7 Central Finsbury
- Site Allocation BC31 Travis Perkins

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle and Land Use
- Affordable Workspace
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Biodiversity & Landscaping
- Energy and Sustainability
- Highways and Transport
- Fire Safety
- Planning Obligations and CIL

- Planning Balance Assessment

PRINCIPLE AND LAND USE

- 10.2 The existing site is identified as a builder's merchants (sui generis industrial use) in Site Allocation BC31 of the emerging Bunhill and Clerkenwell AAP, though also has associated retail and office uses as explained in paragraph 5.2 above. The proposed development involves the retention, enhancement and modernisation of light industrial uses on site alongside an expansion and improvement of office floorspace as well the introduction of a new ancillary café use on site. As such, the following policy background is of relevance.
- 10.3 The National Planning Policy Framework has as its economic objective (in paragraph 8) to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure. London Plan Policy GG2 states that development proposals should proactively explore the potential to intensify the use of land to support additional workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. At the same time, London Plan Policy GG5 states that those involved in planning and development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration.
- 10.4 The site is located within London's Central Activities Zone (CAZ), the Bunhill & Clerkenwell Core Strategy Key Area, within the Employment Priority Area (General) of the Finsbury Local Plan as well as Site Allocation BC31 of the emerging Local Plan. Given the site's location in the CAZ, London Plan Policy SD4 is of relevance, which states that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values. Moreover, Policy E1 of the London Plan supports improvements to the quality, flexibility and adaptability of office space through new office provision, refurbishment and mixed-use development, particularly within the CAZ and town centre locations.
- 10.5 Given the (light) industrial nature of the site, London Plan Policy E4, which states that a sufficient supply of land and premises in different parts of London to meet current and future demands for industrial and related functions should be provided and maintained, is also of relevance. Moreover, Policy E7 of the London Plan states that development plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c (now Class E(g)(iii)), B2 and B8 occupying all categories of industrial land. In terms of business floorspace in general, London Plan Policy E2 requires for Local Planning Authorities to support the provision, and where appropriate, protection of a range of business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand.
- 10.6 At a local level, Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy. Moreover, employment floorspace, in particular business floorspace, is encouraged, through Core Strategy Policy CS13, to locate in the CAZ and town centres where access to public transport is greatest; and existing business spaces are safeguarded throughout the borough by protecting against change of use to non-business uses, particularly in the CAZ, with development that improves the quality and quantity of existing provision supported and encouraged.
- 10.7 The Finsbury Local Plan stipulates within Policy BC8 that employment floorspace within the Employment Priority Area (General) should not be unfettered commercial floorspace uses but, where appropriate, must include a proportion of retail uses alongside either (i) a proportion of light industrial floorspace; and/or (ii) office or retail floorspace suitable for SMEs; and/or (iii) affordable workspace. Moreover, new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business uses.

- 10.8 Emerging Local Plan Policy B1 supports the improvement and intensification of business floorspace, particularly within the CAZ, and Policy B2 states that business floorspace must allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and provide a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs.
- 10.9 In terms of the emerging Bunhill & Clerkenwell AAP, Policy BC1 prioritises office floorspace by stipulating that proposals involving an increase of more than 500sqm of floorspace must be office-led, in that the majority of the net increase in floorspace must be for office uses, unless an existing use is protected by a particular site allocation. At the same time, Policy BC2 encourages development of retail and leisure uses in predominantly commercial areas. Specifically for Central Finsbury, the APP states in Policy BC7 that there is a significant opportunity to enhance the office function of this area and that the provision of workspaces suitable for SME businesses to link with the creative cluster identified in the Historic Clerkenwell Spatial Strategy is supported. There is also scope to promote supporting uses such as retail and leisure uses at ground floor locations, where appropriate. Finally, the emerging Site Allocation BC31 encourages the intensification of business uses at this site, particularly industrial uses such as Eg(iii) and requires that proposals ensure at least no net loss of existing industrial use.
- 10.10 While the policy context of relevance to the proposed development at this location is considerable and complex, it is deemed that the proposal manages to successfully balance the significant policy requirements of both adopted and emerging policy described above. The proposed increase in employment floorspace and improvement to the quality and efficiency of the existing floorspace in this well-connected central London location is considered acceptable in principle and in accordance with London Plan Policies SD4 and E1 as well as Islington Core Strategy CS7 and CS13. The development proposes an uplift in office floorspace, constituting the majority of the net increase in floorspace, alongside affordable workspace as well as light industrial floorspace and a café/retail use in accordance Finsbury Local Plan Policy BC8 as well as emerging Bunhill & Clerkenwell APP Policies BC1, BC2 and BC7.
- 10.11 In terms of the industrial floorspace, the proposal would comply with London Plan Policies E4 and E7 by providing and maintaining industrial land on site. The proposal would also meet the requirements of Site Allocation BC31 by intensifying the business uses on site and ensuring no net loss of existing industrial uses on site. Given the site's planning history described above, the 2nd floor office is treated as an ancillary office in association with the overall use of the site for industrial purposes. As such, there would be a 833sqm increase in office floorspace as a result of the proposal, which would comply with relevant policies described above.
- 10.12 At the same time, there would be no material loss of industrial uses and the industrial capacity of the site would be maintained. While the existing site lawfully consists of 1,194sqm of sui generis industrial use, historically and in particular the most recent uses have involved an element of office and an element of retail, which is not uncharacteristic of light industrial floorspace in a central or urban location. The policy support for industrial uses in general and at this location in particular must also be set against surrounding neighbouring amenity, which is considered in more detail in subsequent sections of this report. As such, it is considered that the proposal would comply with relevant policies, by intensifying office uses and maintaining the site's industrial uses.
- 10.13 With regard to the provision of flexible business floorspace that meets the needs of future occupiers including the needs of small and medium enterprises as required by London Plan Policies E2, Core Strategy Policy CS13, Finsbury Local Plan BC8 and emerging Local Policy B2, the proposal includes a mix of unit sizes and types including a significant proportion of small units suitable for micro businesses. The floorplates are largely governed by the heritage constraints of the existing building, which was historically a stables, and as such amalgamation of some of the smaller units would not be possible. But the crucial requirement of providing smaller workspaces for SMEs and micro-business would be met as is shown on the ground floor plan below.

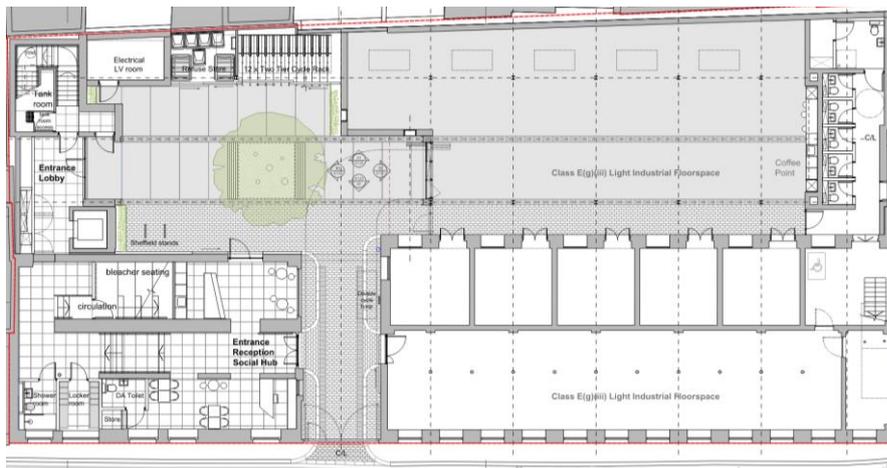


Fig 10.1 – Proposed Ground Floor Layout

10.14 The proposed café use is under 20sqm in size and would be operated in conjunction with the affordable workspace. While emerging Local Plan Policy R3 suggests that any Town Centre use in an out-of-centre location should provide an impact assessment in order to determine whether there would likely be adverse impacts on relevant Town Centres or Local Shopping Areas, it is considered that the café space is of a size that would cater for some of the demand of the occupiers of the application site rather than competing with other café or retail spaces on Whitecross Street. The café faces the courtyard, does not have a street presence, would be operated by the affordable workspace and is not considered to be a separate planning use; rather, it is an ancillary use to the main use of the building.

Class E restrictions

10.15 The Town and Country Planning (Use Classes) Regulations were amended on 1st September 2020. The amended Use Class regulations omit the former Use Class B1 and introduces a new Use Class E, which encompasses office use, together with many other town centre uses. The application proposes the introduction of additional office floorspace (Class E(g)(i)) on the upper levels and the re-provision of light industrial uses (Class E(g)(iii)) on site.

10.16 It is considered that, considering the complex policy context described above, the other uses that are encompassed by Class E, would not be appropriate uses for the site within its surrounding local context without the submission of further details and justification. The upper floors of the building would likely be inappropriate for retail use given the site's location outside of the Primary Shopping Area and the building would likely be unattractive to a retail occupier given the amount of floorspace concerned which includes a low ratio of ground floor to the total floorspace.

10.17 The site is within the CAZ and in an area where business floorspace, in particular office floorspace, should be maximised. As such, it is considered that the proposed business floorspace should be restricted from converting to other uses outside of Use Class E(g). As such, conditions (16 and 17) are recommended restricting the use of the building (except for the ancillary cafe unit) to be only of office/light industrial floorspace and no other use within Class E of the Use Classes Order 2020. Should any other use be proposed to the building, this would require the submission of an application and appropriate supporting documentation.

Residential Use

10.18 The introduction of the new permitted development rights under Class MA in Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order (2021 No.428) would allow the change of use of a building from Class E to C3 (dwelling houses), which takes effect from 1st August 2021. This means the proposed commercial development would be able to (subject to limitations & conditions) convert to residential use, which would clearly conflict with the objectives of the Development Plan that supports commercial use and job growth.

- 10.19 In accordance with the aforementioned policies, officers considered that it would be necessary to resist unacceptable change of use from commercial to residential use, in order to protect the commercial floorspace within the site and the wider CAZ. It is recommended that a condition (18) is imposed to restrict the permitted development rights within the provision of Class MA of the GPDO.

Conclusion

- 10.20 The principle of the development is considered acceptable and accords with the National Planning Policy Framework's presumption in favour of sustainable development, subject to other material planning considerations discussed in the following paragraphs. There is in-principle support for the improvement and expansion of office floorspace and the retention and reprovision of light industrial floorspace on site in accordance with London Plan Policies GG2, GG5, SD4, E1, E2, E4 and E7 as well as Core Strategy Policy CS7 and CS13, Finsbury Local Plan BC8, emerging AAP Policies BC1, BC2 and BC7 and Site Allocation BC31.

AFFORDABLE WORKSPACE

- 10.21 London Plan Policy E3 states that consideration should be given to the need for affordable workspace in areas identified in a local Development Plan Document where cost pressures could lead to the loss of affordable or low-cost workspace for micro, small and medium sized enterprises (such as in the City Fringe around the CAZ and in Creative Enterprise Zones) or in locations where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area.
- 10.22 Policy DM5.4 of the Islington Development Management Policies 2013 concerns the size and affordability of workspace. As set out in paragraph 5.25 of the Development Management Policies, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.23 The emerging Local Plan policy B4 states that within the CAZ and Bunhill and Clerkenwell AAP area, major development proposals involving office development must incorporate at least 10% affordable workspace (AWS) (as a proportion of proposed office floorspace GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years. Following the examination of the Local Plan policies, modifications to Policy B4 have been proposed which confirm that for proposals involving redevelopment, refurbishment (or refurbishment and extension), the requirement would apply to the uplift in floorspace only and not the whole floorspace.
- 10.24 The development involves the relocation of affordable workspace from Finsbury Tower, also known as the HYLO building. The consent for HYLO was granted in 2017 under planning application reference P2016/3939/FUL (superseded by P2017/4939/S73) and included 1,000sqm of affordable workspace in perpetuity at peppercorn rent. The amendments to that application and the consequent planning balance is being considered separately under planning application reference P2022/3516/S73. Of relevance to this application is that 1,000sqm of affordable workspace (AWS) proposed here would constitute the relocation of 1,000sqm of already permitted AWS at the HYLO building. At the same time, the consequent increase of 1,000sqm of commercial floorspace at the HYLO building, necessitates a further 10%, i.e. 100sqm of affordable workspace, which is being provided at this site on Garrett Street. There is a marginal increase of 91sqm additional AWS floorspace beyond that which would normally be required by emerging planning policy.
- 10.25 When measured by net internal area, the uplift is reduced slightly as the AWS floorspace proposed at Garrett Street constitutes 904sqm (as measured in NIA) compared to the 811sqm (NIA) shown on plan at the HYLO Building (Finsbury Tower). This is only a 11% increase, which is policy compliant rather than necessarily a planning benefit over and above policy expectations. That

being said, the s106 agreement for the Finsbury Tower consent (P2016/3939/FUL) refers to a minimum 1,000sqm (GIA) and not less than 700sqm (NIA) to be provided at the HYLO Building, so based on the NIA required by the legal agreement the uplift proposed here at Garrett Street is more generous, i.e. a more considerable uplift. The table below provides information on the proposed increases in affordable workspace compared to the policy requirements for affordable workspace on site.

AWS	Existing at HYLO (in GIA)	Proposed AWS	AWS Uplift	Additional Required from HYLO uplift	AWS Uplift beyond policy requirement
GIA	1000sqm	1,191sqm	191sqm	100sqm	91sqm
NIA	700sqm	904sqm	204sqm	81sqm	123sqm

Fig 10. 2 – Affordable workspace floorspace figures

10.26 On top of the ground floor 'light industrial' floorspace allocated as affordable workspace and shown on plan above (Fig. 10.1), the floorspace at first floor level is also proposed as light industrial floorspace and allocated as affordable workspace (conditions 16 and 17). The first floor light industrial affordable workspace is shown on plan below and secured through the s106 agreement:

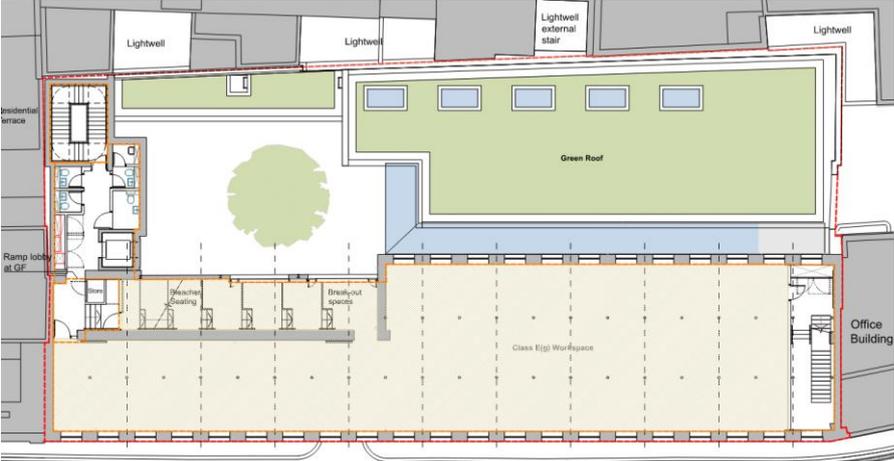


Fig 10.2: Proposed First Floor Plan

10.27 Quantitatively, there is an increase in affordable workspace proposed at Garrett Street over and above that which is required by policy, as can be seen in the table above. This is considered to be a planning benefit that would weigh in favour of the proposed development. Moreover, there would be considerable qualitative improvements identified by the Council’s Inclusive Economy Team that need to be fully considered here. As already confirmed, the application site at 10-14 Garrett Street offers the opportunity for the Affordable Workspace Programme to diversify to a broader range of business typologies. It would enable the development of a space to meet the needs of creative industries and makers within the borough, which is something that the Affordable Workspace Programme so far does not have in its portfolio. The Garrett Street building is considered unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses. The Inclusive Economy team have confirmed that they see this as a chance to bring a broader range to the AWS portfolio with a consequent greater impact for Islington businesses and residents at this point in time.

10.28 Finally, the space should be delivered to CAT B fit-out to a good and uniform standard, in accordance with the council’s affordable workspace specification (including access to toilets, cycle storage and a kitchenette or access to a café area). This would be secured through the section 106 agreement in the event of planning permission being granted. The quantum increase in affordable workspace proposed as part of this planning application as detailed above, the provision of a unique affordable workspace offer for creative industries within a central London location as

well as the Cat B fit-out proposed are considered to be considerable benefits to the proposal that would weigh in favour of the planning application, in the event of the scenario in which the AWS at HYLO / Finsbury Tower relocates here.

- 10.29 The proposal is considered to be in accordance with relevant planning policies in this regard including London Plan Policy E3, Development Management Policy DM5.4 and emerging Local Plan Policy B4.

DESIGN, CONSERVATION AND HERITAGE

Policy context

- 10.30 The following requirements are necessary for Local Planning Authorities in consideration of planning applications which affect the setting of a listed building or the character and appearance of a conservation area Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that : 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.
- 10.31 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area". The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 10.32 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'*
- 10.33 Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'
- 10.34 Paragraph 124 of the NPPF 2021 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.35 Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of

the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

London Plan

- 10.36 Policy D3 of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.37 In terms of design and heritage considerations, London Plan policy D3, part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions;
 - facilitate efficient servicing and maintenance of buildings and the public realm, as well as deliveries, that minimise negative impacts on the environment, public realm and vulnerable road users;
 - respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
 - be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.
- 10.38 Policy D4 requires for Design and Access Statements submitted with development proposals to demonstrate that the proposal meets the design requirements of the London Plan. Furthermore, the policy stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate.
- 10.39 Policy HC1 reads that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in this design process.

Local Plan

- 10.40 The national and regional policies are supported locally by Islington Core Strategy Policy CS7 (Bunhill & Clerkenwell), which states that the area's rich character and historic value will be protected and enhanced. Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.

- 10.41 Policy DM2.1 (Design) of the Islington Development Management Policies requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.42 Policy DM2.3 (Heritage) of the Development Management Policies requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part C of the policy states that the significance of Islington's listed buildings is required to be conserved or enhanced; new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification. Moreover, substantial harm will be strongly resisted.
- 10.43 Moreover, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.

Assessment of Site, Significance and Context

- 10.44 The building is a late-19th century 3-storey stable of yellow brick with red brick window detailing and a blue brick base. It was constructed to replace earlier stables in Chiswell Street and is highly unusual for being able to accommodate 100 shire horses over three floors. It was in use as a stable for the brewery, the Lord Mayor, the Speaker, and the City of London Police until September 1991.



Image 10.1 – Grade II listed stables building (street-facing façade)

- 10.45 To accommodate the weight of a large number of very heavy horses (around 900kg each), industrial building techniques were employed: c.370mm thick arched concrete floors supported on cast iron columns. Internally this helps divide the floor plan neatly into stalls. These would not have reached ceiling height ensuring that there would be a high flow of ventilation and light across the floor, enabling the whole floor to be read as one. The floors are grooved and cambered slightly towards the centre of each floor for drainage. The floors are connected by concrete ramps of a height and gradient suitable for large horses of more than 17 hands in height (1.7m). These ramps would originally have been open to the elements, perhaps with a tarpaulin to the upper level, and were the only way for the horses to reach the first and second floors.

10.46 The ground floor is divided on two levels, half for additional stalls, and half for grooming stalls. The two different levels reflect the topography of the site, the land level being higher to the northern (Garrett Street) side of the site. The southern side of the ground floor opens onto a partially covered yard, retaining the layout of the original stable site, although the single storey blacksmith's workshop to the eastern end is now only evident by the brick scarring left after its removal sometime after 1962. Access is via Garrett Street, and an historic and closed-off access was via Golden Lane; it is believed this access was used until recently by the timber and builder's merchants for their servicing and delivery requirements.

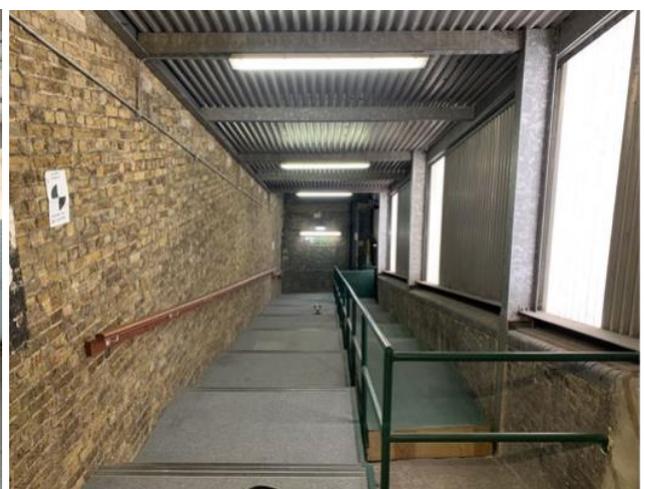


Image 10.2 – Courtyard View

10.47 The stable has most recently been used by a timber and builder's merchants for office and warehousing purposes. It is considered that this use saw some detrimental alterations, including the insertion of a large shutter door and lift to the first floor of the ramp. Despite this use, there has been little alteration to the historic structure itself, and this can be seen within the submitted Design & Access Statement. Modern partitions have inserted on the second floor, with those windows being blocked to provide a shooting gallery for the police in the late-20th century. Other alterations include lighting and computer cabling, the insertion of an internal fire escape at the western end of the stable, and an external one at the eastern end. Lack of maintenance of the hay store/carriage store has led to a swifter deterioration than would have been expected. However, the structure of the building is still sound, the original use is still evident, and the relationship to the yard and its buildings can still clearly be read.



Image 10.3 – 1st Floor Interior



Ramp from 2nd to 1st Floor

10.48 The building's value is derived from its architecture, social and industrial history, and development of construction techniques. The ramps, floors, columns, openness, entrance hall, relationship to

the open and partially covered yard, flat roof, and small windows all contribute to this value. This was recognised in 1990 when it was Grade II listed.

- 10.49 The building lies within the St Luke's Conservation Area, which is notable for its narrow lanes and 19th century commercial buildings. The stables are considered to contribute positively to the character of the conservation area. The buildings to the immediate south and for the remainder of that urban block are approximately the same height, albeit with some modern accretions such as plant and aerials. The buildings to the north rise higher.

Principle of works

- 10.50 The application involves the refurbishment and reuse of the existing building for commercial uses including light industrial uses, which are considered to be compatible with the way the building has historically been used. There are a number of additions and extensions proposed in order to enable the buildings reuse and its successful operation as a modern commercial building. In principle these additions, in order to bring the building back into use, are considered acceptable subject to detailed design and their impact on the heritage asset.
- 10.51 The proposal includes an extension at roof level, which is set in from all sides and reduced in size since earlier iterations ensuring that it reads as a distinct structure to help the listed building be seen as the main structure of importance. The additional core, built as a 'gable end' on the eastern flank of the courtyard up against the brick wall of the adjoining building, is accepted as a necessary addition though its appearance will need to be calm and simple in order to not compete with the character and appearance of the host building. The principle of providing a workspace in the former industrial working yard, by replacing the existing lean-to hay storage, is supported in principle subject to detailed design and ensuring that it retains a subservient position alongside the listed building.
- 10.52 The proposed changes are considered to have been consciously developed with a consideration of the character and appearance of the heritage asset. Nonetheless, the design of the proposal and its impacts on the listed building and conservation area will need to be considered in more detail.

Height, bulk and mass

- 10.53 The height of the existing building is relatively uniform at three storeys in height. The building is relatively low-rise compared to its immediate surroundings in which the buildings are generally 4-6 storeys in height. As such, when considered in townscape terms, the single storey addition at roof level is not deemed to be incompatible with the surrounding character, as shown on the townscape view below.



Fig 10.3 – proposed north/front elevation facing Garrett Street

- 10.54 There is some additional height within the courtyard, in particular the service core and lift over-run which are essentially four storeys in height. In terms of height and bulk these additions are also considered to be broadly compatible with the height, bulk and mass of surrounding built form as shown on the southern and western courtyard elevations below.

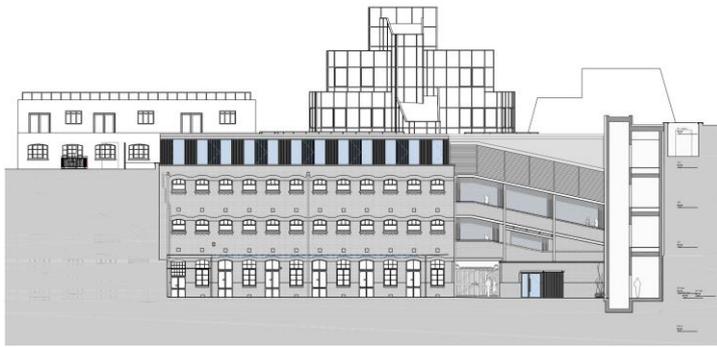


Fig 10.4 Proposed Southern Elevation



Service Core Elevation (facing east)

Elevational treatment

10.55 The main street-facing elevation onto Garrett Street will remain largely unchanged apart from the opening up of the windows, which have been gated and/or bricked up across ground and 2nd floor levels. The façade would be tidied up with all historical features, including original signage, being retained. The only other change to this elevation would be the roof-level addition, which is a light-weight metal-framed structure with glass panels. The glazing lines up with the fenestration on the lower levels and the extension itself is set back from the front in order to conceal or minimise its appearance.



Fig 10.5 Proposed Front Elevation

10.56 As a result of the set-back, the roof extension is only visible from limited public views at the junction of Garrett Street and Golden Lane as shown below. Given the narrowness of Garrett Street, the extension would not be visible from public vantage points immediately surrounding the site.



Image 10.4 – View from Golden Lane

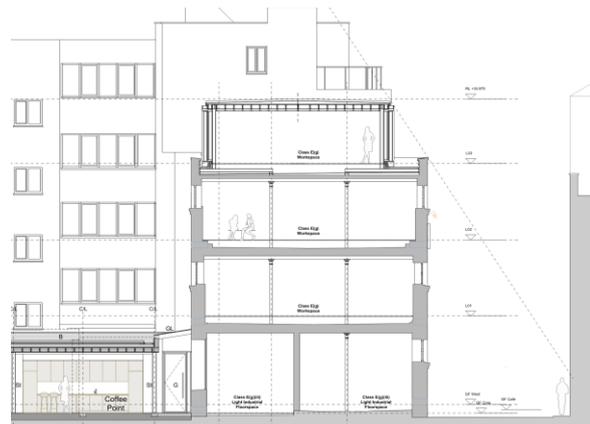


Fig 10.6 Proposed Section

10.57 The courtyard elevations of the existing building are subject to more significant additions and changes as shown below. The windows would be opened up as with the building's street elevation and a metal-framed light-weight extension is proposed at roof level.



Image 10.5 – Existing and Proposed courtyard elevations

10.58 In terms of the ramp elevation, brick and steel elements to the ramp would be exposed to reveal more of the original historic building. Additional glazing is proposed to the ramp elevation with narrow solid timber vents. It is also proposed refurbish the gates and provide a new sliding 'stable' door to the reception/café. New engineering brick is proposed under the ramp to relate to the stable block and the existing external fire escape stairs, which is not an original feature, would be removed to reveal more of the building's façade. An acoustic louvred screen is proposed above the ramp to conceal plant room. This addition is clad in a similar material to the existing roof of the ramp and is set back and angled in line with the existing ramp geometry.



Fig 10.7 Proposed courtyard elevation

10.59 On the eastern side of the courtyard, the application proposes a 4-storey service core extension. The height of this addition has been reduced during the course of the application and now relates more successfully to the host building and surrounding architecture. This eastern core addition seeks to achieve a simplified and unified appearance using one material to lift and stairs and central element. Though the proposed light grey brick walls in the recesses have been chosen to not compete with historic fabric of the building, further details will be required by condition. As with all parts of the proposal, it is key to the success of the development to get the materials on this

elevation right and the materials used here will be subject to additional scrutiny through the submission and approval of samples and materials (*condition 3*) in the event of planning permission being granted. Finally, with regard to this elevation, wall climbing planting is proposed to the base of lift and stair walls to trail and grow up the brick walls.



Fig 10.8 Courtyard service core elevation

10.60 The other courtyard additions proposed include the single storey extension to replace the existing lean-to and provide additional light industrial floorspace. The glazed roof of this extension is proposed to better reveal the facades of the existing building. The proposed materials would need to be in harmony with other proposed elements as well as the existing grade II listed building, with further details required in the event of planning permission being granted (*condition 3*). The landscaping design integrates planting, seating and paving material with the proposed architecture and this would be subject to further assessment as part of the landscaping condition (28) in the event of planning permission being granted.



Fig 10.9 – Proposed single-storey courtyard extensions

Impact on heritage assets

10.61 Buildings must and do change over time in order to survive. Where alterations that would affect the significance of a listed building are proposed, there is a presumption in favour of the preservation of the heritage asset’s special interest. If the proposed alterations would not do this, and the cumulative impact of smaller alterations can be as harmful as individual large ones, there must be clear and convincing justification as to why this alteration cannot be designed-out of the scheme. If appropriate justification can be found, alternative benefits must be found that to be balanced

against that harm. The higher the degree of harm, the higher the degree of proposed benefits must be.

10.62 It should be noted that considerable pre-application discussions have been had regarding this proposal, including obtaining comments from the Council's Design Review Panel. Many, but not all, of the comments provided during the pre-application process have been included in the proposal as discussed below.

10.63 The proposal would convert the stables into a modern workspace, with an additional storey, new core, and single storey extension into the courtyard. The ambition is to achieve the highest level of BREEAM possible, providing facilities and amenity for end users. These end users would include a mixture of affordable workspace, light industrial and commercial office occupiers, which is considered to be consistent with the way the building has historically been used.

Heritage Benefits

10.64 The building would be kept in use, and using buildings is the best way to ensure their retention. Many of the harmful 20th century interventions are proposed to be restored and/or rectified, such as the following:

- The majority of the internal partitions would be removed from historically open areas, and features such as the cast iron columns on the second floor would be revealed again.
- The modern accretions such as cabling, the external fire escape, and window fan vents would be removed.
- The blocked second floor windows would be restored
- General restoration to the historic features would be undertaken
- The traditional horse-scale openings and sliding doors between the ramp and each floor level would be reinstated
- Walls and existing water closets would be removed at first and second floor to better reveal the original open plan of the stables
- Hard landscaping would be undertaken to the retained courtyard, reflecting the historic layout of the functional space.

Interventions to the historic building

10.65 The proposed servicing would result in the floor level at 1st floor and 2nd floors being raised by 180-380mm. This would change the relationship to some of the windows and doors and to the historic floor. The sliding stable doors would need to be raised to fit the new flooring, which would erode one of the features of the former stable, the floor-to-ceiling height. The floor-to-ceiling heights on the upper floors would now be approximately 2900mm rather than approximately 3250mm in the existing situation, as shown below. The ground floor would retain its generous floor-to-ceiling heights however.

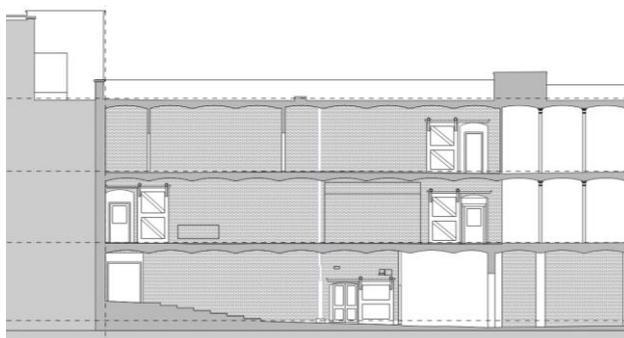
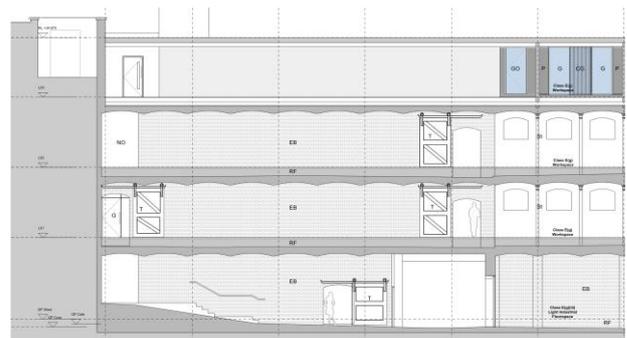


Fig 10.10 Existing Section



Proposed Section

- 10.66 It was suggested that the applicants could demonstrate if the industrial nature of the property could be echoed by putting the services against the ceiling instead, with them left open and exposed with an honest appearance. This is a common way of expressing servicing in buildings that either cannot or should not have services in the floors, but this has not been fully explored in this instance.
- 10.67 The proposed air source heat pumps would need to be concealed by way of creating what would appear to be an additional storey to the ramp. The Council's Design & Conservation team have advised that if they have to be hidden, this is often a good indication that they should not be there. Rather than make further adaptations to an historic element of the building, it would be a preference to restrict plant to a small area on the roof instead. The proposal to accommodate the heat pumps within an extension to the ramp has however been retained, resulting in less plant additions at roof level. The existing and proposed courtyard elevations are shown in the comparison elevations below:



Fig 10.11 Existing Courtyard Elevation

Proposed Courtyard Elevations

Roof extension

- 10.68 Conservation Area Design Guidelines (CADG) for the St Luke's Conservation Area states in paragraph 16.9 that new development should conform to the existing prevailing parapet and roof heights in the conservation area. In terms of materials the CADG state at paragraphs 16.11 and 16.12 that traditional materials should be used, and materials for new development should be sympathetic to the character of the area, in terms of form, colour and texture. The Council will expect to see the use of vernacular materials.
- 10.69 The roof extension is proposed to be metal with full length windows and a terrace to the front elevation. Any roof extension is considered to be harmful to the listed building as it was designed a particular way, with the name plaque on the top floor. The additional storey is considered to diminish its importance. In heritage terms, this would be in non-sympathetic and non-traditional materials, and require additional engineering to make it accessible. Despite having the support of the Design Review Panel, this proposed element is considered by the Council's Design Conservation Team to result in a high level of less than substantial harm to the listed building with no heritage benefit arising directly from it.
- 10.70 It was considered that the proposed floor-to-ceiling windows would make the roof extension appear taller than it was, which is considered harmful due to the small windows and very high solid-to-void ratio of the building beneath. The amount of glazing has now been reduced from what was proposed at pre-application stage. Nonetheless, although the roof extension would only be visible from limited public vantage points, it is considered to be an addition that would result in harm to the listed building.
- 10.71 The terrace had been highlighted as a problem as it would bring a degree of activity to the higher levels of this industrial building that would be contrary to its character. No accessible terrace should

be allowed as this would be an unacceptable degree of harm without benefit and this would be controlled by condition 12 in the event of planning permission being granted.

Single storey extension

- 10.72 The glass corridor to the single-storey ground floor extension has increased to 1.8m in width from earlier iterations. This is still considered by the Council's Design & Conservation Team to be too modest to appreciate the elevation of the stable. The glazing used here to the courtyard elevation of this extension has been further increased in order to present the single storey extension as a lighter weight and more subservient structure in order to preserve the importance of the host building.
- 10.73 There have been requests by the Council's Design & Conservation Team for the single-storey extension to echo the dimensions of the historic hay store and cart store. The quantum of floorspace required on the ground floor in order to provide sufficient light industrial floorspace across ground and first floors to meet policy requirements result in the single storey extension being considerably larger than the footprint of the existing hay store. This is also in order to be able to achieve a quantum increase in affordable workspace and for this to be provided at ground and first floor levels rather than spreading it higher up the building. From a heritage point of view it would be more appropriate for any additions to be governed by what is less harmful for the listed building, rather than in order to achieve a particular quantum of floorspace.

Eastern Core

- 10.74 The introduction of a new core including toilets, lift, and a third staircase, together with a plant room, cycle rack and bin store located to the eastern end in the courtyard would occupy a significant amount of space. It has been suggested by the Council's Design & Conservation Team that additional toilet facilities could be provided within the main body of the building and an external lift adjacent to the stable would be acceptable if it were necessary in order to enable the building to be accessible. Although, a separate external lift shaft would not be an inclusive solution and additional toilet facilities in the floor plan of the main building would reduce the quantum of business floorspace achieved, this would be the preferred heritage solution.
- 10.75 Moreover, the proposed lift shaft would be taller than the adjacent buildings, which is an issue that has been raised by the Council's Design & Conservation Team and requested to be lowered. The applicant has argued that the height is dictated by lift requirements and the need to access the proposed roof extension. While the height of the service core extension has come down in height since earlier iterations, it is considered to be a harmful addition that is required to achieve a particular quantum of floorspace rather than preserving the significance of the heritage asset.
- 10.76 While the existing wall to the adjacent buildings (20 Garrett Street) is unadorned, it shows the history of the site, and therefore is not blank. Given that this wall will come forward and be higher than the existing boundary wall, this is likely to be a more dominating and looming structure, further reducing the tight space within the courtyard. In the event of planning permission being granted, it will be essential to get the appearance of this wall right and further details would be required by conditions (3 and 28) in the event of planning permission being granted.

Courtyard

- 10.77 The courtyard was originally an open working yard, with a smithy built in later at the eastern end, and a hay store/cart store at the western end. This openness then and now contrasts with the tall and robust stable, ensuring it is the prominent structure and feature. It is proposed to introduce greenery into this hard landscaped area. While the increase in drainage would be welcomed, it is considered by the Council's Design & Conservation Team that this could be achieved without changing the character of the courtyard through introducing a tree and planters.
- 10.78 The proposed hard surfacing would divide the courtyard into separate areas that relate to the entrance to the core, and to the single storey, rather than unifying the courtyard to ensure it relates to the listed stable. A common thread of surfacing should be used throughout, ideally the proposed

star or diamond chequer bricks to echo the industrial nature of the site and further details would be required by conditions (3 and 28).

Summary

- 10.79 In summary, there is considered to be less than substantial harm to the heritage asset, albeit this is considered to be towards the upper end. The identified harm includes the loss of ability to read the main building as the main feature; the loss of floor-to-ceiling height; the erosion of relationship between the stable and the courtyard; the dilution of robust and simple form of the stables and its courtyard through introduction of several different materials; the introduction of a roof extension and the extension to the ramp; the single-storey extension and the core, which is considered too large and projecting into the courtyard.
- 10.80 On the other hand, the heritage benefits include the removal of 20th century accretions including shutter door and partitions; the restoration of 2nd floor and ground floor windows; the restoration of the open plan character of the 1st and 2nd floors; the greater external expression of the ramp; the increased private access to the site for end users; the re-opening of internal door heights and the general reuse of the building for purposes that are consistent with the historical use of the building.
- 10.81 These heritage benefits identified are however not considered to outweigh the identified harm in heritage terms. While the proposed changes individually may have a small negative impact, cumulatively they would have a more significant impact and would thereby reduce the importance of the historic building and its special interest.
- 10.82 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area.
- 10.83 Overall, the proposed works are considered to cause a high level of less than substantial harm to the historic building. In accordance with the Council's legal duties and the requirements of Chapter 16 of the NPPF this harm must be given great weight in the planning balance and should be weighed against the public benefits of the proposal.
- 10.84 In the event that the harm to the heritage asset is considered to be outweighed by the other public benefits of the proposal permission is granted, then a number of planning conditions (*condition 3 and 38-41*) are recommended to ensure the special character and interest of the historic building is maintained as much as possible.

Response to DRP comments and changes since Application submission

- 10.85 The proposal was presented to the Design Review Panel on two separate occasions. On the first occasion on the 19th October 2021, the Panel welcomed the design intent, the proposed uses, the reuse of the building and the desire to preserve as much of the fabric as possible. The main issue was considered to be how a building be created that shows off the heritage elements to their best, calming down the interventions while adding to them.
- 10.86 It was considered that the ability to appreciate the courtyard elevation of the listed stable should be increased, with a greater glass roof to the new ground floor extension being one way to achieve this. The panel confirmed that they were comfortable with the principal of the rooftop extension, and agreed that the reduction in its earlier proposed size helped the listed building be seen as the main structure of importance.
- 10.87 There was general concern around the café, regarding its location and function. This should be explored in more detail, particularly with regard to the interaction with the courtyard, and in

association, the location of the bin store with its potential detrimental impact on the courtyard. Finally, there was some concern around the management of the materials and how they would compete with the simplicity of the listed stable. A general quietening of the materials and design of the new elements would be beneficial, it was considered.

- 10.88 The panel recommended that they see the scheme again once the design had evolved and the considerations above developed in association with the Council's duty to preserve the building. The scheme was presented to the DRP a 2nd time on the 16th December 2021. At this 2nd review, the Chair concurred with some of the other members of the Panel that some of the subtleties such as the glazing to the ramp were welcome, but there were considered to be room for improvement regarding the render, the amount of glazing, and separation of the extension from the main building as well as how to support industrial use rather than mainly office space.
- 10.89 In terms of the final of these points, it was acknowledged that the applicant was responding to the brief from the Affordable Workspace team, but this needed to be demonstrated in terms of different uses on different floors rather than just open plan offices. The floorplates have now evolved further and more clarity has been provided regarding potential light industrial uses across ground and first floor levels. The proposal has been developed alongside affordable workspace occupiers who specialise in light industrial and creative maker spaces. The design has evolved since previous iterations and the operational requirements of light industrial floorspace have been fully considered.
- 10.90 The Panel welcomed the progress that had been made and the changes that had been proposed. The entrance, reception and an ancillary café interlinking directly with the adjacent courtyard and with the main entrance was welcomed. The materials at ground level and to the east core have now been simplified with brickwork rather than render being prioritised. The amended design is considered to better unify the whole courtyard space and new build elements with the existing building.
- 10.91 It was confirmed that the proposal would not need to be presented again to the DRP and that the finer design details, including the preservation of the listed building, should be agreed between the applicant and the Local Planning Authority.

Summary

- 10.92 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed building, its setting and any of its features of special architectural or historic interest. In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the St Luke's Conservation Area.
- 10.93 The proposal is considered to be of a high quality and contextual design with additions that are considered to be sympathetic to the surrounding context, which has the support from the Council's Design Review Panel. On the other hand, the proposed works are considered to adversely affect the special architectural and historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment. As such, there would need to be over-riding planning benefits, considered in subsequent sections of the report, in order to make the proposal acceptable from a planning point of view.

INCLUSIVE DESIGN

- 10.94 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected

characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promotes the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

10.95 The Inclusive Design principles are set out within policy D5 of the London Plan which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:

1. be designed taking into account London's diverse population;
2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
4. be able to be entered, used and exited safely, easily and with dignity for all 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

10.96 At a local level, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they: i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone, and iv) bring together the design and management of a development from the outset and over its lifetime. The Council's Inclusive Design SPD further sets out detailed guidelines for the appropriate design and layout of existing proposed new buildings.

10.97 The Council's Access Officer was consulted on the inclusive design principles of the proposal and confirmed general support for the proposed designs. A number of points were raised about issues relating to accessible shower and locker rooms, the provision of mobility scooter charging points, the inclusivity of the front entrance arrangements, refuge spaces on the upper floors, lighting, accessible sanitary facilities and circulation spaces. The responses provided by the application have satisfied the expectations of the Access Officer, subject to appropriately-worded conditions (28 and 31) requiring further details to be provided in the event of planning permission being granted.

10.98 The proposed development is considered to deliver inclusive and accessible commercial floorspace within the heritage constraints of the grade II listed building. Overall, the proposed development is welcomed in terms of accessible design and is a significant improvement upon the existing building and its layout. In conclusion, the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users.

NEIGHBOURING AMENITY

10.99 Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, increased overlooking and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.

10.100 Part D of policy D3 of the London Plan 2021 states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.

10.101 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.

10.102 A number of neighbouring properties are in commercial occupancy and thus impacts on them would not result in a loss of residential amenity. Given the location of the building and the extent of the development, it is considered that the neighbouring residential properties with the potential to be impacted by the development are:

- 5 Garrett Street
- 7 Garrett Street (mixed use with residential)
- 86-88 Banner Street
- 90 Banner Street
- 92-94 Banner Street (mixed use with residential)

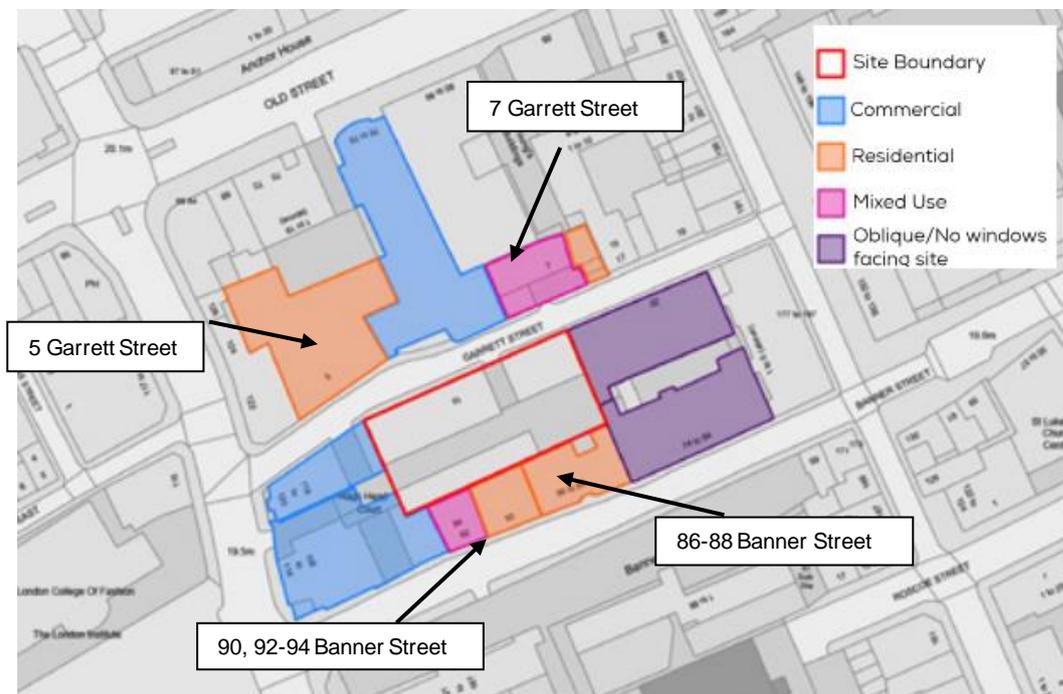


Fig 10.12 – Neighbouring Residential Properties

Daylight, Sunlight and Overshadowing

10.103 To assess the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.104 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'. Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.

10.105 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the specific context. The Guidance cites city centre

locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

BRE Guidance: Daylight to existing buildings

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

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

10.107 At paragraph 2.2.7 of the BRE Guidelines it states: “*If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building... any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.*” The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.108 At 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*”.

10.109 Paragraph 2.2.13 states: “*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*” The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.110 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is “in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

BRE Guidance: Sunlight to existing buildings

10.111 The BRE Guidelines (2022) state in relation to sunlight at paragraph 3.2.11: “If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected”.

10.112 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 during the winter months 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.

10.113 The BRE Guidelines state at paragraph 3.1.6 in relation to orientation:

“A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.”

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

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

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

BRE Guidance: Overshadowing

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

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

Assessment

10.118 The applicant submitted a Daylight and Sunlight Report prepared by GIA dated. This was replaced by an updated and amended Daylight & Sunlight Report, dated the 2nd November 2022 (Revision 3). The report and appendices consider the impacts of the proposed development on the residential neighbours in accordance with the 2022 Building Research Establishment (BRE) guidelines.

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

- No. 86-88 Banner Street
- Nos. 90 and 92-94 Banner Street
- Nos. 5 and 7 Garrett Street

10.120 The layouts of the most-affected residential properties identified above have been found to ensure that the assessment carried out is accurate; where the usage of the rooms is unknown, the assessment would be based on the worst case scenario and assumes that the room is habitable

(i.e. a living room) which would require a greater degree of daylight/sunlight than a bedroom for example.

Impacts to Daylight

No. 86-88 Banner Street

In the case of 86-88 Banner Street the majority of windows would not experience noticeable reductions. However, a total of 4No. kitchen windows (shaded in green on the elevation below) would experience VSC reductions above 20% with similar reductions in the daylight distribution (NSL), as shown in the table below. Moreover, a total of 3No. bedrooms (shaded in blue on the elevation below) would experience noticeable losses of daylight distribution as a result of the development as shown in *Table 10.1*. The more significant losses experienced by the kitchen windows is as a result of both the proposed service core extension and the proposed roof extension. These losses of daylight are an adverse impact as a result of this development that would need to be considered and given weight in the final balance of assessing the merits of this planning application.

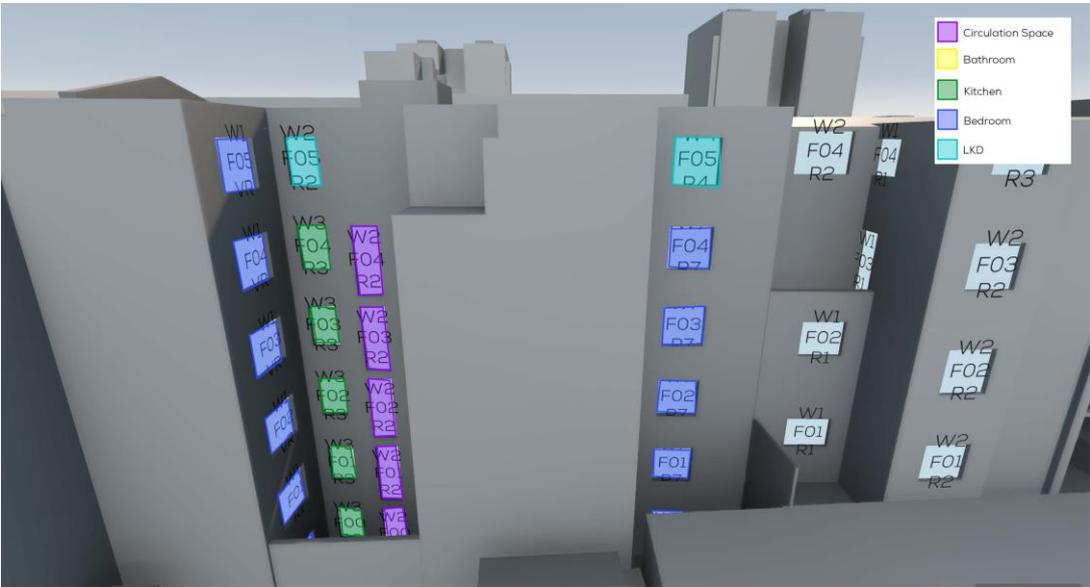


Figure 10.13: Nos 86-88 Banner Street

Table 10.1

			Vertical Component		Sky	No Sky Line (Daylight Distribution)		
86-88 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
Ground Floor	R1/W1/ Flat 2	Bedroom	3.2	3.2	0%	46.1	44.1	4.4%
Ground Floor	R3/W3/ Flat 2	Kitchen	8.6	5.4	38.6%	65.8	38	42.3%
Ground Floor	R6/W6/ Flat 1	Bedroom	4.5	4.5	0%	33.4	33.4	0%

Ground Floor	R7/W7/ Flat 1	Bedroom	6.5	6.4	1.5%	30.3	23.2	23.5%
First Floor	R1/W1/ Flat 4	Bedroom	9.6	7.8	18.8%	94.7	93.5	1.3%
First Floor	R3/W3/ Flat 4	Kitchen	11.9	6.8	42.9%	82.2	48	41.7%
First Floor	R6/W6/ Flat 3	Bedroom	12.1	11	9.1%	67.2	67.1	0.1%
First Floor	R7/W7/ Flat 3	Bedroom	16	13.3	16.9%	65.9	43.2	34.5%
Second Floor	R1/W1/ Flat 6	Bedroom	11.5	9.8	14.8%	69	67.7	1.8%
Second Floor	R3/W3/ Flat 6	Kitchen	13.8	8.8	36.2%	84.4	61.6	27%
Second Floor	R6/W6/ Flat 5	Bedroom	14.8	13.7	7.4%	68.6	68.6	0%
Second Floor	R7/W7/ Flat 5	Bedroom	19.9	17.1	14.1%	88.1	67.8	23%
Third Floor	R1/W1/ Flat 8	Bedroom	14.3	13.1	8.4%	71.3	70	1.7%
Third Floor	R3/W3/ Flat 8	Kitchen	15.8	11.7	25.9%	86.9	67.1	22.8%
Third Floor	R6/W6/ Flat 7	Bedroom	17.8	17	4.5%	73.3	73.3	0%
Third Floor	R7/W7/ Flat 7	Bedroom	22.2	20.7	6.8%	89.8	89.8	0%

10.121 It should be noted that the losses of daylight in absolute terms are not particularly high, but they are more significant in relative terms as a proportion of the existing daylight levels as the existing levels are already quite low given the built-up nature of the immediate context. The remaining windows and rooms further up the building of 86-88 Banner Street all comply with the BRE guidelines on daylight, i.e. none experience losses greater than 20% in terms of VSC or daylight distribution.

Nos. 90 - 96 Banner Street

10.122 In terms of Nos 90 and 92-94 Banner Street there are some less significant losses of daylight that need to be considered. A habitable room at first floor of No 90 Banner Street would experience losses of daylight distribution greater than 20%, as would a ground floor and first floor bedroom window of No 92-94 Banner Street. The daylight losses are documented in the table below.

Table 10.2

	Vertical Component	Sky	No Sky Line (Daylight Distribution)
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No.90 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
First Floor	R1/W1	RESI	18.2	14.8	18.7%	77.4	54.9	29.1%
First Floor	R2/W2	RESI	24.5	20	18.4%	93.3	93.3	0%
Nos.92-94 Banner Street	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
Ground Floor	R1/W1	Bedroom	23.1	19.4	16%	85.6	62.9	26.5%
Ground Floor	R2/W2	Bedroom	22.6	19.2	15%	79.6	68	14.6%
First Floor	R1/W1	Bedroom	28.4	24.5	13.7%	99.2	75.1	24.3%
First Floor	R2/W2	Bedroom	27.8	24.2	12.9%	98.4	86	12.6%

10.123 The daylight losses to these properties as shown below are considered to be minor in nature and are not overly concerning particularly given that the retained daylight levels are relatively high. Nevertheless, the loss of daylight here needs to be considered as an adverse impact in the assessment of this planning application.

Nos 5 and 7 Garrett Street

10.124 There are also some minor daylight and sunlight impacts on Nos 5 and 7 Garrett Street but none that go beyond 20% in terms of the Vertical Sky Component test, i.e. result in less than 0.8 of their former value. However there are two rooms, which would experience losses of daylight distribution (NSL) beyond the 20%. These are two rooms whose use is not known and the losses they would experience are 23.5% (W49 in the table below) and 27.5% (W50, below), though both rooms and the windows that serve them would retain high levels of both daylight distribution and VSC. As a result, there are unlikely to be noticeable losses for residents in 5 Garrett Street. The impacts on these properties are as a result of the set-back roof extension which is quite moderate in size, and as such, the impacts on these properties in terms of daylight are deemed not to be noticeable in line with the adopted BRE guidelines.



Fig 10.14: Window Key for 5 Garrett Street

Impacts to Sunlight

Nos 86-88, 90 and 92-94 Banner Street

10.125 The majority of windows that look onto the development do not face 90-degrees due south and therefore do not receive direct sunlight. However, there are a number of windows in the side elevation of these buildings facing an internal courtyard. There would be some minor sunlight impacts to these windows, but none that go beyond the BRE guidelines stipulated above.

Nos 5 and 7 Garrett Street

10.126 There are a number of windows within the buildings on the north side of Banner Street, which face south towards the application site. Due to the proposed roof-top extension, some of the windows serving habitable rooms would experience minor losses of sunlight and one window would experience losses that go beyond the levels stated within the BRE guidelines. The biggest loss of annual sunlight hours would be 11.4% to a window serving a habitable room in No 5 Garrett Street and in terms of winter sunlight hours there is a window at 2nd floor level which would experience a loss of 42.9% winter sunlight hours. The window (W49) serves the same room shown above, that would experience losses of daylight distribution described above.

Overshadowing

10.127 The application is accompanied by an assessment of overshadowing of external spaces such as gardens and roof terraces in the vicinity of the site. It can be concluded that the BRE requirements for overshadowing / sunlight hours would be met, i.e. there would be no reduction in the areas that would experience at least 2 hours of sunlight on the 21st March, as shown on plan below.



Figure 10.15 Overshadowing Assessment

Daylight and Sunlight Summary

10.128 It is noted in the BRE Guidelines and London Plan policies that a level of flexibility is required when assessing daylight and sunlight, with a consideration of the site context and circumstances. In this case, the site is located within close proximity to a number of neighbouring buildings within a close and tight proximity, representing an urban context typical of inner-city locations.

10.129 Out of a total of 104 surrounding windows, 100 (96.2%) would meet the relevant Vertical Sky Component test. In terms of the daylight distribution test (NSL), a total of 51 (80%) out of 64 rooms tested would meet the BRE guidelines. It is considered that there are relatively limited transgressions in terms of loss of daylight given this urban context. Nonetheless, this needs to be considered and weighed in the balance when considering the merits of the planning application.

Privacy

10.130 The supporting text to policy DM2.1 states at paragraph 2.14 that *‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.’*

10.131 Paragraph 2.3.36 of the Mayor of London’s Housing SPG states that such minimum distances *“can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density”*. This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor’s guidance does not override Islington’s Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.

10.132 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not apply to itself. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.

10.133 All neighbouring residential properties on Garrett Street face the application site over a highway and thus privacy impacts strictly speaking do not apply. However, residential properties on Banner Street, notably 86-88 and 90 as well as 92 Banner Street have windows facing the application site over an internal courtyard. Several windows would have window-to-window distances of less than 18m, with the closest window-to-window distance measuring approximately 14 metres. Although this does not introduce a new situation in that there are existing windows in the courtyard façade of the subject building that look onto these neighbouring residential properties, the new windows proposed in the roof extension would be full-length and would likely give rise to at least an additional perception of loss of privacy and increased overlooking. As such, it is recommended, that in the event of planning permission being granted, a condition (37) should require details to be submitted of how additional overlooking to residential properties on Banner Street could be prevented through obscured glazing or privacy screens.

10.134 The service core also introduces new built form in closer proximity to neighbouring residential properties. However, this addition does not include any additional windows so would not give rise to additional overlooking or loss of privacy. At top floor level, the proposal shows an area of roof space that could be accessed by office occupiers if not properly controlled by condition. In order to prevent access onto these spaces and to avoid any loss of privacy to neighbouring residential occupiers a further condition is recommended (12) in the event of planning permission being granted, so that access to these spaces is prevented.

Sense of Enclosure

10.135 A number of objections have also been received regarding sense of enclosure, in particular to residents in 86-88 Banner Street as a result of the east core extension. Indeed the proposal would introduce new built form in close proximity to these neighbouring properties as illustrated on plan below. As a result, the kitchen windows from 1st to 3rd floors would have their outlook from kitchens adversely affected, which in turn is considered to result in an increased sense of enclosure from these rooms.

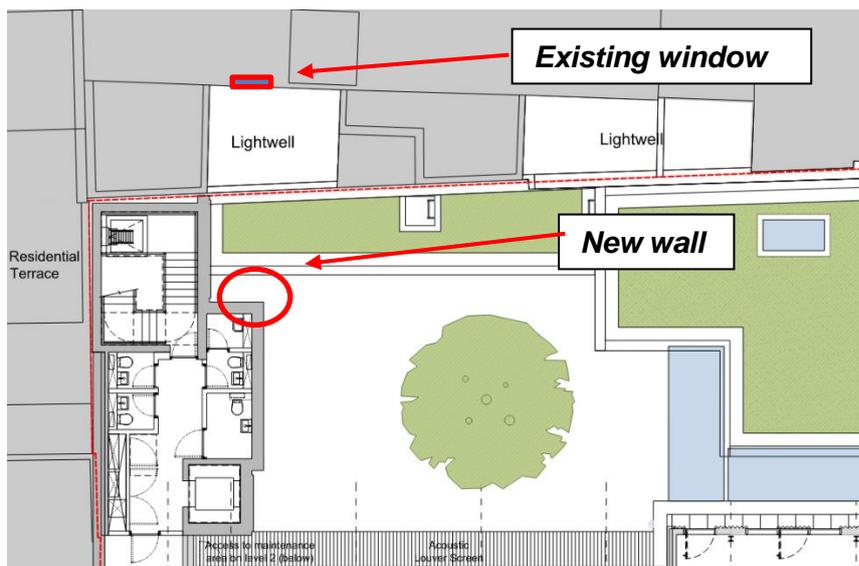


Fig 10.16 New built form affecting outlook and sense of enclosure

10.136 Whilst this is considered to adversely affect the amenity of neighbouring residents living in the affected dwellings, the affect is not considered to be sufficiently adverse so as to result in a refusal

of permission. Nonetheless, this impact is a harm that needs to be fully considered and weighed in the final balance of this planning application.

Noise & Disturbance and Odours

- 10.137 Policy DM2.1 also states development should not have an adverse impact on amenity in respect of noise and disturbance. The lawful use of the existing site is a sui generis industrial use with a mix of light industrial and warehouse and storage / distribution. These uses are considered to involve processes that can be carried out in any residential area without detriment to the amenity of that area. It should be noted that the proposal does not introduce any new "industrial" uses that are not already permitted on site and the development therefore does not give rise to any new impacts, such as noise and disturbance, that are not already possible within the existing use.
- 10.138 There is mechanical plant proposed at roof / 3rd floor level. An acoustic report was submitted to support the proposed development in terms of noise in general, including noise from plant. The report concludes that the noise emitted from the proposed plant would not result in an adverse impact to nearby residential properties. The noise assessment has been reviewed by the Council's Public Protection Officer and considered to be acceptable subject to conditions (8 and 9) to limit the noise emitted from the plant to at least 5dB(A) below the background noise levels, and for the submission of a post-installation report.
- 10.139 Noise and disturbance are also likely to be generated from the proposed construction works, as well as the commercial operations proposed under this application, including the use of the café. The Council's Pollution Control team have been consulted on the application and do not consider that the use of the modest café or the other commercial uses would cause undue disturbance or affect the amenity of neighbouring occupiers. However, a number of conditions relating to noise mitigation and the management of space have been suggested, in particular conditions 8, 9, 10, 12 and 13.
- 10.140 A number of objections were received from neighbouring residential occupiers in relation to the location of the refuse location and its proximity to neighbouring windows and amenity space on the other side of the boundary wall. The refuse enclosure has now been swapped with the bike store and this newly reconfigured arrangement is considered to suitably mitigate against any potential impacts in terms of noise or odours associated with the refuse store.
- 10.141 Furthermore, the opening hours of the café as well as access to the courtyard and access to any roof-level amenity spaces would be suitably restricted by conditions (12, 13 and 33) in the event of planning permission being granted.

Light Pollution

- 10.142 The proposal would not alter the commercial nature of the site; however, the proposal raises the possibility of night-time light pollution occurring, given the additional glazing proposed and the additional height of the building, should office staff need to work outside normal office hours; due to the proposed intensification of commercial use on the site, the cumulative impact (without suitable controls) is potentially greater than existing and therefore, it is considered that adequate measures would need to be in place to mitigate any adverse light pollution impact.
- 10.143 To address this, condition 14 is recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors.
- 10.144 It is considered that any proposed measures would need to ensure the extent of light being used within the building is reduced and would help minimise any impact on neighbouring properties, and address any light pollution concerns. These controls would result in an improvement on the existing situation whereby uncontrolled use of the courtyard and internal spaces had led to complaints from local residents about the impacts from light pollution from the site.

Construction Impacts

- 10.145 The construction works proposed under this application would unavoidably cause some degree of noise and disruption which would affect neighbouring residents.
- 10.146 The Public Protection Officer recommended that a Construction Management Plan be submitted to and approved by the Council prior to the commencement of development (*condition 6*). The plan should include details including methods of demolition, quiet periods and noise mitigation, in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. It is worth noting that outside planning control 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.
- 10.147 The transportation and highways impact during the construction stage is further discussed in the Highways and Transport section below.

Air Quality Impacts

- 10.148 The London Plan Policy SI1 sets out requirements for developments to be air quality neutral. The purpose of the London Plan's requirement that development proposals be 'air quality neutral' is to prevent the gradual deterioration of air quality throughout Greater London.
- 10.149 An air quality assessment has been carried out to demonstrate that the building and transport related emissions associated with the Proposed Development are both below the relevant benchmarks. The proposed development complies with the requirement that all new developments in London should be at least air quality neutral.

Safety and Security

- 10.150 The surrounding area is mixed with commercial and residential uses. The site has one main access point from Garrett Street which leads into a courtyard space which is overlooked by residential properties. There have been objections to the proposal on the basis of safety and security and in particular public access to the courtyard given the close proximity of residential properties on Banner Street on the other side of the boundary wall.
- 10.151 The boundary walls around the site range from between 4m to 5m in height but the proposal introduces new buildings, such as the bike store and refuse enclosure, around the edge of the site which would measure some 3m in height. It is considered that a restriction on the use of the courtyard to "normal" office hours Monday to Friday (*condition 13*) would mitigate against perceived safety or security risk.
- 10.152 The safety and security aspects of the proposal have been considered by the Metropolitan Police's Design out Crime Officer. A number of observations have been made including that the design of the plant, cycle and refuse store doors to conceal the contents within is supported as it will help to 'remove the target' (cycle) from view of any opportunistic thief. Moreover, the 'hit and miss' brickwork within the courtyard area starting at 1st floor level rather than ground floor level is positive as it removes this from becoming a climbing aid up the building.
- 10.153 A number of recommendations have also been made including that the main entrance gates should be floor-to-ceiling to help prevent persons from crawling under or climbing over and that it should contain sufficient access control and locking mechanisms. The access strategy to the courtyard is key as this could be vulnerable to misuse later into the day when premises are closed and unoccupied. Further details would be required by condition (33) in the event of planning permission being granted.
- 10.154 Further recommendations have been made, which form part of Secured by Design guidance and these proven crime prevention methods could help to protect the site and its surrounding residents from crime and disorder. Should any planning permission be granted for this proposal then

condition (30) is recommended to ensure the development achieves SBD accreditation, prior to occupation.

Neighbouring Amenity Summary

10.155 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity in terms of loss of sunlight, privacy, safety or an increased sense of enclosure, noise or disturbance. There would however be some minor adverse impacts on daylight to properties on Banner Street and Garrett Street as discussed above.

BIODIVERSITY, LANDSCAPING AND TREES

10.156 London Plan Policy G1 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network. Policy G5 further states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

10.157 Policy CS15 of the Islington Core Strategy and policy DM6.5 of the Islington Development Management Policies reads that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits. Similarly, emerging Local Plan Policy G4 requires for all developments to protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting and enhancing connectivity between habitats.

10.158 The application site is entirely covered by built form and hardstanding with no trees or vegetation on site. The subject building is also bordered on all sides by buildings and hardstanding though there are a number of parks in the surrounding area that are Sites of Importance for Nature Conservation and have been considered as part of the submitted Preliminary Ecological Appraisal.

10.159 A multi-stem tree is proposed to be planted in the courtyard space and framed by timber and corten benches. While details of size and species would be agreed by condition (28) in the event of planning permission being granted, the submission suggests a type of Japanese Pagoda Tree, which would be tolerant to semi-shade conditions within the courtyard. It is considered that this single tree would form a focal point for views into the courtyard from Garrett Street and form a hub, both physically and socially within the courtyard while not overly restricting the operational potential of the courtyard itself.

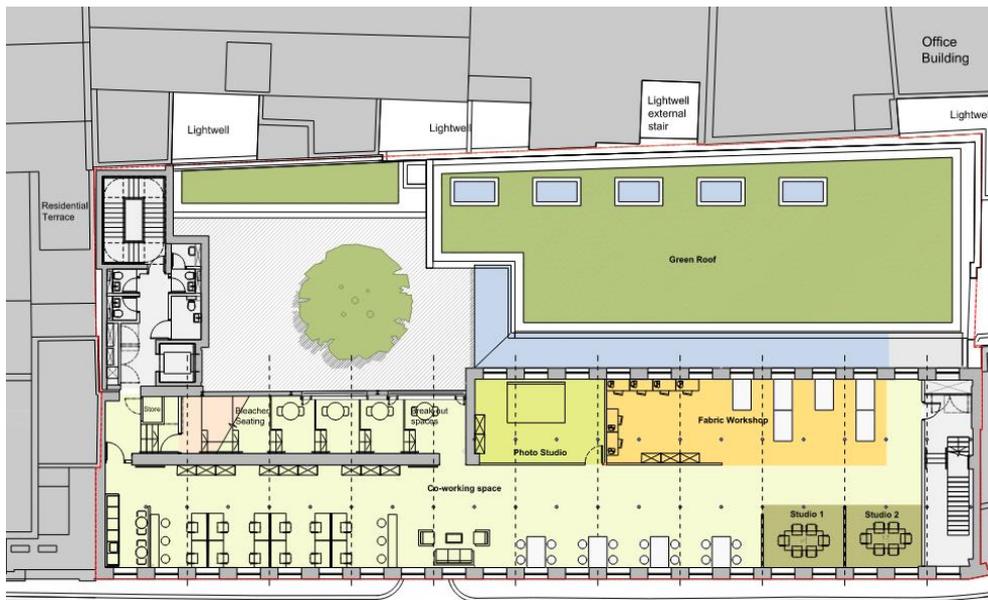


Fig 10.16: Proposed Landscaping

10.160 Furthermore, vertical greening is proposed to three of the courtyard elevations, which consists of self-clinging climbers that will be planted in-ground. The 4-storey west facing facades would be planted with Boston Ivy or similar species and the single storey east facing facade of the new workspace building would be planted with a climbing hydrangea, with further details required by condition (28).

10.161 The new workspace extension provides a flat roof that is suitable for and proposed as a green roof. The type of green roof is determined by the depth of substrate which in turn is governed by the roof structure. A biodiverse green roof planting palette is proposed that would mimic typical urban brownfield species which is a UK Biodiversity Action Plan priority habitat. A diverse wildflower mat is specified with the addition of native sedum plug plants that will be planted into the mat on site. In any case, further details would be required by condition (23).

10.162 An Urban Greening Factor assessment has also been submitted with the application, which identifies an UGF of 0.266. While this is short of the 0.3 stipulated in London Plan Policy G5 for office buildings, it is considered that the application has maximised biodiversity improvements in the context of the site-specific heritage constraints. The limitations of the listed building structurally, have ruled out a green roof on the main building, and the need for external circulation/servicing space in the ground areas provides additional limitations. Some further enhancements have been made during the course of the application, with further details required by conditions 23, 25, 27 and 28. The recommendations identified in the Preliminary Ecological Appraisal, including living roof, green wall, nest boxes and ornamental planting would be required by condition in the event of planning permission being granted.

10.163 In summary, the proposal would significantly enhance biodiversity on the site through the provision of green roofs and other soft landscape interventions. Further ecological enhancements will be required by conditions 23, 25 and 27 and the proposed landscaping improvements would be secured by condition 28.

ENERGY AND SUSTAINABILITY

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

10.165 The NPPF para 157 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

10.166 London Plan policy GG6 seeks to make London a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.

10.167 Policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.

10.168 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:

- connect to local existing or planned heat networks
- use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
- use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- use ultra-low NOx gas boilers

10.169 Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

10.170 Policy SI 4 (Managing Heat Risk) of the London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. The submitted energy strategy shows how they will reduce the potential for internal overheating and reliance on air conditioning systems.

10.171 Policy CS10 of the Islington Core Strategy requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.172 Policy DM7.1 of the Islington Development Management Policies requires development proposals to integrate best practice sustainable design standards and states that the council will support the

development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

Carbon Emissions

10.173 The London Plan sets out a CO₂ reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.

10.174 At local level, the council requires onsite total CO₂ reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible.

10.175 The submission indicates that the development would achieve an overall reduction of 55% in regulated emissions, which exceeds the London Plan target to achieve a 35% reduction. Only a 12% saving in regulated emissions at 'Be Lean' stage would be achieved, which fails to meet the requirement for non-domestic developments to achieve a 15% saving in London Plan policy. However, this is justified on the basis that some of the standard energy efficiency measures, such as fabric improvements, are impossible to achieve given heritage constraints. At the same time, a saving of 46% is estimated against a Part L 2013 baseline for total emissions. This meets the requirement is Islington Policy for developments not able to connect to a DEN to achieve a 27% reduction.

10.176 As part of the proposed development the new-build fabric and services would be designed to reduce the building's carbon dioxide emissions and energy consumption. These measures include: fabric improvements, especially to the new build elements; lighting efficiency and controls, mechanical ventilation with heat recovery and improved U-values.

Zero Carbon Policy

10.177 As noted earlier, policy SI 2 of the London Plan stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

10.178 The Council's Environmental Design SPD states that "after minimising CO₂ emissions onsite, developments are required to offset all remaining CO₂ emissions (Policy CS10) through a financial contribution", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO₂ to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.

10.179 The offset contribution of £30,452 has been confirmed by the Council's Energy Officer and is secured via S106.

BE LEAN- Reduce Energy Demand

10.180 Part A of policy DM7.1 states "*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*" It further states that "*developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy*".

10.181 The proposed U-values for the new build elements are: Walls= 0.2; Roof= 0.13; Floor= 0.15; Windows= 1.31, while the existing building achieves U-values of: Walls= 1.22; Roof= 0.5; Floor= 2.75; Windows=5.75. An air permeability of approx. 5m³/hr/m² is specified. LEDs and appropriate

controls have been specified. These are considered to be acceptable U-values given obvious heritage constraints.

Overheating and Cooling

10.182 Part A of policy DM7.5 of the Islington Development Management Policies requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

10.183 Thermal modelling has been carried out using CIBSE TM49 weather files and assessed against the criteria of CIBSE TM52 as required in GLA Energy Assessment Guidance. Results of this modelling have been provided in the Sustainable Design & Construction Statement (SDCS) for a natural ventilation scenario. The SDCS shows how the GLA Cooling Hierarchy has been followed and states that active cooling will be provided by the VRF ASHP system to ensure the building does not overheat. This is considered acceptable given the limitations of working within the constraints of a listed building.

BE CLEAN- Low Carbon Energy Supply

10.184 In respect to energy (heating and cooling) supply, it is proposed that such would be provided by an air source heat pump.

10.185 Part C of policy DM7.3 of the Islington Development Management Policies states “*major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.*”

10.186 The proposed development is within 500m of the Bunhill Heat and Power Network however, the applicant initially produced calculations which suggest that the carbon intensity of the Bunhill Network is higher than the ASHP specified in Appendix 5 of the SDCS. However, the onus is on the applicant to demonstrate whether connection is technically feasible and to ensure that the proposed development meets Islington and London Plan carbon targets. The development of heat networks itself is a strategic goal of policy.

10.187 The SDCS Addendum, which has been submitted to address issues raised states that feasibility assessments will be undertaken for connection to the Bunhill and Citigen networks. The feasibility regarding future connection to the Bunhill and Citigen networks would be required by condition in the event of planning permission being granted (condition 21). The submitted SDCS addresses future connection to the Bunhill Network. A protected pipework route to Garrett Street has been included in the design, leading to a plant room set aside for heat exchangers.

Shared Energy Networks

10.188 Part D of policy DM7.4 states “*Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.*”

10.189 The applicant has now provided evidence that they have contacted neighbouring buildings to assess the possibility of forming a Shared Heating Network. The SDCS addendum however states

that priority is being made to connect to Bunhill or Citigen heat networks although this is dependent on feasibility studies that have not yet been issued. This would be suitably conditioned (21).

CHP/CCHP or Alternative Low Carbon On Site Plant

- 10.190 In accordance with the London Plan hierarchy, where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).
- 10.191 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes."
- 10.192 On-site CHP was discounted for use on this development. Due to the relatively low domestic hot water demand related to office and retail uses and the lack of a stable heating demand baseload, the use of a Combined Heat and Power (CHP) system was not deemed as an adequate strategy for this project. However, the application proposes ASHP to provide heating and cooling. This is on the basis the ASHP VRF system proposed has a lower carbon intensity than connection to the Bunhill Network.

BE GREEN- Renewable Energy Supply

- 10.193 The Mayor's SD&C and SPD reads "*although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.*"
- 10.194 The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets."
- 10.195 A variety of technologies were assessed in order to determine if they would be suitable for the site and proposed development. Solar thermal, biomass, waste to energy, wind turbines and fuel cells have been rejected for valid reasons. A Solar PV has been specified and a study into shading carried out. This has identified a suitable area for a 115m² Solar PV array (*condition 24*).

BREEAM- Sustainable Design Standards

- 10.196 Part A of policy DM7.4 of the Islington Development Management Policies states "*Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding.*" The Council's Environmental Design Guide states "*Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification.*"
- 10.197 The SDCS Addendum states that it is not possible to achieve an 'Excellent' BREEAM rating without improving the thermal performance of the building fabric which has been ruled out to protect the heritage of the Grade II listed building. A condition (22) is recommended to secure details of how the proposed development would achieve a BREEAM 'Very Good' rating with reasonable endeavours to achieve 'Excellent'.

Draft Green Performance Plan

- 10.198 Policy DM7.1 of the Islington Development Management Policies and the Environmental Design SPD (8.0.12 – 8.0.18) states "applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for

monitoring the progress of the plan over the first years of occupancy.” The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.

10.199 A Draft Green Performance Plan has been provided with the application. This does not include measurable targets for energy consumption, CO2 emissions and water usage. An updated Draft GPP has been provided during the course of the application, which includes measurable targets for energy consumption, CO2 emissions and water usage.

Sustainable Drainage

10.200 Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the ‘Wat 01’ water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.

10.201 Policy CS10 of the Islington Core Strategy requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. Policy DM6.6 of the Islington Development Management Policies is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a ‘greenfield rate’, where feasible.

10.202 The proposal would also need to demonstrate achieving all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required. This is recommended to be secured by condition 22.

HIGHWAYS AND TRANSPORT

10.203 Paragraph 108 of the NPPF 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.

10.204 Policy T4 of the London Plan 2021 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. A Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of this policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

10.205 Policy DM8.1 of the Islington Development Management Policies states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.

10.206 The site has excellent access to public transport and the Public Transport Accessibility Level is 6A. There are a number of bus routes within walking distance of the site on Old Street providing connection to the city and locations across London. Old Street Station, which is also within walking distance, is served by London Underground and National Rail routes and Farringdon, Moorgate and Barbican Stations are all in close proximity to the site.

10.207 The site benefits from good pedestrian accessibility to surrounding retail, employment, leisure, and public transport nodes. It is located within walking distance of local amenities such as Shoreditch, Farringdon and the Barbican. The footways around the site are generally in good condition, although the widths of the footways on Garrett Street are not particularly generous with some local residents objecting on the grounds of highways safety, particularly when the Garrett Street becomes a cul-de-sac during the operating hours of the Whitecross Street market.

10.208 The local cycle network within the site's immediate vicinity is well-developed with designated cycle routes running along Golden Lane, Banner Street and Whitecross Street. There are a number of Sheffield cycle stands as well as cycle hire stands in close proximity of the site on Whitecross Street, Golden Lane and Old Street.

10.209 The application proposes to increase the commercial floorspace on site by 833sqm, from 1,194sqm (GIA) to 2,027sqm (GIA), including the additional ground floor café which would be operated as part of the light industrial floorspace. For the purposes of transport requirements, the floorspace increases are broken down as 394sqm of additional light industrial and 439sqm of additional office floorspace, resulting in a total of 1,191sqm of light industrial floorspace and 836sqm of office floorspace.

Vehicle Parking

10.210 No vehicle parking is proposed on-site which is considered acceptable and in accordance with policy CS10 of the Islington Core Strategy and policy DM8.5 of the Islington Development Management Policies. These policies require new developments to be car free.

10.211 The site has a PTAL rating of 6a, which indicates that the site benefits from excellent public transport provision. The site is in close proximity to multiple thoroughfares within the south of the borough within the Congestion Charging Zone and is located within a CPZ restricting car parking 24 hours a day, Monday to Saturday. The two existing parking bays at the front of the site would be reconfigured as shown below and would be made available to blue badge holders.

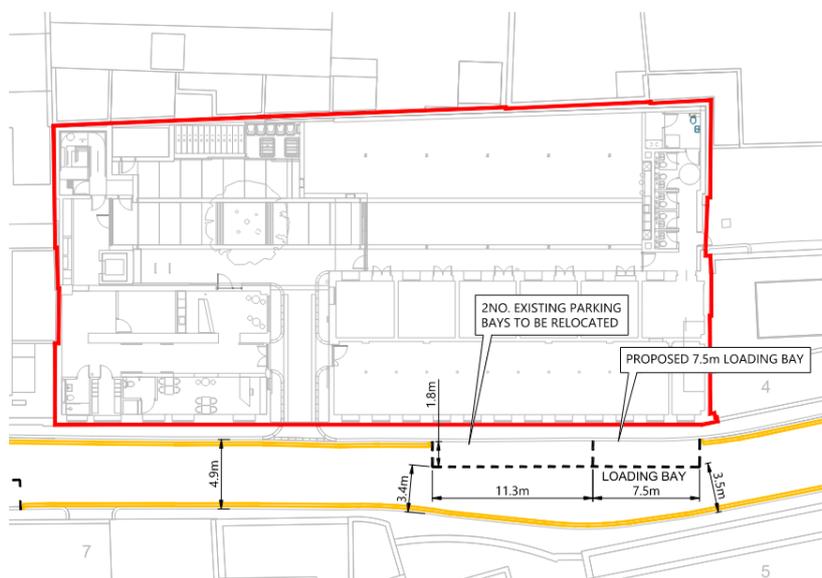


Fig 10.16 Highways Layout

10.212 With regard to disabled parking, there is no disabled parking proposed on site, however, it is anticipated that the need for disabled parking provision would increase as a result of the development. In accordance with Policy DM8.5 and the guidance with the Planning Obligation SPD, a financial contribution of £4,000 is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the S106 legal agreement.

Cycling

10.213 In terms of cycling, policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Policy T2 of the emerging Local Plan requires cycle parking at a ratio stipulated within Appendix 4 of the document.

10.214 For office developments 1 space is required for every 75sqm, whereas for light industrial floorspace 1 space is required for every 250sqm of floorspace. For the total office floorspace proposed on site, this equates to 16 cycle spaces, whereas the light industrial floorspace would require 5 cycle spaces. The proposed development proposes a significant improvement to cycle parking in comparison to the existing site which offers no formal spaces currently. The scheme proposes 24 long stay cycle parking space delivered as two-tier spaces within a dedicated secure store accessed from the central courtyard. This exceeds the requirements set out in policy. Moreover, this would be complemented by a single accessible bicycle space located within the entrance undercroft to take advantage of the cover provided by the building above and the natural surveillance offered by the café and reception. Two Sheffield stands are proposed within the central courtyard, providing 4 spaces, to be used by visitors.

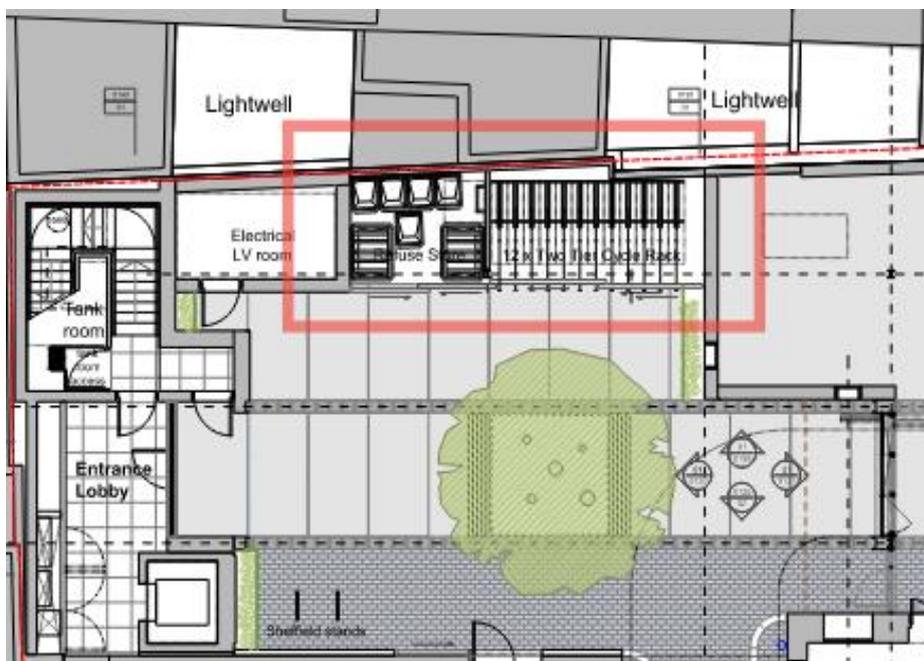


Figure 10.17: Courtyard Cycle Parking

10.215 Although the amount of cycle parking proposed is considered acceptable, further details are required to demonstrate that such facilities would be fully accessible. These details would be secured by condition (35) in the event of approval.

10.216 Overall, the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, Development Management Policy DM8.4 and emerging Local Plan Policy T2.

Servicing and Delivery

10.217 Part A of policy DM8.6 (Delivery and Servicing for New Developments) states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that onsite provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.

10.218 Although the development constitutes more than 200sqm of commercial floorspace, the application does not propose on-site servicing and delivery. This is mainly due to the relatively small size of the site and the heritage constraints which would not permit the enlargement of the main entrance doors. Although it is understood that the previous use of the site as a builders merchants utilised Nags Head Courtyard which is accessed from Golden Lane, the applicants have confirmed that this would require a right of access over neighbouring land which is not in the applicants ownership. While the previous occupiers may have benefited from an informal arrangements, it may prove difficult to formalise this arrangement as part of a planning application without the consent of a 3rd party.

10.219 In any case, the proposal is considered to result in approximately 5-6 servicing and delivery trips per day which would be accommodated in the on-street servicing bay shown on plan below. Further details will need to be provided by condition (11) in the event of planning permission being granted in order to ensure that deliveries to the site are suitably managed to prevent adverse impacts on the surrounding highway network. The arrangement below requires the reconfiguration of existing parking space, the cost of which would be paid for by the developer and secured through the section 106 agreement in the event of planning permission being granted. Tracking and swept path diagrams have been provided to demonstrate that this would not give rise to unacceptable highways impacts.

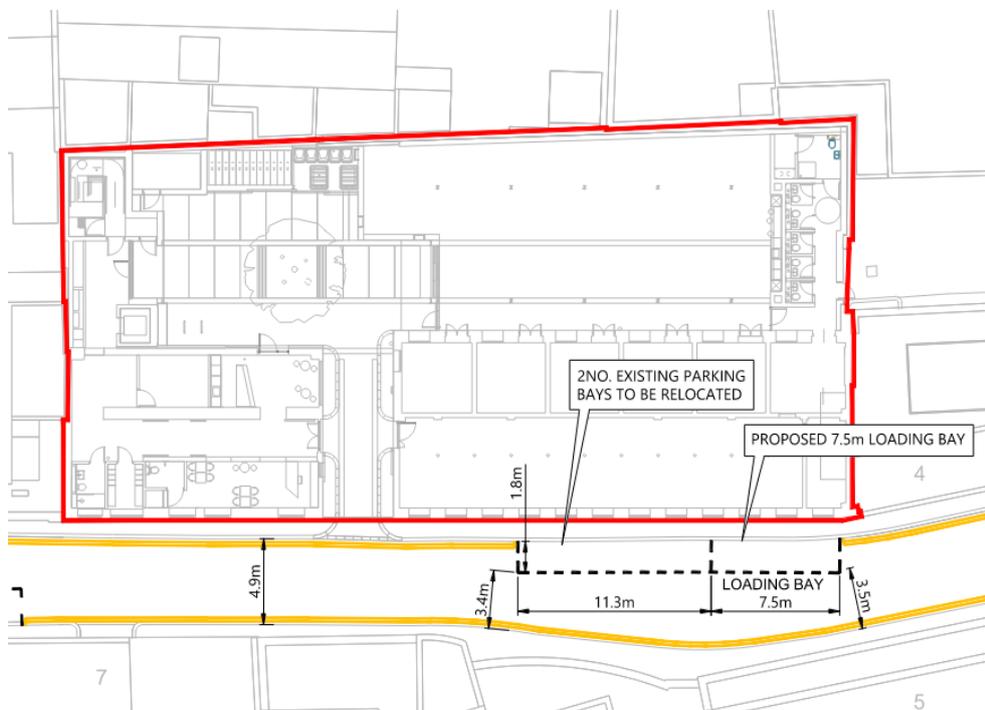


Fig 10.18 Servicing Arrangements / Loading Bay

10.220 In terms of refuse and recycling, officers have had regard to the council's refuse and recycling storage requirements, and it can be concluded that the proposed provision and arrangements are considered acceptable for the office and light industrial uses. It is recommended that final details of servicing and delivery should be submitted and agreed by the council prior to the occupation of the development and this is secured by condition 11.

Pedestrians

10.221 A number of objections have been received on the grounds of highways safety and in particular pedestrian safety on Garrett Street. While these objections on the whole describe the existing situation as being unsafe, the impacts of the proposal on highways safety need to be fully considered to understand what mitigation measures may be required to create a safer pedestrian environment.

10.222 The submitted Transport Statement and Delivery and Servicing Plan estimates based on standard formula that the proposal would result in 5-6 servicing and delivery trips per day, mainly by van or medium-sized vehicles that would be utilise the designated on-street delivery bay. The submitted documents also assume that this would be a reduction in delivery and servicing trips compared to the existing / last use as a builders merchants.

10.223 It is noted that many of the larger vehicles previously accessing the builders merchants used a route from Golden Lane via Nags Head Courtyard to access the site and as such would have had less impact on Garrett Street. In any case, the issue with the use of Garrett Street for delivery and servicing vehicles is not the use of the highway per se; rather the issue results from the fact that Garrett Street becomes a cul-de-sac from 9am to 2.30pm and that this is not sign-posted when entering Garrett Street from Golden Lane. As a result vehicles steering into Garrett Street between these times find that they have to either reverse back down Garrett Street or perform a somewhat problematic 3-point turn in a narrow street.

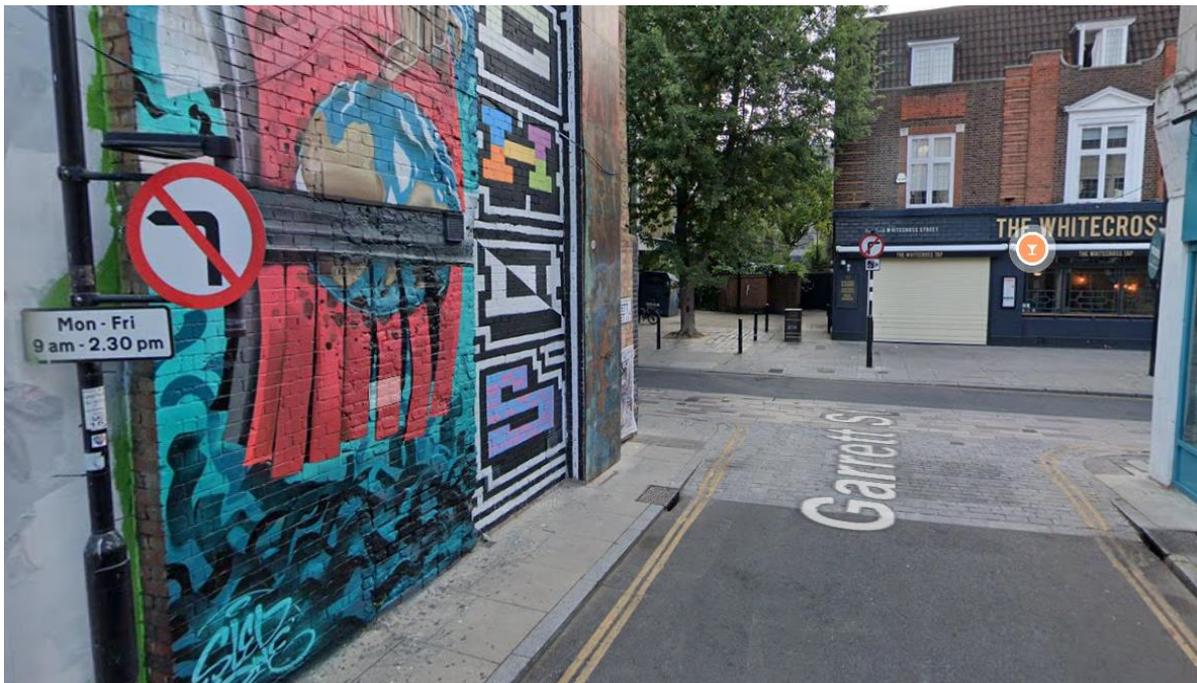


Image 10.6: Garrett Street – Whitecross Street junction

10.224 In order to address this situation, the applicants have confirmed their willingness to contribute towards additional sign-posting at the Garrett Street / Golden Lane junction through the section 106 agreement and their implementation would be managed by a section 278 agreement.

10.225 Moreover, there would be restrictions on the servicing and delivery arrangements for the proposed use so that servicing and delivery vehicles only access the site outside of the hours of 9am to 2.30pm Monday to Friday, with further details required by condition (11). This would be a significant improvement on the current situation, which essentially allows uncontrolled delivery and servicing arrangements to the site.

10.226 A number of objections have also been received with regard to general impacts on the surrounding highways network and increased footfall. The application is accompanied by a trip generation assessment which concludes that there is likely to be an increase of approximately 20 additional person trips during the morning and evening peak hours. The vast majority of these additional trips would be undertaken by public transport and on foot, with others arriving by bicycle. This is not considered to give rise to undue impacts on the surrounding highways network.

Construction Impacts

10.227 The proposed construction works would inevitably have some impact on the local area during the construction period. As such, a Construction Management Plan would need to be submitted and

agreed by the Council prior to any construction work commencing on site; this is echoed by the Council's Public Protection Team who have recommended submission of a final version of a CMP (condition 6).

10.228 A full Construction Management Plan should outline measures for the routing, accommodation, loading and unloading of construction vehicles during the entirety of the construction phase. A construction programme should also be provided within the CMP once a contractor has been appointed. This will set out indicative timescales for each phase of construction. This is secured by condition (6) in the event of planning permission being granted, to ensure that the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbouring amenity, the wider environment, or the safe and efficient operation of the highway network.

10.229 The Council's Highways Team has recommended that the applicant would need to cover any cost to repair any damages to the public footway/carrageway caused by the development. This would be secured through the section 106 agreement.

10.230 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,666 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways Summary

10.231 Overall, it is considered that the application would have adequate provision for waste storage, accessibility, cycling, servicing and deliveries, subject to conditions and legal agreement. The proposal would then be acceptable and would comply with policies T5 and T6 of the London Plan 2021, policies CS10, CS11 and CS13 of the Islington Core Strategy 2011; and DM8.2, DM8.4, DM8.5 and DM8.6 of the Islington Development Management Policies 2013 and Policies T2, T3 and T5 of the emerging Local Plan.

FIRE SAFETY

10.232 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. Such statements should contain: the building's construction; means of escape for all building users; features that reduce the risk to life; access for fire service personnel and equipment; provision for fire appliances; and future modifications to the building.

10.233 The Fire Statement submitted with the application, has been prepared by Hoare Lea, and a suitably qualified Chartered Engineer has been involved in the document. Both the HSE and the London Fire Brigade have been consulted on the development and no objections have been raised to the submitted Fire Statement. In response to queries from the Council's Building Control Officer relating to the requirements of the London Plan policy D12b), a revised document has been submitted and amended dated 30th November 2022.

London Plan policy D12(b) requires the following detail:	Response:
1. The building's construction: methods, products and materials used, including manufacturers' details.	The subject site comprises an existing building with the retained sections of building consisting of traditional construction. The new construction elements will incorporate

	<p>blockwork and brickwork with mineral insulation, and a green roof on top of a steel frame and timber trusses. The extension to the building will be enveloped by aluminium insulation panels and fixed glazing panels, with single ply membrane on the roof with pebble cover on top of a steel frame and timber trusses.</p> <p>The elements of structure for the building will achieve no less than 60 minutes fire resistance due to the building having a top floor height between 5m and 18m. – The third floor is proposed to be constructed as a compartment floor.</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach.</p>	<p>The occupants the buildings will adopt a simultaneous evacuation strategy in which all occupants within the building will evacuate on activation of the fire detection system.</p> <p>The building will have two protected staircases that serve all upper floors, located at opposite ends of the floor plate. Both staircases will have clear widths of 1200mm.</p> <p>The eastern staircase will be lobbied at all levels, whereas the western staircase does not have lobbies. Therefore, the occupancy of the building will not be greater than the capacity of the eastern staircase.</p> <p>A disabled refuge is located in the eastern staircase lobby at all levels, and a refuge is located within the western staircase (without impeding the clear width of the escape route).</p>
<p>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans.</p>	<p>The buildings will be provided with a category L2 detection and alarm system, in accordance with BS 5839-1. Activation of the detection and alarm system will operate any fire curtains located on the ground floor.</p> <p>The staircases will be constructed with 60 minutes fire resistance to protect occupants.</p> <p>Fire resisting construction and the use of fire curtains will be provided to protect occupants utilising the main entrance to evacuate the building.</p>
<p>4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these.</p>	<p>The Fire Service will access the building from the ground floor and will have access into the lobbied staircase via the main entrance to access all upper floors.</p> <p>The eastern staircase will be provided with a dry fire main. This will comprise an inlet adjacent to the Fire Service access point on</p>

	Garrett St and outlets within the staircase lobbies on all levels.
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building.	There is Fire Service appliance access via Garrett St. and Golden Lane. If fire hydrants are not already available in the vicinity of the development, then they will be provided such that there is one within 90m of any dry riser inlet.
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	Any future modifications to the scheme or fit-out of commercial units will be subject to Building Regulations approval and should consider the base build fire strategy, such that fire safety measures are not compromised within the development. There are currently no intended additional alternations to be made to the building.

10.234 The submitted information is specific and relevant to the proposal and the Fire Statement references compliance with BS9999. It is noted that the author of the submitted Fire Statement is a qualified person with expertise in fire safety and engineered solutions, and as such, the applicant has considered the fire safety of the development as part of the overall scheme. A few final questions have been asked by the Council's Building Control on the revised Fire Strategy. These would need to be addressed with a final revised version in the event of permission being granted (condition 19).

PLANNING OBLIGATIONS AND CIL

10.235 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.236 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a S106 agreement.

10.237 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy 2011 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. The proposed development would be subject to S106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

10.238 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a S106 agreement.

- A bond/deposit to cover costs of repairs to the footway (£16,845) and for repairs to the highway (£12,953). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council;
- Reconfiguration of the parking and loading bays alongside the site in accordance with the submitted highways plan, secured through a highways agreement;
- Contributions towards additional road signage as detailed above;
- Provision of 1,191sqm of affordable workspace at ground and first floor level at Cat B fit out in perpetuity at peppercorn rent not to implement the permission until an agreement for lease has been entered into for the affordable workspace and the AWS to be practically completed (to CAT-B and in accordance with the council's affordable workspace specification) before the council surrender of the Hylo affordable workspace lease;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- Carbon offsetting contribution of £30,452;
- Future connection safeguarded / secured (Energy network) (as covered within the submitted energy statement);
- Code of construction monitoring fee £1,666;
- 1 x construction placements or employment/training contribution of £5,000.
- Employment and training contribution of £10,431 for local residents;
- Accessible transport contribution £4,000;
- Submission of draft Green Performance Plan;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;
- That permission can not be implemented until an agreement for lease is in place for the affordable workspace;
- Associated legal fees.

PLANNING BALANCE ASSESSMENT

10.239 Paragraph 47 of the NPPF dictates that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise"*.

10.240 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with the London Plan Policies SD4, SD5, E1 and

E4 Islington Core Strategy CS7 and CS13, Finsbury Local Plan BC8, emerging Local Plan Policy B2 and emerging Bunhill and Clerkenwell AAP Policies BC1, BC2 and BC7 as well as the emerging Site Allocation BC31, which support the retention of industrial floorspace and encourage the intensification and modernisation of office floorspace at this location within the CAZ, subject to the acceptability of other material considerations.

10.241 The proposal includes the provision of 1,191sqm (GIA) of affordable workspace at CAT B fit-out in perpetuity at peppercorn rent. This consists of 1,000sqm (GIA) of relocated affordable workspace from Finsbury Tower (HYLO Building) as well as additional affordable workspace as detailed in the report. This is both a quantitative increase and qualitative improvement over that which was secured at Finsbury Tower and thus considered to be a significant planning benefit. Moreover, as detailed in the report, the proposal also offers the Affordable Workspace Programme the chance to diversify to a broader range of business typologies and to develop a space to meet the needs of creative industries and makers within the borough. The subject building is considered unique in its location, design and construction and can meet, within zone 1, the needs of creative businesses which new build office spaces may not in this moment of time.

10.242 On the other hand, a heritage harm has been identified to the grade II listed building. The proposed development is considered to adversely affect the special architectural and historic interest of the listed building. The proposal is therefore considered to be contrary to the objectives of Chapter 16 of the NPPF (2021) which seeks to conserve and enhance the historic environment and Policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011, which seek to protect and enhance Islington's built and historic environment. That being said, the proposal was presented to the Design Review Panel and was commended for its design, which is considered to balance out some of the identified harm to the heritage asset. The proposal is considered to be of a high quality and contextual design with additions that are considered to be sympathetic to the surrounding context, subject to conditions related to design and materials (*conditions 3, 39 and 40*).

10.243 There is a degree of conflict with policies relating to amenity (policy DM2.1) and specifically in relation to daylight impacts. This has been carefully examined and while some of the adverse daylight impacts are considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints. It is considered that the level of harm to neighbouring amenity would not be significant to justify a warrant of refusal of planning permission on this ground.

10.244 The proposal is considered to be a sustainable form of development, involving the retention of the existing building with a significant embodied carbon saving. There are also significant operational carbon savings resulting from the proposed design, which exceed those required by planning policy. Furthermore, the proposal results in a significant increase in biodiversity on site with a consequent uplift in the site's Urban Greening Factor. Finally, the site's location, highly connected to London's public transport network, along with the significant increase in cycle parking on site, provides further support for the proposed increase in office floorspace here.

10.245 It should be recognised that the scheme involves the following benefits, which have been discussed throughout the report and should be afforded weight:

- Uplift in commercial office floorspace (833sqm GIA) within the CAZ involving the creation of modern and inclusive floorspace;
- Reuse of the vacant building with policy-compliant uses;
- Increase in employment at the site, as well as the relevant jobs and training contributions;
- Qualitative improvements and quantitative increase in affordable workspace beyond policy requirements;
- Provision of high quality affordable workspace at a well-considered and connected location;

- Improvements to the energy efficiency of the operation of the building and reuse of structural elements of the existing building in its redevelopment as well as contributions to bring the development to a net zero carbon state.

10.243 It is considered that the harm which has been identified to result from the proposed development would be outweighed by the significant benefits outlined above. As a consequence, it is considered that the planning balance is weighted in favour of the proposal and the application is therefore recommended for approval subject to conditions and the section 106 agreement.

11. CONCLUSION

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- A bond/deposit to cover costs of repairs to the footway (£16,845) and for repairs to the highway (£12,953). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council;
- Reconfiguration of the parking and loading bays alongside the site in accordance with the submitted highways plan, secured through a highways agreement;
- Contributions towards additional road signage as detailed above;
- Affordable workspace: Provision of 1,191sqm of affordable workspace at ground and first floor level at Cat B fit out in perpetuity at peppercorn rent; not to implement the permission until an agreement for lease has been entered into for the affordable workspace and the affordable workspace to be practically completed (to CAT-B and in accordance with the council's affordable workspace specification) before the council surrender of the Hylo affordable workspace lease;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- Carbon offsetting contribution of £30,452;
- Future connection safeguarded / secured (Energy network) (as covered within the submitted energy statement);
- Code of construction monitoring fee £1,666;
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000;
- Employment and training contribution of £10,431 to improve the prospects of local people accessing new jobs created in the proposed development;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;

- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures;
- Feasibility and connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future;
- Submission of, and compliance with, a Green Performance Plan;
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

ALTERNATIVELY, should this application be refused (including refusals on the direction of The Secretary of State or The Mayor) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure 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, and that there is delegated to each of the following: the Head of Development Management the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawing Numbers PL-00-0001; PL-00-0010; PL-00-0011; PL-00-0012; PL-00-0013; PL-00-0020; PL-00-0025; PL-00-0026; PL-00-0030; PL-00-0040; PL-00-0042;</p>

	<p>Proposed Drawing Numbers PL-00-0110 Rev P03; PL-00-0111 Rev P02; PL-00-0112 Rev P02; PL-00-0113 Rev P02; PL-RF-0114 Rev P02; PL-00-0115 Rev E; PL-00-0120 Rev P01; PL-00-0125 Rev P01; PL-00-0126 Rev P02; PL-00-0130 Rev P02; PL-00-0131 Rev P02; PL-00-0140 Rev P01; PL-00-0141 Rev P01; PL-0142 Rev P01; PL-00-0144 Rev P02; PL-00-0145 Rev P02; PL-00-0120 Rev P01;</p> <p>Planning Statement by DP9 dated April 2022;</p> <p>Design & Access Statement by HCL Architects dated 25th April 2022;</p> <p>DAS Addendum dated 1st November 2022 by HCL Architects;</p> <p>Archaeological Assessment by AECOM dated December 2021;</p> <p>Construction Management Plan (Draft pro forma);</p> <p>Daylight & Sunlight Report (Issue 03) by GIA dated 9th December 2022;</p> <p>Delivery & Servicing Plan by Caneparo Associates dated September 2022;</p> <p>Fire Safety Statement (Rev 02) dated 30th November 2022;</p> <p>Health Impact Assessment by DP9;</p> <p>Heritage Statement by Montagu Evans dated January 2022;</p> <p>Plant Noise Assessment (Revision 01) by RBA Acoustics dated 22nd December 2021;</p> <p>Preliminary Ecological Appraisal by AECOM dated December 2021;</p> <p>Site Waste Management Plan dated April 2022;</p> <p>Statement of Community Involvement dated April 2022;</p> <p>Structural Method Statement by London Structures Lab;</p> <p>SUDs Strategy Report by London Structures Lab dated January 2022;</p> <p>Sustainable Design & Construction Statement (Issue 4) by RHB Partnership dated May 2022;</p> <p>Sustainable Design & Construction Statement Addendum (Part 2) by RHB dated December 2022;</p> <p>Transport Statement by Caneparo Associates dated April 2022;</p> <p>Travel Plan by Caneparo Associates dated April 2022;</p> <p>Utilities Statement (Issue 3) by RHB Partnership dated April 2022;</p> <p>Ventilation Statement (Issue 3) by RHB Partnership dated April 2022;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, detailed drawings to a scale of no less than 1:10 unless otherwise specified (including cross-section, elevation, glazing, materials, colour/finish, furniture) in respect of the following shall be submitted to and approved in writing by the local planning authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:</p> <ul style="list-style-type: none"> i. Replacement windows to the existing building, which shall match the existing b. New doors to the existing listed building c. Details of plumbing and ventilation service runs including details of any associated alteration to the historic fabric d. Details of the electrical service runs including details of any associated alteration to the historic fabric e. Method statement and details of any necessary repairs to the structure of the building f. Details of the new windows and ventilation panels to the retained ramps g. Details of the new stairs and breakout areas within the internal ramp areas including fixings and relationship to retained fabric h. Details and samples of the proposed external surfacing materials <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Floor Build-up (Details and compliance)

	<p>CONDITION: Details of proposed floor build-up to each floor at 1:5 in section and elevation, showing retention of the existing flooring and relationship to existing floor levels, as well as details of the pipework within the void, any insulation, and the new floor covering, which shall be a lightweight overlaid finish, shall be submitted to and approved in writing by the local planning authority prior to the relevant part of the works commencing.</p> <p>The works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	Roof Level Structures (Details)
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
6	Construction Management Plan (Details and Compliance)
	<p>CONDITION: Prior to commencement of works hereby approved, a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP), including details of demolition, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction and demolition phases of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
7	Impact Piling (Compliance)
	<p>CONDITION: No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

	<p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
8	<p>Sound Insulation (Details and Compliance)</p> <p>CONDITION: Full particulars and details of a scheme for sound insulation and noise control measures for the proposed Class E(iii) light industrial space and any associated equipment of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
9	<p>Plant Noise (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq,T}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014+A1:2019.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
10	<p>Post-Installation Report (Details)</p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 9. The report shall include site measurements of the plant in situ. The report shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure the protection of neighbouring amenity in terms of noise and vibration.</p>
11	<p>Refuse, Delivery & Servicing (Details and Compliance)</p> <p>CONDITION: Details of the delivery & servicing strategy and site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
12	<p>No Access to Roof Space (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, the outdoor spaces, including any 3rd floor roof terraces, shall not be accessible except for maintenance purposes only.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.</p>
13	<p>Opening Times (Compliance)</p>

	<p>CONDITION: The courtyard amenity area hereby approved shall not operate outside the hours of: 0800 to 1900 hours Monday to Friday.</p> <p>REASON: In the interests of residential amenity.</p>
14	Internal Lighting (Details)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development and subsequently implemented prior to occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
15	Lighting (Details and Compliance)
	<p>CONDITON: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to relevant works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
16	Class E Restrictions (Compliance)
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the 1,191sqm (GIA) of permitted light industrial floorspace on the ground and first floors and 833sqm (GIA) of permitted office floorspace. With the exception of the ancillary café use shown on Plan No PL-00-0110 Rev P03 the building hereby approved shall only be used for uses within Use Class E(g) and for no other purpose, including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can control the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future. Loss of office floorspace within this location will have potential negative impacts on the borough's economy. This is also in order to protect the strategic functioning of the CAZ.</p>
17	Restriction of Use (Compliance)
	<p>CONDITION: A minimum of 1,191sqm (GIA) of E(g)(iii) floorspace shall be provided. The floorspace) shall be strictly limited to uses within the use E(g)(iii) use class and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town</p>

	<p>and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future. This is relevant due to the site allocation which designates the site for light industrial uses.</p>
18	Restriction of PD Rights- Class E to residential (Compliance)
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place 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. Loss of commercial floorspace within this location will have potential negative impacts on the borough's economy.</p>
19	Fire Safety Strategy (Details/Compliance)
	<p>CONDITION: Notwithstanding the plans and documents hereby approved, a revised Fire Statement shall be submitted and approved in writing by the Local Planning Authority prior to works commencing on site.</p> <p>The development shall be carried out in accordance with the details approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
20	Energy Strategy (Compliance)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, which shall provide for a reduction in carbon emissions of no less than 46% (total emissions) as detailed within the revised Sustainable Design & Construction Statement (dated 8th December 2022) by RHB Partnership shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy features/measures within the approved SDCS, a revised strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
21	District Energy Network (Details and Compliance)
	<p>CONDITION: Prior to superstructure works commencing on site, details confirming whether connection to the Bunhill and Citigen Networks is feasible shall be submitted and approved by the Local Planning Authority. In the event that connection is considered feasible, the development should connect within a timeframe agreed with the Local Planning Authority prior to practical completion of the development hereby approved.</p> <p>In any event, details of the plant room allocated for the future connection to a district energy network, protected pipe route to site boundary and how the development will be futureproofed</p>

	<p>for connection to a future DHN, shall be submitted and approved by the Local Planning Authority prior to occupation of the development hereby approved. 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 the facility is provided and allows for the future connection to a district heating system.</p>
22	BREEAM (Compliance)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2018) of no less than 'Very Good' and shall use reasonable endeavours to achieve a rating of 'Excellent'.</p> <p>The proposal would also need to demonstrate how all BREEAM credits for water efficiency would be achieved. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required.</p> <p>No building shall be occupied until a final Certificate has been issued certifying that the highest feasible BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.</p> <p>REASON: To ensure that the development achieves the highest feasible BREEAM rating level to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p>
23	Green Roof (Details and Compliance)
	<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 b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
24	Solar PVs (Details and Compliance)
	<p>CONDITION: Prior to the commencement of relevant works on site, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p>

	<ul style="list-style-type: none"> - Location; - Area of panels; and - Design (including elevation plans); . <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
25	Green Wall (Details)
	<p>CONDITION: Notwithstanding the approved plans, details of proposed green wall(s) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The area of green wall shall be maximised throughout the development and justification should be provided for any omissions.</p> <p>The green wall(s) 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 improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
26	Bird & Bat Boxes (Details)
	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of relevant works, details of bird and bat boxes (including swift boxes) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
27	Biodiversity measures (Compliance)
	<p>CONDITION: The biodiversity measures and ecological enhancements identified within the Preliminary Ecological Appraisal, dated December 2021, by AECOM, shall be implemented prior to the occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The details hereby approved shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity.</p>
28	Landscaping (Details and Compliance)
	<p>CONDITION: Notwithstanding the submitted detail and the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ol style="list-style-type: none"> a. an updated Access Statement detailing routes through the landscape and the facilities it provides; b. a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c. existing and proposed underground services and their relationship to both hard and soft landscaping; d. proposed trees: their location, species, size and section showing rooting area; e. soft planting: including all buffer planting areas;

	<p>f. topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>g. enclosures and boundary treatment: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h. hard landscaping: kerbs, edges, steps, ridge and flexible paving, and furniture including bike racks, seating and planters;</p> <p>i. wayfinding and signage;</p> <p>j. artwork;</p> <p>k. phasing of landscaping and planting;</p> <p>l. raingardens within the landscaping proposal;</p> <p>m. any other landscaping feature(s) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the relevant phase of the development hereby approved in accordance with the approved planting phase. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, playspace and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
29	<p>SUDS (Compliance and Details)</p>
	<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 relevant 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). The details shall demonstrate how the site will manage surface water in excess of the design event, shall set out a clear management plan for the system and confirm whether a pump station is required for the geo-cellular storage tanks.</p> <p>The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
30	<p>Secured by Design (Compliance)</p>
	<p>CONDITION: Notwithstanding the approved plans and documents, prior to the occupation of the development hereby approved, the development shall achieve Secured by Design – Commercial Development accreditation. The development shall be carried out strictly in accordance with the details set out in the accreditation and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
31	<p>Inclusive Design (Compliance and Details)</p>

	<p>CONDITION: Details including floorplans, sections and elevations at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on any of the part of the development hereby approved. The details shall include how the development would comply with the relevant parts of the Inclusive Design in Islington SPD</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 the development is of an inclusive design.</p>
33	Management of Courtyard Space (Details and Compliance)
	<p>CONDITION: Prior to the proposed use of the courtyard space, an Operational Management Plan should be submitted and approved in writing by the Local Planning Authority. The Plan shall provide details of the management of noise from all external spaces as well as restrictions on access.</p> <p>The courtyard and external spaces shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.</p>
34	Signage (Details and Compliance)
	<p>CONDITION: Details of all signage for the development hereby approved shall be submitted and approved in writing by the Local Planning Authority.</p> <p>Details of signage for the affordable workspace unit as laid out on plan no. PL100 Rev PL02 shall be agreed in consultation with the Council's Inclusive Economy Team.</p> <p>The agreed details shall be installed prior to the occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing.</p> <p>REASON: In the interests of visual amenity and to ensure that the entrance approach is both welcoming and inviting.</p>
35	Cycle Parking (Details and Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, details of bicycle storage areas, including cycle parking product specification, which shall be secure and provide for no less than 24 long-stay bicycle spaces as well as 6 short-term cycle parking spaces shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The approved cycle storage shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
36	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p>

	<p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
37	<p>Obscured Glazing (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, details of obscured glazing and privacy screens to mitigate against overlooking from any new windows and openings to existing residential properties in 86-88 Banner Street shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking to habitable rooms within adjoining residential properties, to protect the future amenity and privacy of residents.</p>
38	<p>Retained Fabric (Compliance)</p> <p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work with regard to the methods used and to colour, material, texture, and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
39	<p>Hand-held tools (Compliance)</p> <p>CONDITION: No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
40	<p>Rainwater goods / guttering (Compliance)</p> <p>CONDITION: All rainwater goods/guttering shall be black painted cast metal and so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
41	<p>Partition Walls (Compliance)</p> <p>CONDITION: All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
42	<p>Plumbing and Pipes (Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>

List of Informatives:

<p>1</p>	<p>Construction Works</p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<p>2</p>	<p>Highway Requirements</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 – “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.</p>
<p>3</p>	<p>Highways Requirements (2)</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing. Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current</p>

	Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.
4	Highways Requirement (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk Any damage or blockages to drainage will be repaired at the cost of the developer.</p> <p>Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage</p>
5	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</p>
6	Tree Works Specification
	<p>The following British Standards should be referred to:</p> <ol style="list-style-type: none"> a. BS: 3882:2015 Specification for topsoil b. BS: 3936-1:1992 Nursery Stock – Part 1: Specification for trees and shrubs c. BS: 3998:2010 Tree work – Recommendations 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
7	Thames Water 1

	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (79pprox. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.</p> <p>The developer should take account of this minimum pressure in the design of the proposed development.</p>
8	<p>Thames Water 2</p> <p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read the Thames Water guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.</p> <p>https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes.</p> <p>Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk</p>
9	<p>Thames Water 3</p> <p>Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.</p> <p>https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-nearour-pipes</p>
10	<p>Groundwater Risk</p> <p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk .</p>
11	<p>Fire Safety</p> <p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings.</p> <p>Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on Building Control@islington.gov.uk.</p>
12	<p>Approved Plans & Sections</p> <p>For the avoidance of doubt, submitted plan number PL-00-0143 Rev P02 is hereby not approved given its inconsistencies with other submitted drawings.</p>

RECOMMENDATION C

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

List of Conditions:

1	<p>Commencement</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved Plans List</p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Existing Drawing Numbers PL-00-0001; PL-00-0010; PL-00-0011; PL-00-0012; PL-00-0013; PL-00-0020; PL-00-0025; PL-00-0026; PL-00-0030; PL-00-0040; PL-00-0042;</p> <p>Proposed Drawing Numbers PL-00-0110 Rev P03; PL-00-0111 Rev P02; PL-00-0112 Rev P02; PL-00-0113 Rev P02; PL-RF-0114 Rev P02; PL-00-0115 Rev E; PL-00-0120 Rev P01; PL-00-0125 Rev P01; PL-00-0126 Rev P02; PL-00-0130 Rev P02; PL-00-0131 Rev P02; PL-00-0140 Rev P01; PL-00-0141 Rev P01; PL-0142 Rev P01; PL-00-0143 Rev P02; PL-00-0144 Rev P02; PL-00-0145 Rev P02; PL-00-0120 Rev P01;</p> <p>Planning Statement by DP9 dated April 2022;</p> <p>Design & Access Statement by HCL Architects dated 25th April 2022;</p> <p>DAS Addendum dated 1st November 2022 by HCL Architects;</p> <p>Archaeological Assessment by AECOM dated December 2021;</p> <p>Construction Management Plan (Draft pro forma);</p> <p>Heritage Statement by Montagu Evans dated January 2022;</p> <p>Structural Method Statement by London Structures Lab;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Retained Fabric (Compliance)</p> <p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent retained/historic work with regard to the methods used and to colour, material, texture, and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
4	<p>Hand-held tools (Compliance)</p> <p>CONDITION: No demolition work shall be carried out except by hand or using hand-held tools and no power-driven tools of any description shall be used in connection with the demolition works.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
5	<p>Partition Walls (Compliance)</p>

CONDITION: All new partition walls hereby granted consent shall be of lightweight softwood construction, easily removable, and be so maintained.

REASON: In order to safeguard the special architectural or historic interest of the heritage asset.

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
- National Planning Practice Guidance (on-line and regularly updated)

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 – The Spatial Development Strategy for Greater London

- Policy GC2 - Making the best use of land
- Policy SD4 - The Central Activities Zone (CAZ)
- Policy D1 - London's form, character and capacity for growth
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E3 – Affordable workspace
- Policy E7 - Industrial intensification
- Policy E11 - Skills and opportunities for all
- Policy HC1 - Heritage conservation and growth
- Policy G5 - Urban greening
- Policy SI 2 - Minimising greenhouse gas emission
- Policy SI 13 - Sustainable drainage
- Policy T3 - Transport capacity, connectivity and safeguarding
- Policy T4 - Assessing and mitigating transport impacts
- Policy T5 - Cycling

B) Islington Core Strategy 2011

- Policy CS7 Bunhill and Clerkenwell
- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste
- Policy CS13 Employment spaces
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

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

Employment

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

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 & Servicing

D) Finsbury Local Plan

BC8 – Achieving a mix and balance of uses

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London 2016
- Character and Context 2014
- Sustainable Design and Construction 2014

Islington SPG/SPD

- Urban Design Guide 2019
- Conservation Area Design Guidelines 2002
- Environmental Design 2012
- Inclusive Design SPD

Emerging policies relevant to this application are set out below:

- Policy SP1 – Bunhill & Clerkenwell
- Policy B1 - Delivering business floorspace
- Policy B2 - New business floorspace
- Policy B3 - Existing business floorspace
- Policy B4 - Affordable workspace
- Policy R1 - Retail, leisure and services, culture and visitor accommodation
- Policy R3 - Islington's Town Centres
- Policy G4 - Biodiversity, landscape design and trees
- Policy G5 - Green Roofs and vertical greening
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy S4- Minimising greenhouse gas emissions
- Policy S6 - Managing heat risk
- Policy S7 - Improving Air Quality
- Policy T2- Sustainable transport choices
- Policy T5 - Delivery, servicing and construction
- Policy DH1 - Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 - Heritage assets

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Community Wealth Building
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E claire.sutton@islington.gov.uk
W www.islington.gov.uk

Our ref: Q2021/2956/DRP

Date: 28 October 2021

Dear Mr Law,

ISLINGTON DESIGN REVIEW PANEL
RE: 10-14 Garrett Street

Thank you for attending Islington's Design Review Panel meeting on 19 October 2021 for a first review of the above scheme. The proposed scheme under consideration is for 'Refurbishment of the existing building to provide market and affordable workspace. The proposals involve internal refurbishments, a single storey extension which is futureproofed, a single storey building within the courtyard and landscaping improvements.'

Review Process

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. Given the Covid-19 pandemic situation, this DRP was carried out virtually.

The scheme was reviewed by Dominic Papa (chair), Cordula Zeidler, Stafford Critchlow, and Tim Attwood. It included a presentation from the design team followed by a question and answer session and discussion of the proposals. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Chair of the Panel welcomed the opportunity to comment of the scheme and thanked the design team for a clear presentation with lots of information. A question and answer session then took place followed by a commentary on the scheme provided by each panel member. The meeting concluded with the Chair's summing up. Each section is recorded below.

Questions and Answers

Panel query: The panel sought clarification regarding the ventilation and mechanical extraction.

Answer: Underfloor slimcore fan units would be used under a new raised floor (400mm above existing). Air source heat pumps would provide both heating and hot water. Some cooling would be needed through floor grilles. Fresh air would come through the existing openable windows, with good cross-ventilation at high level, supplemented by the existing wall vents. Only smoke detection and lighting would be needed on the ceilings.

Panel query: Has the view of the rooftop extension been considered from the rear, i.e. from the residential buildings to the south?

Answer: No views have been drawn, but it would be visible. The mass has now been broken up with the 'rustier' new floor element above the existing building and the newly proposed louvred area housing the air source heat pumps.

Panel query: Have the logistics regarding size and location of the bin stores been considered?

Answer: The bin store and cycle stores have been sized correctly according to the Council's requirements and the operational requirements of potential users, based on collections twice a week. The bins would need to be moved through the courtyard to be emptied.

Panel Query: Is it possible to do any thermal improvements to the existing building, as it will take a considerable amount of energy to heat it as it is.

Answer: The plan is not to plasterboard throughout inside and all calculations have been done with solid brick walls. There would be better insulation with the rooftop extension in place, and the core and extension would be insulated. It may be possible to insulate within the new raised floor, but it would be a shame to cover the exposed brickwork.

Panel Query: What were the original windows and would the existing ones be replaced?

Answer: Research shows that there was a fixed lower pane and an inward-opening 3-light upper pane, as is existing in most locations. The existing windows are in different conditions with some replacements, but this design would be retained throughout.

Panel Query: Courtyard paving does not seem to replicate historic situation, as normally smaller cobbles would be used rather than large slabs.

Answer: The courtyard is tarmac at the moment and no excavations have discovered evidence of earlier coverings. Permeable paving in cobbles would be difficult, but it may be possible to do in Yorkstone. The new tree and tree pit would aid with drainage. It may be possible to differentiate between the seating and circulation areas with different slab sizes, using larger slabs and open joints on the circulation routes.

Panel Query: Were the blind windows at 2nd flr level originally open?

Answer: They were, and the blocking is a late 20th century alteration to use the area as a shooting gallery.

Panel Query: Does the ramp remain and could it be utilised again?

Answer: The ramp is still in place under the removable steps but is difficult to access now. It is too steep to be used for pedestrian access. It is possible that the historic ramp included a section to the side which was stepped but this is unclear.

Panel Query: What was the roof of the ramp originally?

Answer: Unclear, not shown on the Pathé film.

Panel Query: Is the front of the building the right location for a café?

Answer: It would be more of a social hub than a café. The area is currently a series of small spaces which seem difficult to adapt for another use. If it was further from the street it would take up space that could be better used for affordable workspace. In addition, the office area by the entrance to the courtyard is a key pivot point and security could police the café from that area. At present, it is unclear how the café would be run by tenants.

Panel Query: Clarification sought over the location of the escape route

Answer: At present this is undecided as it is unclear whether the escape route through Nags Court would be permitted. The glazed area would be the natural circulation area for the extension.

Panel Query: There are residential roof terraces to the south east and south of the site, has the impact of the lift height etc. been considered regarding privacy?

Answer: There would be no overlooking of the terraces from the south east side of the building, only to the north. The lift height has been kept as low as possible, and the proposed core would not project above the party walls to the east. One resident has extended their garden a little but the core would not be near that.

Panel Query: Clarification sought regarding the safety of the glazing to the ramp and the internal height of the steps/breakout areas, as the CGI/elevations shows it to be very clear and clean with no transoms

Answer: The exact layout has not been clarified yet. At present the glazing would be below 900mm so still needs careful consideration – the breakout areas could look cluttered from the courtyard. The steps should be against the internal wall rather than the glazing, so it is possible that there could be a buffer area between the glazing and the breakout areas. This might provide an opportunity to improve the thermal performance along that wall.

Panel Commentary:

The panel agreed that the use was suitable for the building, and that it was an opportunity to clear out the accretions and clutter from previous owners, and enhance the listed building. There appears to be a desire to preserve as much fabric as possible.

Overall approach: The panel was less convinced about how the proposed interventions would combine. The listed building is robust and simple with a single original purpose; the alterations contrast to this by appearing complicated, lacking that strength of character and clarity. There is a need to 'calm down' the appearance and highlight the listed building; reducing the number of materials proposed would help significantly. At present, it appears as if the individual elements of the proposal have been designed in isolation in response to a brief rather than as part of a cohesive whole.

Ground Floor Extension: the panel felt that providing workspace in the former industrial working yard was a good use, but it should be a clearly subservient element. Using the existing hay store/cart shed as the footprint for a more solid element, then filling the space between that and the stable with glazing would enable the full elevation of the stable to be appreciated while creating a subservient workspace in the courtyard. This would also provide a bigger breakout area from the grooming stables, which currently appear to be just a door width wide. This could be a dynamic space but at present hides the character of the main building. This relationship needs to be explored more with the hierarchy of the stable block given precedence. The roof design might be made more 'special' and intensive rather than a flat sedum roof.

Rooftop extension: separating the materials between the air source heat pumps and the extension enables the ramp to be seen more clearly without the new elements becoming the dominant feature. Pulling it away from the front elevation has helped minimise its potential impact on the streetscene. There was some concern over the appearance of the louvred metal panels to the air source heat pumps, and their overall size. This should be calculated more carefully to see if it can be reduced.

Core: the plan is complicated, and the elevations poor at present, with too many materials. A feature work of art on the rendered panel would be encouraged, particularly if it reflected the heritage of the site. This may also serve to enable the remainder of the materials to be calmed

down and made quieter. While the panel accepted that an additional core was needed, it should be simplified in appearance.

Café: the panel were unconvinced about the proposed location of the café, particularly as it was described as being an intended social hub for the site. Locating it by the entrance, when it must be walked past to get to reception and has no interaction with the courtyard, is a missed opportunity to support the use of the courtyard and should be reconsidered.

Although the bins and cycle stores have been designed to be the correct size for the scheme, the location is undesirable as it requires them to be dragged through the courtyard. This should be reconsidered.

Other considerations: Lighting needs to be considered in greater detail, both internally and within the courtyard. Additional greenery to the courtyard would be a benefit. The drainage to the scheme and the hard standing in the courtyard should be worked up in more detail.

Chair's Summing Up

Thanks were given for the presentation, and in particular the video walk-through. The overall issue appeared to be how can a building be created that shows off the heritage elements to their best, calming down the interventions while adding to them.

The ability to appreciate the elevation of the listed stable should be increased, with a greater glass roof to the new ground floor extension being one way to achieve this.

The panel are comfortable with the principle of the rooftop extension, and the reduction in its earlier proposed size. Seeing it as a definitively separate structure helps the listed building be seen as the main structure of importance.

There is general concern around the café regarding its location and function. This should be explored in more detail, particularly with regard to the interaction with the courtyard, and in association, the location of the bin store with its potential detrimental impact on the courtyard.

There is general concern around the management of the materials and how they compete with the simplicity of the listed stable. A general quietening of the materials and design of the new elements would be beneficial.

The panel recommend that they see the scheme again once the design has evolved and the considerations above developed in association with the Council's duty to preserve the building. It would be useful to consider the site in a more immersive way, and also to have the ability to consider the scheme more careful in relation to the neighbouring buildings.

Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

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

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Our ref: Q2021/3456/DRP

Date: 24 January 2022

Dear Mr Law,

ISLINGTON DESIGN REVIEW PANEL RE: 10-14 Garrett Street

Thank you for attending Islington's Design Review Panel meeting on 16 December 2021 for a second review of the above scheme. The proposed scheme under consideration is for 'Refurbishment of the existing building to provide market and affordable workspace. The proposals involve internal refurbishments, a single storey extension which is futureproofed, a single storey building within the courtyard and landscaping improvements.'

Review Process

The Design Review Panel provided expert impartial design advice following the 10 key principles of design review established by Design Council/CABE in a virtual fashion on 19 October 2021. The panel consisted of Dominic Papa (chair), Cordula Zeidler, Stafford Critchlow, and Tim Attwood, and these panel members were also in attendance for the second review. It included a presentation from the design team followed by a question and answer session and discussion of the proposals. The views expressed below are a reflection of the Panel's discussions as an independent advisory body to the Council.

Panel's observations

The Chair of the Panel welcomed the opportunity to comment on the amendments to the scheme, and thanked the design team taking on board several of the Panel's previous comments. A question and answer session then took place followed by a commentary on the scheme provided by each panel member. The meeting concluded with the Chair's summing up. Each section is recorded below.

Questions and Answers

Panel query: Query over the type of brick used, and the pattern or voids proposed to the vertical elements. What type of brick used, is it pattern or void on vertical elements?

Answer: Brick to be used to avoid replicating poor quality flettons.

Panel query: Clarification requested over the detailing of the glass to the ramp

Answer: To replicate the large open panels as originally designed and express the suggestion of a void, large sheet of glass within minimal framing are proposed, set back to minimise the appearance of framing. Ventilation is to be provided through the solid timber elements instead.

Panel query: Clarification sought on the largest opening into the buildings

Answer: Through bi-folding doors on the proposed single storey extension – about 2.8m width. The largest existing opening into historic building is 1.6m wide. Change of level within the historic building is internal, and the width of the door is limiting factor.

Panel Query: Is glazing in front of stable bigger than before?

Answer: Glazed strip in front of stable is now proposed as 1630mm, a marginal increase on previous proposal.

Panel Query: Clarification over the purpose of the full height rendered panel, and how unsuitable weathering would be avoided.

Answer: Panel to be decorated with artwork, to be changed as and when needed. The panel would also reflect light into the courtyard, and signposts where the entrance to the building would be. Ongoing maintenance would minimise unsuitable weathering if panel left unpainted.

Panel Query: Clarification over the use of the concrete floor to the extension.

Answer: this had been requested by the Inclusive Economy team.

Panel Commentary:

The Panel welcomed the amendments to the scheme following the previous DRP review.

Historic stable building:

The robust building lends itself well to a conversion. Queries regarding logistics and openings were raised because industrial use would be a more sympathetic use than offices with different occupants. Enabling it to be light industrial (even if not immediately) would be good, so any scheme should be designed that way from start. At present the proposal appears to be more for office use than light industrial, which the panel would like to see more of. There is the potential not to have a raised floor to the front right section (within the stable opposite the entrance) for light industrial use. The 300mm slope front to back (away from the road) would be suitable for machinery, and this would not require the underfloor services proposed for the remainder of the building.

The relocation of the café to open onto the courtyard was considered a positive move. A new location for the accessible toilet was suggested to prevent having to go through the hub to access it.

Proposed single storey extension: Overall it was felt that the applicant had taken on board the spirit of the previous panel's comments regarding the proposed extension, but not the reality of what had been asked for. The building is still cramped against the back of the stable building, and this could and should be improved. The glazed link has been widened at the entrance to the courtyard, but not at the connection to the listed building where it is needed. Fixing the problem created by the need to pull away from the listed building would result in too much pressure on services under the roof and require additional cooling, meaning more plant.

The point about overheating was taken, but the light was now balanced. Aggregating glazing to one side could be achieved by moving the glazed rooflights from over the original hay store/cart shed location, but this will come down to how it is designed for light industrial rather than offices.

Core extension: There were still mixed opinions on the suitability of the render panel for artwork. Concern was raised as to how this could be enshrined in a permission, as plain render would not weather well if left blank and due to its size would have a negative impact. It was suggested that just one material plus the rendered area for proposed artwork would be suitable here. This simpler palette needed to be more robust and industrial. Potentially brickwork with artwork shipped in on panels might be more suitable.

Courtyard: Granite setts were appropriate for the thoroughfare, with diamond checkers for the edging, bringing this through into the new extension. The cart store being expressed by pulling out a structural bay was seen as a slight improvement. Bi-folding doors open onto workspace directly opposite new entrance lobby was seen as important for a light industrial use.

The location of the refuse store is still an issue as this will require trundling bins across the courtyard which was considered a great shame. However, it was recognised that putting the refuse store anywhere else would be as harmful if the historic access to the east could not be utilised.

Roof extension: the louvres have been pushed away from ramp façade and this was considered to be an improvement. The paraphernalia of safety devices would not now be needed on that elevation.

The relationship of the ramp and brickwork/steps has been worked on. The materials and lighting was seen as encouraging.

Chair's Summing Up

The Chair concurred with the other panel members in that there needed to be more glazing to separate the extension from the historic structure. The clarity of the hay store, building, and yard, and their relationship needs to be registered and finessed.

The industrial use should be explored more and made more robust. It was acknowledged that the applicant was responding to the brief from the Affordable Workspace team, but this needs to be demonstrated in terms of different uses on different floors rather than just open plan offices. The 'industrial vibe' is greatly missing at present.

The tree was considered to be in the wrong place. It would be difficult to bring in larger pieces of equipment or machinery and turn them into an extension if the tree is located where currently shown; it would inhibit manoeuvrability. Pushing it closer to the lobby entrance would be preferable as it would be more of a feature for the entrance and would get more sun. Having some dark in the courtyard would also be necessary for the tree, so lighting needs to demonstrate this.

Some of the subtleties such as the glazing to the ramp are welcome, but there are issues regarding the render, the amount of glazing, and separation of the extension from the main building which all need working on, as well as how to support industrial use rather than mainly office space.

How will the affordable workspace be supported, used, and accessed? This is currently missing from the documentation and should be considered, together with dividing spaces through shelving rather than walls, exploring mini partnerships and Micros SMEs, and demonstrating how adaptable and flexible the building can be for a multitude of uses.

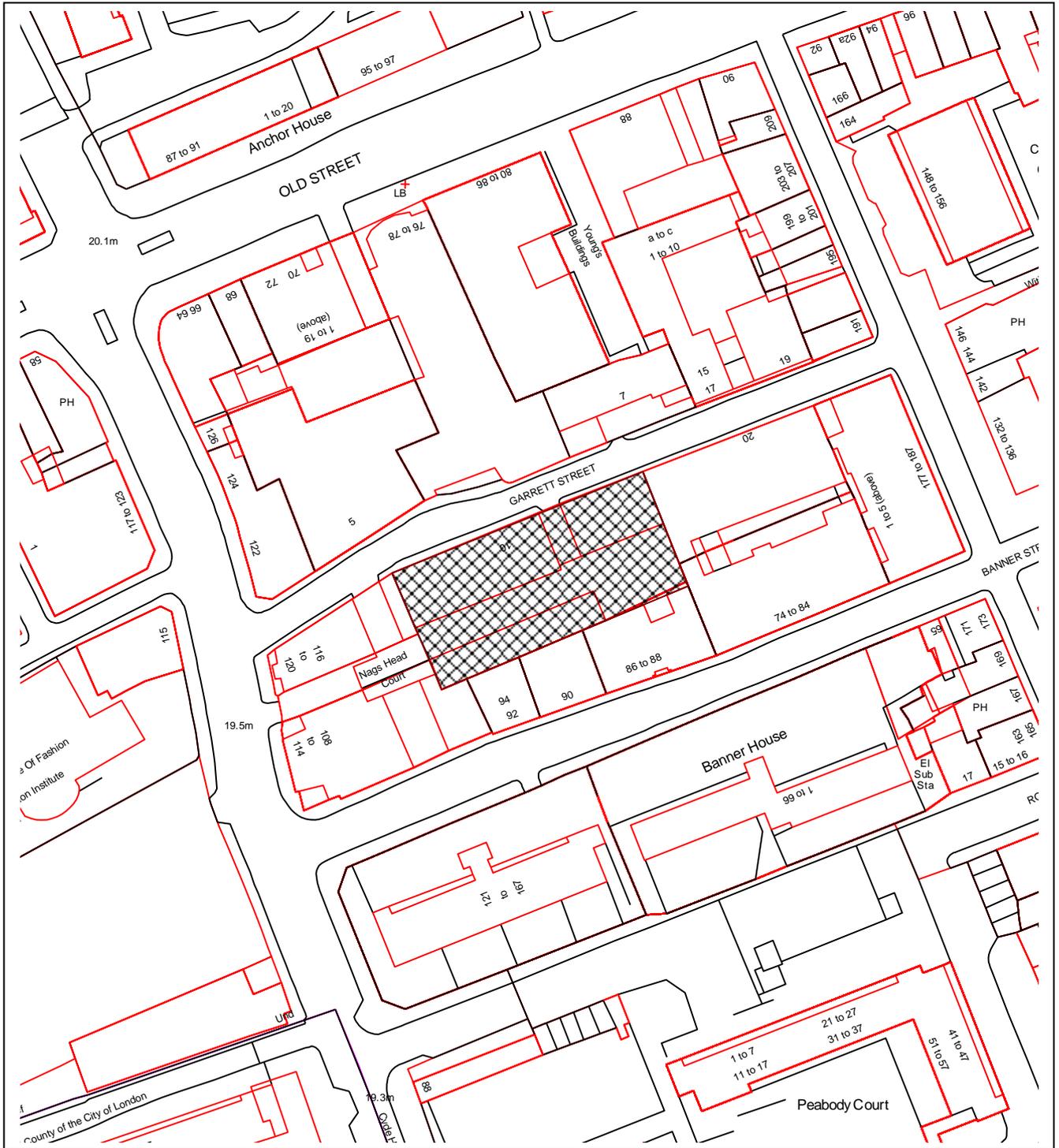
Thank you for consulting Islington's Design Review Panel. If there is any point that requires clarification please do not hesitate to contact me and I will be happy to seek further advice from the Panel.

Confidentiality

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

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Islington SE GIS Print Template



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PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING COMMITTEE		AGENDA ITEM
Date:	10 th January 2022	NON-EXEMPT

Application number	P2022/3516/S73
Application type	Section 73 Application
Ward	Bunhill Ward
Listed building	Unlisted but adjacent to Grade I listed Bunhill Fields Burial Ground, HAC grounds (Grade II* and Grade II) and Grade II listed terrace at 20 & 21-29 Bunhill Row)
Conservation area	No
Development Plan Context	Central Activities Zone (CAZ), Employment Priority Area (General)
Licensing Implications	N/A
Site Address	Finsbury Tower, 103-105 Bunhill Row, London EC1Y 8LZ
Proposal	Section 73 application involving the variation of Condition 2 (Drawing and Document Numbers) of Planning Permission Ref. P2017/4939/S73 dated 27/07/2018. The amendment involves the replacement on site of the consented affordable workspace with commercial office floorspace.

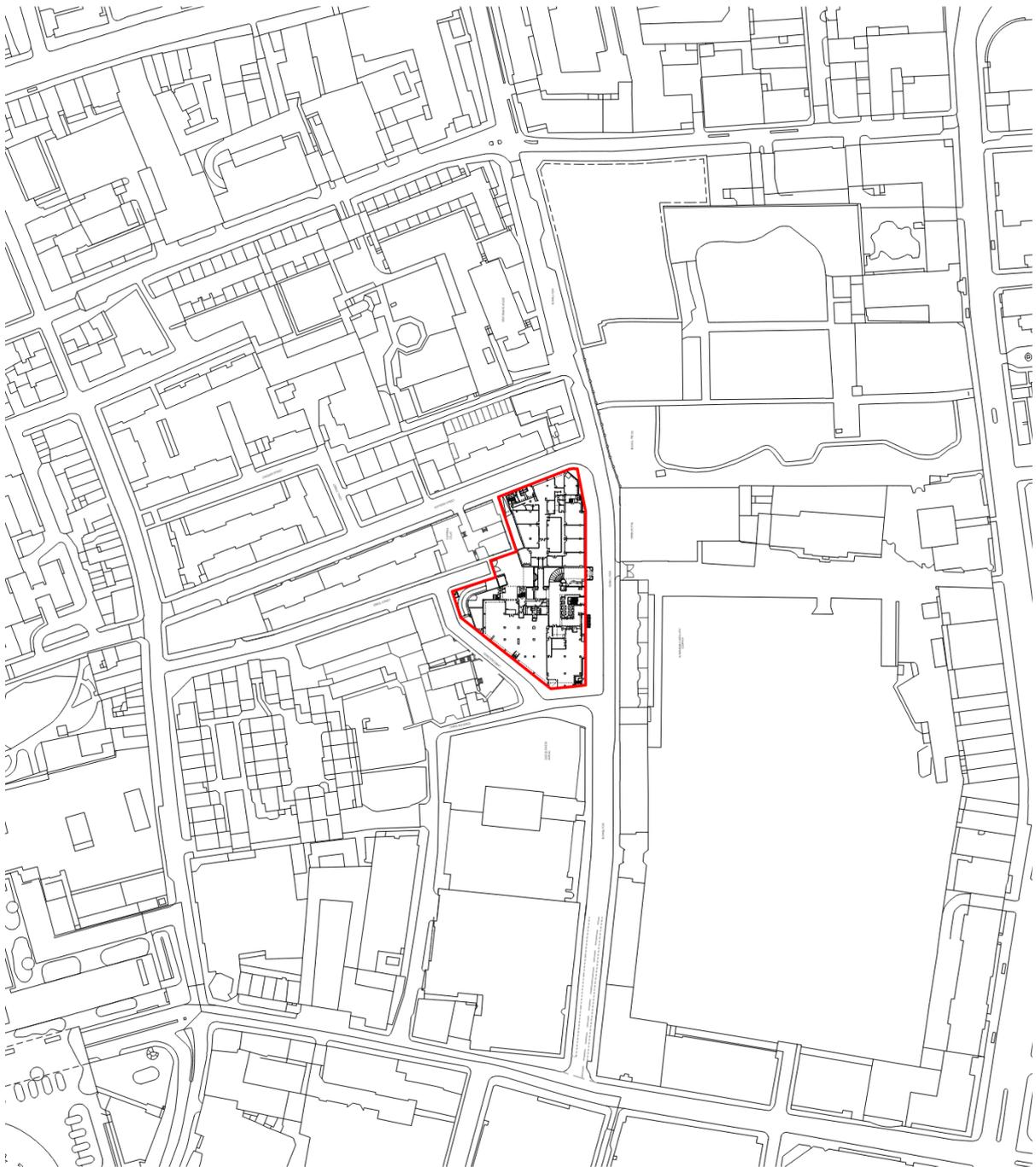
Case Officer	Stefan Sanctuary
Applicant	CIT
Agent	DP9

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional on the prior completion of a Deed of Variation to the original section 106 (of the Town and Country Planning Act 1990) securing the obligations as set out in Appendix 1.

2. SITE PLAN (site outlined in red)



Site Plan – Application Site outlined in Red

3. PHOTOS OF SITE/STREET



Image 3.1: Aerial View - Looking North (site under construction)



Image 3.2: Street-Level View - Looking South down Bunhill Row

4. SUMMARY

- 4.1 The application is for a material amendment (under section 73) to the previous planning permission P2017/4939/S73. The amendment proposes to relocate the consented affordable workspace from this site at 103-105 Bunhill Row to a new site at 10-14 Garrett Street. The planning application (P2022/2063/FUL) for development at 10-14 Garrett Street, which has been submitted in parallel and is being considered at the same Planning Committee, proposes 1,191sqm (GIA) of affordable workspace in the form of light industrial floorspace (Use Class E(g)(iii)) in perpetuity at peppercorn rent, which includes the relocated affordable workspace.
- 4.2 The proposed light industrial floorspace at 10-14 Garrett Street, suitable for creative industries and makers within the Central Activities Zone, is considered to provide the Council's Affordable Workspace Programme a typology that it does not have in its portfolio and this is considered to contribute to the overriding justification in this case to relocate the affordable workspace to this location. Moreover, the quantum of affordable workspace (1,191sqm) as measured by the gross internal area that is proposed at 10-14 Garrett Street is an increase on the 1,000sqm secured at this site. This quantum increase of affordable workspace is considered to be a further justification for the provision of affordable workspace at this new location on Garrett Street.
- 4.3 In view of these benefits and enhancements, the proposal to relocate the affordable workspace to an alternative location and to replace the floorspace within the HYLO building with commercial floorspace is considered to be acceptable and in accordance with relevant planning policies, including London Plan Policies GG5, SD4, E2 and E3, Islington Core Strategy Policies CS7 and CS13, Finsbury Local Plan Policy BC8 and emerging Local Plan Policy B4 as well as emerging Bunhill & Clerkenwell AAP Policy BC7.

5. SITE AND SURROUNDINGS

- 5.1 The 0.5 hectare site is located on Bunhill Row, between the junctions of Dufferin Street and Lamb's Passage, abutting Lamb's Buildings and Errol Street to the rear. The site was previously occupied by a late 1960s constructed 16-storey office building with 4 storey podium split level basement car park (85 spaces). The site has been subject to a recent planning application (P2016/3939/FUL), which has now been completed. As such, there has been a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide 12,687m² (GIA) additional office floorspace (inclusive of the affordable workspace). The building has also been re-clad to match the materials of the extensions in accordance with the planning permission. There is also a flexible retail/restaurant use on the ground floor as well as a 6-storey block at the rear of the site providing 25 affordable (social rented) dwellings.
- 5.2 Bunhill Fields Burial Ground is located to the north-east and is Grade I listed on the Register of Historic Parks and Gardens. It is a burial site for non-conformists from the late 17th Century to the mid-19th Century. Other non-conformist landmarks in the area include the Quaker gardens (formerly Quaker burial ground) to the west of Bunhill Fields and John Wesley's House and Methodist Chapel (Grade I) to the east of Bunhill Fields on the opposite side of City Road, which were constructed in the 1770s. Nos. 20 and 21-29 Bunhill Row are located opposite the site to the east and is a Grade II listed residential terrace built in 1830-31 for the HAC (Honourable Artillery Company). The HAC Grounds are located to the east beyond the Virgin Active Gym on Bunhill Row and include the Grade II* listed Armoury House and Grade II listed Finsbury Barracks buildings which were constructed in the 18th and 19th century.
- 5.3 The 8-storey Cass Business School and the 6 storey University of Law are located on either side of Bunhill Row immediately to the south of the site with large scale commercial buildings beyond. The borough boundary with the City of London is approximately 170m to the south and the area is characterised by taller buildings within the City including the Barbican and large commercial developments such as Ropemaker Place, CityPoint and Milton Gate. The Peabody Estate is located to the north and west of the site and comprises 5-6 storey residential buildings. There are residential buildings north of the site including the 19-storey Braithwaite House and the 4-storey

Quaker Court beyond, whilst there are a number of taller buildings located along Old Street and around Old Street roundabout.

- 5.4 The Bunhill Fields/Finsbury Square Conservation Area is located to the east of the site and is characterised by large Victorian and Edwardian commercial buildings on City Road and Tabernacle Street as well as historic open spaces including Bunhill Fields and the HAC Grounds. The Chiswell Street Conservation Area is a small conservation area to the south of the site which includes the Grade II listed North Yard building and Nos. 42 to 46 Chiswell Street. The St Luke's Conservation Area includes a variety of 19th Century commercial building types, St. Luke's Church, St Joseph's Church and locally listed No.12 Errol Street and the late 19th Century Peabody residential buildings on Dufferin Street and Whitecross Street. Bunhill Fields is a designated Borough Grade 2 Site of Importance for Nature Conservation (SINC).
- 5.5 Finally, the site has a Public Transport Accessibility Level (PTAL) of 6b, which is the highest level. The site is located within the Central Activities Zone (CAZ) and is within an Employment Priority Area (General).

6. PROPOSAL

- 6.1 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.
- 6.2 The current application is a 'material minor amendment' (MMA) application. MMA's can be defined as amendments whose scale and nature results in a development which is not substantially or harmfully different from the one which has been approved. The ability to consider MMA applications was created following the Killian Pretty review and the measures introduced following the Government's consultation on Greater Flexibility for Planning Permissions – these applications fall under s73 and the procedure outlined within the previous paragraph. The MMA application seeks to amend condition 2 of the original planning permission, which refers to the approved plans and documents.
- 6.3 It is important to note that when assessing s73/ MMA applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original application has been implemented, or if the permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish. Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the applicant's ability to complete the originally approved development.
- 6.4 The s73 application being considered here proposes to relocate the consented affordable workspace from this site to a new site at 10-14 Garrett Street. The planning application (P2022/2063/FUL) for development at 10-14 Garrett Street, which has been submitted in parallel and is being considered at the same Planning Committee, proposes 1,191sqm (GIA) of affordable workspace in the form of light industrial floorspace (Use Class E(g)(iii)) in perpetuity at peppercorn rent.
- 6.5 As a result of the change, the affordable workspace at the application site would be removed and would be entirely replaced by commercial office floorspace. There would be no change to the description of development but there would, as mentioned, be a change to condition 2 (Approved Plans) to update the floorplans, as well as amendments to the section 106 agreement, which would be covered by a deed of variation, in order to secure the new relocated affordable workspace at 10-14 Garrett Street.

7. RELEVANT HISTORY:

There are several recent planning applications for development at the application site. These are as follows:

Planning Applications

- 7.1 The following previous planning applications relating to the application site are considered relevant to the current pre-application proposal.
- 7.2 Planning permission was refused in April 2006 for a fourth and fifth floor extension over the existing podium to the north side of the tower to provide additional office accommodation (application reference **P060245**). The grounds of refusal related to the impact of the design, height, scale and bulk of the extension on the appearance of the existing building; the overall streetscape; the setting of nearby listed buildings; and the character and appearance of the nearby conservation areas. A subsequent appeal (reference APP/V5570/A/06/2029672) was dismissed and the inspector noted that the proposed extension would increase the dominance of Finsbury Tower over Nos. 20 and 21-29 Bunhill Row and would further enclose Bunhill Fields and the listed features within it. The Inspector also considered that the proposed development, by reason of its height, position and bulk, would appear overbearing and oppressive to the occupants of dwellings on the north side of Dufferin Street and to the occupants of dwellings in Dufferin Court.
- 7.3 Planning permission was granted in January 2013 for the change of use of part of the 3rd floor from B1(a) office to B1(a) office/D1(c) educational use for a temporary period ending on 25 April 2015 (application reference **P122417**). It is not known whether this permission was implemented.
- 7.4 Planning permission was granted in August 2015 for change of use of part (1170m²) of the basement (ancillary office, Use Class B1a) and 44m² of the ground floor (Use Class B1a) to gym use (Use Class D2); installation of new roof plant and external alterations to the existing office building, including the creation of a new entrance at ground floor; additional remodelling of basement car park area, cycle spaces, showers and locker facilities with associated minor plant and storage facilities (application reference **P2015/1049/FUL**). This permission was not implemented.
- 7.5 Planning application was granted under planning application reference **P2016/3939/FUL** on the 24th August 2017 for the erection of a 12 storey extension to the existing 16 storey building and a 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; recladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/cafe) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings; alterations to the public realm, including landscaping and highways improvements and other associated works.
- 7.6 Finally, a previous section 73 application was granted on 27th July 2018 under application reference **P2017/4939/S73** for a number of amendments including an enlarged basement to provide an additional 215sqm of Class A1 (retail) / A3 (restaurant/café) floorspace; partial infill of the upper podium level (6th floor) belvedere to create an additional 170sqm floorspace; partial infill of the 25th and 26th floor belvedere to create an additional 180sqm floorspace; amendments at ground floor level; amendments to floor to ceiling heights to incorporate an additional floor resulting in an increase of 0.78m in the height of the building to create an additional 730sqm floorspace; and amendment to the external wall alignment of the southern elevation of the 25th and 26th floors resulting in an additional 64sqm floorspace. The revisions resulted in 1,359sqm of additional space. It is understood that this permission has been implemented with the development now complete.

8. CONSULTATION

Public Consultation

- 8.1 There were letters of consultation to neighbouring occupiers given that there would be no impacts on the surroundings.
- 8.2 A press notice was published on the 03/11/2022. The public consultation of the application expired on 27/11/2022; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 At the time of the writing no letters were received from the public in response to the planning application.

External Consultees

- 8.4 No external consultations were carried out.

Internal Consultees

- 8.5 **Planning Policy:** The original permission for the Hylo Building was granted following a careful balancing exercise that weighed the harmful impacts of the development on surrounding heritage assets and the residential amenity of surrounding properties, as well as conflict with the council's tall buildings policy, against the benefits the scheme offered. These benefits were a significant uplift in office floorspace in a location where employment floorspace is prioritised, the delivery of 25 residential units to be let at social rents, and the provision of 1,000m² of affordable workspace, fitted out to Category A standard and provided at peppercorn rent in perpetuity. The committee report for the scheme stated that the affordable workspace represented 'a significant benefit of the proposal'.
- 8.6 The current s.73 application seeks to amend Condition 2 (Approved Plans) of the planning permission for the Hylo Building (ref. P2017/4939/S73) to remove the designated areas of affordable workspace on the ground and first floors, on the basis that the Hylo Building's affordable workspace will instead be provided within the proposed 10-14 Garrett Street development (ref. P2022/2063/FUL).
- 8.7 As set out in Planning Policy's comments on the 10-14 Garrett Street application, the proposal to relocate affordable workspace secured through the S106 agreement for one site to a different site is unusual and raises some concern. The on-site affordable workspace offer was part of the package of benefits that weighed in favour of the Hylo development originally, and the assessment of the application may have been different if the proposal now under consideration had been made then.
- 8.8 Although the Inclusive Economy Team have expressed support for the Garrett Street proposals, which would add light industrial and 'maker' space to their existing portfolio of affordable workspaces, there doesn't seem to be any indication that the space at HYLO / Finsbury Tower is not fit-for -purpose. The applicant has indicated that the relocation of the affordable workspace to Garrett Street will be secured through a legal agreement if approved. Such an agreement will have to be robust to ensure that if for any reason the Garrett Street development did not come forward, the requirement for affordable workspace at the HyLo building would be retained.
- 8.9 **Inclusive Economy:** Provide support for the proposed amendment.
- 8.10 **Planning Obligations Team:** No comments received.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

National Guidance

- 9.1 Islington Council (Planning Committee), 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.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 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 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.
- 9.5 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.6 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

- 9.8 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

- 9.9 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Bunhill & Clerkenwell Key Area
 - Employment Priority Area (General)
 - Central Activities Zone
 - Archaeological Priority Area (Moorfields)
 - Adj. to St Luke's Conservation Area
 - Major Cycle Routes
 - Article 4 Directions (A1 / A2 & B1c to C3)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan

- 9.11 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, 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, with consultation on Main Modifications running from 24 June to 30 October 2022.
- 9.12 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.13 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.
- 9.14 Emerging policies relevant to this application are set out below:

- Policy SP1 Bunhill & Clerkenwell
- Policy SC3 Health Impact Assessment
- Policy B1 Delivering business floorspace
- Policy B2 New business floorspace
- Policy B4 Affordable workspace
- Policy B5 Jobs and Training Opportunities
- Policy S1 Delivering sustainable design
- Policy T2 Sustainable transport choices

9.15 Emerging Bunhill & Clerkenwell AAP Policies that are relevant to the planning application are set out below:

- Policy BC1 Prioritising office uses
- Policy BC7 Central Finsbury
- BC31 Travis Perkins Site

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle and Land Use
- Affordable Workspace
- Other matters
- Planning Obligations and CIL
- Planning Balance Assessment

PRINCIPLE AND LAND USE

10.2 The proposed development involves the relocation of the affordable workspace on site to an alternative location off-site at 10-14 Garrett Street. The relocated affordable workspace would be secured by way of a separate planning application (reference P2022/2063/FUL) as well as a deed of variation (pursuant to section 106) to the original planning application (P2016/3939/FUL, superseded by P2017/4919/S73) that is the subject of this section 73 application, in the event of planning permission being granted.

10.3 In line with the relevant section 73 legislation, the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the section 73 proposal. Moreover, alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. Thus, what must follow is a comparison between the original planning permission (P2016/3939/FUL, superseded by P2017/4939/S73) and the planning application being considered here, within the context of any new material considerations, in particular the weight afforded to emerging planning policies.

10.4 The original planning application (P2016/3939/FUL) was granted permission following an assessment of a delicate balance between planning benefits and identified harm. This balancing exercise needs to be fully considered in the assessment of this planning application. In the original assessment, the increased height, scale and massing of the proposed building was considered to result in some relatively significant harm to the setting of the Grade II listed 20 & 21-29 Bunhill Row and some minor harm to the setting of Bunhill Fields Burial Ground (a Grade I listed Park and Garden), Grade II listed Finsbury Barracks, Grade II* listed Armoury House and to the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area and the St. Luke's Conservation Area. Overall, it was considered that this harm would constitute less than substantial harm to the significance of designated heritage assets, albeit the harm was considered to be towards the higher end of less than substantial harm. In cases where the degree of harm is considered to be less than substantial, paragraph 134 of the NPPF is of relevance and this indicates that the harm should be weighed against the public benefits of the proposal.

- 10.5 As confirmed above, the original planning permission has now been superseded by a MMA (S73 application) under planning application reference P2017/4939/S73, which granted a number of changes to the original permission. These changes included an increase in an additional 1,358sqm of commercial floorspace, which would trigger additional planning obligations. Indeed, a number of additional planning obligations were required as part of that s73 application, including additional contributions towards jobs and training, but no further affordable workspace was secured. It should be noted that a financial viability assessment was submitted with the previous planning application, which demonstrated that the development was making a considerable deficit. The conclusions of the viability assessment were accepted by BPS, an independent viability advisor instructed by the Council. In any case, it was concluded in the assessment of P2017/4939/S73 that the nature of the proposed revisions did not materially or adversely alter the planning balance of the scheme and that overall the proposed revisions to the previously approved scheme were minor in nature and were considered acceptable.
- 10.6 In the assessment of the original permission, the benefits considered to outweigh the identified harm included the transformation of an existing poorly composed and dated looking building into an elegantly proportioned building of high-quality design and materials. Moreover, the proposal was considered to result in a significant uplift in employment within the Central Activities Zone and Employment Priority Area as a result of the delivery of new, high-quality office and retail floorspace. Furthermore, the proposal involved the delivery of 25 social rented affordable housing units, 1,000m² of affordable workspace at a peppercorn rate in perpetuity, and public realm improvements including new routes through the site. Overall, these benefits were considered to be substantial and sufficient to outweigh any perceived harm.
- 10.7 The planning application being assessed here, i.e. the relocation of the affordable workspace to an off-site location, removes one of the elements which was viewed as being a benefit of the consented proposal and which was weighed in the planning balance. In that regard, the fact that the space is no longer to be provided on site as policy would require, must be re-assessed in the planning balance. However, the actual quantum of the consented space, must be examined. The consented affordable workspace would occupy less than half of the 1st floor area in the HYLO Building. If this amount of floorspace had not been provided in the scheme from the outset, then the consequent reduction in the bulk, massing and height of the building would be relatively small due to the proportions of the overall building. Removing this floorspace from the development would therefore not make a material difference to the bulk and massing of the of the building. In purely physical terms, the contribution that the space makes to the overall bulk of the building is quite small. It is the *value* of the space as being affordable workspace as opposed to being purely commercial space, which was weighed in the planning balance.
- 10.8 Moreover, in terms of the planning benefits, those outlined above still stand within the context of the change proposed by this section 73 application. The public realm improvements, the transformation of the existing building, the significant uplift in employment and the provision of social rented accommodation still stand. The same can be said for the affordable workspace as this is not lost as a result of the proposal but is being provided at an off-site location in close proximity of the site at 10-14 Garrett Street. The emerging Local Plan Policy B4 (Affordable Workspace), (which can be given moderate to significant weight given the advanced stage of the plan), requires major development proposals involving 1,000sqm or more gross net additional office floorspace to incorporate 10% affordable workspace (as a proportion of proposed office) to be leased to the Council at a peppercorn rent for a period of 20 years.
- 10.9 There are two important points to note from emerging Policy B4. Firstly, there is now a requirement for the provision of 10% affordable workspace as a proportion of the office uplift, whereas in the adopted Finsbury Local Plan, Policy BC8 suggests that development proposals involving more than 10,000sqm gross employment floorspace should incorporate at least 5% affordable workspace. Under the emerging policy, schemes are required to provide a larger proportion of space as affordable (10% as opposed to 5%) than under the adopted policy. There is a considerable difference in the wording of the adopted Finsbury Local Plan Policy BC8 that was applied in the assessment of the original planning application and that which is now gathering weight (Policy B4 of the emerging Local Plan) and must be considered here. In practice however,

when applied to the planning application at Finsbury Tower, the difference is less stark as the adopted policy refers to gross employment floorspace, whereas the emerging policy references net increases in office floorspace.

- 10.10 As such, when applying the emerging Local Plan Policy B4, which requires 10% of the office uplift to be affordable workspace, the 1,000sqm of affordable workspace that was approved in the original planning application is not quite policy-compliant as the uplift constitutes approximately 11,650sqm of additional office floorspace (therefore a policy compliant scheme using emerging policy criteria would require 1,165 sqm rather than the consented 1,000 sqm). When applying the adopted Finsbury Local Plan Policy BC8, which suggests that 5% of the gross employment floorspace should be provided as affordable workspace, the original planning application did not quite meet this target either as 5% of the approximately 35,000sqm of gross employment floorspace should have required 1,750sqm of space which is in excess of the 1000sqm that was secured. At the time of the consideration of the original application, to compensate for this shortfall in policy requirement, the provision of the affordable workspace in perpetuity (in this case for 999 years) at a peppercorn rent was considered to be in excess of straightforward policy compliance, given the permanence of the space secured, and thus deemed to be a significant planning benefit within the context of adopted or emerging policy, even if the overall quantum of affordable workspace were to fall short of policy expectations.
- 10.11 The second point to note from Policy B4 of the emerging Local Plan is reference to on-site provision. The policy requires 10% affordable workspace to be incorporated in the proposal, implying the provision of this space on site within the development proposal rather than off-site provision. It should be noted that the amended wording to Policy B4 (as identified by the Inspector during examination hearings of the Local Plan) introduces a number of exceptional circumstances in which off-site contributions towards affordable workspace could be sought. These include where the affordable workspace to be provided on site does not meet the qualitative criteria, and where it can be demonstrated that the on-site provision of such affordable workspace is inappropriate. In the amended wording of emerging Policy B4 there is also reference to site-specific viability assessment which can be accepted in exceptional circumstances to demonstrate that a reduced level of affordable workspace or off-site contributions should be accepted.
- 10.12 Although, within the context of the previous / original planning application, a viability assessment was submitted and accepted to demonstrate that the proposal was making a deficit, this is not the argument being made here. With reference to the other exceptional circumstances that may be appropriate to justify off-site provision, while it is not being argued that the floorspace at the HYLO Building / Finsbury Tower is inappropriate, it can be argued that the floorspace may not meet particular qualitative criteria at this point in time. The Inclusive Economy Team, who manage and oversee the affordable workspace process, have been unambiguous about their preference for the light industrial floorspace at Garrett Street over the office floorspace at Finsbury Tower, stating that the site at 10-14 Garrett Street offers the opportunity for the Affordable Workspace Programme to diversify to a broader range of business typologies and would enable the development of a space to meet the needs of creative industries and makers within the borough due to its unique nature and layout.
- 10.13 The light industrial floorspace, suitable for creative industries and makers within the Central Activities Zone, is a typology that the Affordable Workspace Programme so far does not have in its portfolio and this is considered to contribute to the overriding justification in this case to relocate the affordable workspace to this location. Moreover, the proposal at Garrett Street involves a total of 1,191sqm (GIA) of light industrial floorspace, which includes a small café and a courtyard space, which any future affordable workspace operator would seek to use in combination with the operation of the workspace. The quantum of affordable workspace as measured by the gross internal area that is proposed at 10-14 Garrett Street is an increase on the 1,000sqm secured at this site. Moreover, the section 106 agreement for the original permission secured a minimum of 700sqm (NIA) of affordable workspace whereas the plans for 10-14 Garrett Street show a total of 904sqm (NIA), which would be secured through the planning application P2022/2063/FUL as well as the deed of variation to this application. This further quantum increase of affordable workspace

is considered to be a further justification for the provision of affordable workspace at this location at 10-14 Garrett Street.

- 10.14 Further benefits include the CAT B fit-out at Garrett Street, which would be secured through the legal agreement. This is a further enhancement beyond the affordable workspace secured at the HYLO / Finsbury Tower site. As such, given the various enhancements and benefits proposed and agreed as part of the planning application at 10-14 Garrett Street, it is considered that there are sufficient exceptional circumstances that in this instance can justify the relocation of the affordable workspace to an off-site location.
- 10.15 Finally, it is necessary at this point to undertake a brief assessment of the commercial office floorspace that is proposed to replace the affordable workspace at this site. It can be confirmed that office floorspace within the CAZ is supported and encouraged by London Plan and Islington Local Plan policies, in particular London Plan Policies SD4 and E1 as well as Core Strategy CS13 and Finsbury Local Plan Policy BC8. Furthermore, emerging Local Plan Policy E2 states that office uses are a clear priority in the CAZ and Bunhill and Clerkenwell Area and Policy BC1 of the emerging AAP clearly prioritises office uses above other uses. As such, the proposed commercial office floorspace to replace the affordable workspace is considered to be appropriate and acceptable within the context of the current policy framework.

NEIGHBOURING AMENITY

- 10.16 As there are no material alterations to the external appearance of the building or any changes to the nature and operation of the use, it is not considered that the proposed development would give rise to any impacts on neighbouring residential amenity in terms of loss of daylight, sunlight, privacy, increased overlooking, overshadowing, noise and disturbance in accordance with Policy DM2.1 and other relevant policies of the development plan.

OTHER MATTERS

- 10.17 All other matters relating to landscaping, biodiversity, energy, sustainability as well as access, transport, highways, fire safety or security would remain as they stand as there are no material changes to the nature of the use that would affect these matters.

PLANNING OBLIGATIONS AND CIL

- 10.18 Since the approval of the original application the majority of the conditions on the original planning permission have been approved. In the interest of completeness, the conditions shown in Appendix 1 have been updated to make reference to those recent approvals. In addition, it is recommended to amend condition 2 to update the approved plans list.
- 10.19 The original application was subject to a section 106 agreement to mitigate against the impacts of the development. In order to ensure that those obligations originally agreed continue to be met, the applicant has agreed to re-apply the agreed Heads of Terms of the original s106 to the new planning permission.
- 10.20 The proposal does not increase the overall floorspace and thus is not considered to result in an increase in the occupancy rates of the building. As such, no further financial contributions are sought beyond those already agreed in the original section 106 agreement and the subsequent deed of variation.
- 10.21 However, the crucial component of this proposal is the relocation of the affordable workspace from its current location within the application site to 10-14 Garrett Street (delivered through planning application reference P2022/2063/FUL) and this needs to be secured through the deed of variation to this application with the following details:

- Affordable workspace at 10-14 Garrett Street to be built out in accordance with plans approved under application reference P2022/2063/FUL and practically completed prior to the council surrender of the Hylo affordable workspace lease.
- In the event of affordable workspace not provided at 10-14 Garrett Street, the affordable workspace would be reprovided at Hylo / Finsbury Tower.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

PLANNING BALANCE ASSESSMENT

- 10.22 Paragraph 47 of the NPPF dictates that *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*.
- 10.23 The original proposed development (Erection of a 12 storey extension to the existing 16 storey building, 3 to 6 storey extension to the existing podium block up to 7 storeys to provide additional office (Use Class B1a) floorspace; recladding of the existing building to match the materials of the extensions; change of use of part of the ground floor accommodation to flexible Class A1 (retail) and A3 (restaurant/cafe) uses; demolition of single storey structures and the erection of 6 storey block adjacent to the western elevation to provide 25 affordable dwellings) resulted in identified benefits and identified harm. In reaching a conclusion on the proposal, a balance between these benefits and harms was undertaken which was judged to be finely balanced in favour of approval. For the current proposal, it is appropriate to revisit these harms and benefits in the light of the changes now proposed and the changing planning policy context .
- 10.24 The benefits when the application was considered in 2017 included a significant uplift in employment within the Central Activities Zone and Employment Priority Area as a result of the delivery of new, high-quality office and retail floorspace. It also allowed for 25 social rented affordable housing units, 1,000m² of affordable workspace at a peppercorn rate in perpetuity, and public realm improvements including new routes through the site. Overall, these benefits were considered to be substantial.
- 10.25 The proposal was considered to result in harm in policy terms due to conflict with Policy CS9 of the Core Strategy and Policy BC9 of the Finsbury Local Plan as the site was not identified as being in area suitable for tall buildings and would result in an even taller building on the site. Furthermore, there was a degree of harm to residential amenities of some dwellings within 1-56 Dufferin Court by reason of loss of daylight. The increased height, scale and massing of the proposed building was considered to result in some relatively significant harm to the setting of the Grade II listed 20 & 21-29 Bunhill Row and some minor harm to the setting of Bunhill Fields Burial Ground (a Grade I listed Park and Garden), Grade II listed Finsbury Barracks, Grade II* listed Armoury House and to the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area and the St. Luke's Conservation Area. Overall, it was considered that this harm constituted less than substantial harm to the significance of designated heritage assets, albeit the harm was judged to be towards the higher end of less than substantial harm.
- 10.26 As has been detailed within the report, it is the value of the space as affordable workspace which was weighed in the balance, rather than the quantum of space itself. Due to the small size of the space in relation to the total proposed as part of the original scheme, it is not considered that it makes a significant or appreciable contribution to the bulk and massing which was found to be harmful to the heritage assets and to the breach of the tall building policy. Even if the building were now to be reduced in size to reflect the removal of the space, it is not considered that the planning balance *purely on physical massing terms*, would be significantly impacted. The conclusions reached on the impact of the buildings mass and height, its impact on heritage assets and on residential amenity, do not therefore change as a result of the proposal.

- 10.27 The principle of the relocation of the space has been assessed in the balance. The proposal involves the relocation of 1,000sqm of affordable workspace to an alternative location, as well as an uplift on the floorspace to 1,191sqm (GIA). The amendment also involves the change of use of the affordable workspace from office to light industrial, providing the Affordable Workspace Programme with a typology that would be suitable for creative industries, which is something they do not currently have in their portfolio. There is also a further qualitative enhancement to the proposal by providing floorspace to a Cat B specification.
- 10.28 In view of these benefits and enhancements, the exceptional circumstance of the proposal to relocate the affordable workspace to an alternative location and to replace the floorspace here with commercial floorspace is considered to be acceptable and is justified in accordance with relevant planning policies, including London Plan Policies GG5, SD4, E2 and E3, Islington Core Strategy Policies CS7 and CS13, Finsbury Local Plan Policy BC8 and emerging Local Plan Policy B4 as well as emerging Bunhill & Clerkenwell AAP Policy BC7.

11. CONCLUSION

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- Affordable workspace at 10-14 Garrett Street to be built out in accordance with plans approved under application reference P2022/2063/FUL and practically completed prior to the council surrender of the Hylo affordable workspace lease.
- In the event of affordable workspace not provided at 10-14 Garrett Street, the affordable workspace would be reprovided at Hylo / Finsbury Tower.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	CONDITION: Condition 1 has been deleted as it is made unnecessary by virtue of the fact that the development has already been implemented. The condition numbering has been retained in the interests of consistency.
	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	<p>Approved Plans List</p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans: HCL605-0500 Rev P2; HCL605-0501 P2; HCL605-1001 Rev. P3; HCL605-1002 Rev.P2; HCL605-1100 Rev. P1; HCL605-1101 Rev. P3; HCL605-1102 Rev. P8; HCL605-1103 Rev. P5; HCL605-1104 Rev. P4; HCL605-1105 Rev. P3; HCL605-1106 Rev. P3; HCL605-1107 Rev. P4; HCL605-1108 Rev. P3; HCL605-1109 Rev. P3; HCL605-1110 Rev. P3; HCL605-1111 Rev. P1 HCL605-1113 Rev. P3; HCL605-1114 Rev. P3; HCL605-1115 Rev. P3; HCL605-1116 Rev. P3; HCL605-1201 Rev. P5; HCL605-1202 Rev. P4; HCL605-1203 Rev. P2; HCL605-1204 Rev. P2; HCL605-1205 Rev. P4; HCL605-1206 Rev. P4; HCL605-1301 Rev. P3; HCL605-1302 Rev. P2; HCL605-1303 Rev. P2; HCL605-1304 Rev. P2; HCL605-1401; HCL605-170316 - Play Space Strategy; ; HCL605-S196; 431/110; RHB Partnership LLP Sustainable Design and Construction Statement (30 September 2016); Sustainable Design and Construction Addendum (19 December 2016); Sustainable Design and Construction Statement Addendum Document No. 2 (28 February 2017); RHB Partnership LLP Energy Report to accompany Planning Amendment Application dated 14 December 2017; RHB Partnership LLP Energy Report to accompany Planning Amendment Application Document dated 28 June 2018; Daylight and Sunlight Assessment (13 October 2016); Daylight and Sunlight Addendum Letter dated 15 December 2017; Daylight and Sunlight Amenity within the Site (14 October 2016); Aecom Air Quality Report (September 2016) as updated by Aecom letter dated 15 December 2017; Aecom Arboricultural Report (5 October 2016) as updated by Aecom letter dated 15 December 2017; Aecom Archaeology Report (September 2016) as updated by Aecom letter dated 15 December 2017; Eddowes Aviation Safety Ltd Aeronautical Safeguarding Assessment P1105/R1 Issue 1 (29 September 2016) as updated by Aecom letter dated 15 December 2017; Mace Construction Management Plan (August 2016); Horden Cherry Lee Design and Access Statement (30 September 2016); Design and Access Statement Addendum Rev. A dated 5 February 2018; Aecom Drainage Strategy Report (October 2016) as updated by Aecom letter dated 15 December 2017; Aecom Preliminary Ecology Appraisal (October 2016) as updated by Aecom letter dated 15 December 2017; Aecom Electronic Interference Memo (October 2016) as updated by Aecom letter dated 15 December 2017; RBA Acoustics Acoustic Assessment (4 October 2016); DP9 Planning Statement (September 2016) as updated by letter from DP9 dated 15 December 2017; Aecom Preliminary Environmental Risk Assessment (October 2016) as updated by Aecom letter dated 15 December 2017; Quod Economic Regeneration Statement Ref. Q70360 (October 2016); Four Communications Statement of Community Involvement (October 2016); Montagu Evans LLP Heritage, Townscape and Visual Impact Assessment (September 2016); Montagu Evans Heritage, Townscape and Visual Impact Assessment Addendum (December 2017); Canapero Associates Transport Assessment (October 2016); Canapero Associates Transport Assessment Addendum (December 2017); Aecom Operational Waste and Recycling Management Strategy (5 October 2016) as updated by Aecom letter dated 15 December 2017; RWDI Pedestrian Level Wind Microclimate Assessment (4 October 2016).</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Compliance)</p>
	<p>CONDITION: The development shall be carried out strictly in accordance with the details and samples approved under approval of details applications P2020/1484/AOD, P2021/0318/AOD and P2021/1070/AOD and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

4	Landscaping (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the landscaping details approved under approval of details application P2022/0586/AOD and shall be maintained as such thereafter.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
5	Tree Pits (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the tree pit details submitted under planning application P2021/2387/AOD. The tree pits shall be provided/installed prior to occupation and shall be maintained as such thereafter.</p> <p>REASON: To secure the appropriate provision of street-trees and to ensure that the life of the trees would not unduly constrained.</p>
6	Demolition & Construction (Compliance)
	<p>CONDITION: The development is to be carried out strictly in accordance with the demolition and construction details approved under P2018/3620/AOD and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
7	BREEAM (Compliance)
	<p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
8	GREEN ROOF (Compliance)
	<p>CONDITION: The biodiversity roofs shall be carried out strictly in accordance with the details approved under application reference P2020/1562/AOD and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
9	Land Contamination (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the land contamination investigation and the subsequent remediation scheme approved under application reference P2021/1472/AOD.</p> <p>REASON: Given the history of the site the land may be contaminated, investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</p>
10	PLANT NOISE (Compliance)

	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: In the interests of neighbouring residential amenity.</p>
11	IMPACT PILING (Details and Compliance)
	<p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.</p>
12	Lighting (Compliance)
	<p>CONDITION: The lighting measures shall be carried out strictly in accordance with the details approved under application reference P2020/1426/AOD, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the buildings as well as protecting the biodiversity value of the site.</p>
13	Energy Strategy (Compliance)
	<p>CONDITION: The development shall be carried out in accordance with the revised Energy Strategy, approved under application reference P2020/2934/AOD, which shall provide for no less than a 20.3% onsite total CO2 reduction in comparison with total emissions from a building which complies with Building Regulation 2013.</p> <p>The approved scheme shall be installed and in operation prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
14	Energy Efficiency measures (Compliance)
	<p>CONDITION: The development shall be carried out in accordance with the energy efficiency measures approved under application reference P2020/2765/AOD.</p> <p>The final agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
15	Solar PVs (Compliance)

	<p>CONDITION: The development shall be carried out in accordance with the details of solar photovoltaic panels approved under application reference P2020/1914/AOD and shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
16	Cycle Parking (Compliance)
	<p>CONDITION: The long and short stay bicycle parking indicated on approved plans refs. HCL605-1101 Rev P3 and HCL605-1102 Rev P7 which shall provide no less than 506 long stay and 42 short stay parking spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter unless otherwise agreed in writing by 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>
17	Surface Water (Compliance)
	<p>CONDITION: The development hereby permitted shall be implemented in accordance with the details of measures to reduce surface water run-off from the site approved under application reference P2018/0925/AOD unless otherwise agreed in writing by the Local Planning Authority. 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>The approved rainwater recycling system shall be installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
18	Ground Floor Elevations (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the elevational details approved under application reference P2019/3304/AOD and shall be maintained as such thereafter. The approved design/treatments shall be provided prior to the first occupation of the part of the development to which they form part.</p> <p>REASON: To ensure that the Authority may be satisfied with the access arrangements and the street level external appearance / interface of the buildings.</p>
19	Roof-top Plant (Compliance)
	<p>CONDITION: No roof-top plant, ancillary enclosures/structure or lift overrun shall exceed the height of the parapet unless otherwise agreed in writing by the local planning authority.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful visual impact.</p>
20	Future-Proofing (Compliance)
	<p>CONDITION: The development hereby permitted shall be implemented in accordance with the details of future-proofing for connection to a neighbouring heating and cooling network approved under application reference P2018/0180/AOD, unless otherwise agreed in writing by the Local Planning Authority.</p>

	<p>The approved scheme shall be installed prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility is provided appropriately and so that it is designed in a manner which allows for the future connection to a district system.</p>
21	CHP (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the CHP details approved under application reference P2020/0587/AOD and shall be installed in strict accordance with the agreed details prior to the occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: In the interest of securing the centralised energy centre for the site and its sustainable connection to the various uses within the development.</p>
22	Delivery & Servicing (Compliance)
	<p>CONDITION: The development shall be constructed and operated strictly in accordance with the delivery and servicing details approved under application reference P2021/2822/AOD, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
23	Construction Management & Logistics (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
24	Category 2 & 3 Housing (Compliance)
	<p>CONDITION: Notwithstanding the Design and Access Statement and plans hereby approved, 23 of the residential units shall be constructed to meet the requirements of Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2) and 2 units shall be constructed to meet the requirements of Category 3 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Wheelchair user dwellings' M4 (3). The Category 3 units shall meet the requirements of M4 (3) (2) (b).</p> <p>A total of two 3-bed units shall be provided to Category 3 standards.</p> <p>A total of four 1-bed and nineteen 2-bed units shall be provided to Category 2 standards.</p> <p>The development shall be constructed strictly in accordance with the details approved under application reference P2019/0229/AOD.</p> <p>REASON - To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs, in accordance with London Plan (FALP) 2021 policy D5.</p>
25	Sound insulation (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out strictly in accordance with the sound insulation and noise control measures approved under application reference P2019/1485/AOD. The measures shall be implemented prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p>

	REASON: To ensure satisfactory living conditions for future occupants of the development.
26	Air Quality (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out strictly in accordance with the air quality measures approved under application reference P2019/2129/AOD. The approved scheme is to be completed prior to occupation of the development and shall be permanently maintained thereafter.</p> <p>REASON: In order to ensure satisfactory air quality within the residential accommodation for future occupants of the development.</p>
27	Opening Hours (Compliance)
	<p>CONDITION: The ground floor flexible retail units hereby approved shall not operate outside the hours of 7am to 12am.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
28	Operational Waste Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosures serving the residential and commercial accommodation shall be provided in accordance with the details approved under application reference P2021/2826/AOD prior to the first occupation of the development hereby approved and 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>
29	Flues / Extraction Systems (Compliance)
	<p>CONDITION: Should the flexible commercial units be taken up for A3 use details of proposed flues / extraction systems for the units shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the unit to which they relate.</p> <p>The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</p> <p>The flues/extraction systems shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the commercial units to which they relate and maintained as such thereafter.</p> <p>REASON: In the interest of protecting future residential amenity and the appearance of the resulting building.</p>
30	Building Maintenance (Compliance)
	<p>CONDITION: At all times when not being used for cleaning or maintenance the tower Building Maintenance Unit shall be stored behind the parapet and the podium Building Maintenance Units shall be stored discreetly in order to minimise their visibility.</p> <p>REASON: To ensure a satisfactory external appearance.</p>
31	Changing facilities and showers (Compliance)
	<p>CONDITION: The changing facilities and showers shall be provided in accordance with the drawings approved under application reference P2020/1424/AOD and maintained throughout the life of the building for the use of occupiers of the building.</p> <p>REASON: To make travel by bicycle more convenient in order to encourage greater use of bicycles by commuters.</p>

32	Wind / Microclimate (Compliance)
	<p>CONDITION: The development shall not be occupied unless and until the identified measures to mitigate any potential wind impacts as outlined in approved document 'Pedestrian Level Wind Microclimate Assessment RWDI# 1603072-PLW Rev C (October 4th 2016) are put in place.</p> <p>REASON: To ensure that adverse impacts are mitigated in the interest of pedestrian and residential amenity.</p>
33	Visitor's Cycle Parking (Compliance)
	<p>CONDITION: The development shall be carried out strictly in accordance with the visitor's cycle parking details approved under application reference P2020/1652/AOD and shall be maintained as such thereafter.</p> <p>REASON: To ensure adequate visitor cycle parking is available to support the resulting use(s) and to promote sustainable modes of transport.</p>
34	Flexible Retail Units (Compliance)
	<p>CONDITION: The flexible retail units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses.</p>
35	Current Architect (Compliance)
	<p>CONDITION: The current architect shall be retained for the design development phase of the project unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure continuity in the design approach and the standard of the appearance and construction of the development.</p>
36	Mobility Scooter Parking (Compliance)
	<p>CONDITION: The 6 mobility scooter parking spaces with charging points indicated on plan reference HCL605-1101 Rev. P3 shall be made available prior to first occupation of the building unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interests of providing an accessible and inclusive development.</p>
37	Signage (Details and Compliance)
	<p>CONDITION: Prior to first occupation of the retail units, a retail signage strategy including details of internal signage to the retail units shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of maintaining a satisfactory appearance for the building and in the interest of the character and appearance of the area.</p>
38	Disabled Parking (Compliance)
	<p>CONDITION: The disabled parking spaces shown on drawing No. HCL605_1102 Rev. P7 hereby approved shall be provided prior to the first occupation of the building and the disabled parking bays shall be appropriately line-marked and thereafter kept available for the parking of vehicles at all times. The car parking spaces shall only be occupied by vehicles displaying blue badges.</p>

	REASON: In the interest of securing the provision of an appropriate number and standard of disabled parking spaces.
39	Inclusive Design (Compliance)
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design. To achieve this the development shall incorporate step free external space, open space and landscaping, and level access to amenity facilities.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
40	Bird / Bat Boxes (Compliance)
	<p>CONDITION: The nesting boxes / bricks shall be provided strictly in accordance with the details approved under application reference P2020/1562/AOD, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
41	Refuse Storage (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosures approved under application reference P2021/2826/AOD shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
42	Waste Management Strategy (Compliance)
	<p>CONDITION: The development shall be operated strictly in accordance with the Waste Management Strategy approved under application reference P2021/2826/AOD and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To secure appropriate waste processing procedures in order to support the development.</p>
43	Cycle Lifts (Compliance)
	<p>CONDITION: The cycle lifts and access to basement level cycle parking within the commercial building shall be provided in accordance with the details approved under application reference P2020/1424/AOD and maintained as such thereafter.</p> <p>REASON: To ensure cycle parking is easily accessible on site and to promote sustainable modes of transport.</p>

List of Informatives:

1	S106 agreement
	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.

2	CIL Regulations
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at:</p> <p>www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
3	Surface Water Drainage
	<p>With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater.</p> <p>Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>
4	Thames Water (1)
	<p>A Thames Water recommend the following informative be attached to this planning permission.</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.</p> <p>The developer should take account of this minimum pressure in the design of the proposed development.</p>
5	Thames Water (2)
	<p>Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: - Launderette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water.</p> <p>Pre-treatment, separate metering, sampling access etc, maybe required before the Company can give its consent. Applications should be made at http://www.thameswater.co.uk/business/9993.htm or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577</p>

	9200.
6	Thames Water (3)
	Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.
7	Thames Water (4)
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .

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
- National Planning Practice Guidance (on-line and regularly updated)

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 – The Spatial Development Strategy for Greater London

- Policy GC2- Making the best use of land
- Policy SD4- The Central Activities Zone (CAZ)
- Policy D1- London's form, character and capacity for growth
- Policy D4- Delivering good design
- Policy D5- Inclusive design
- Policy E1- Offices
- Policy E2- Providing suitable business space
- Policy E3- Affordable workspace

B) Islington Core Strategy 2011

- Policy CS5 Bunhill & Clerkenwell
- Policy CS13 Employment spaces
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

- Policy DM2.1- Design
- Policy DM2.2- Inclusive Design

Employment

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

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London 2016
- Character and Context 2014

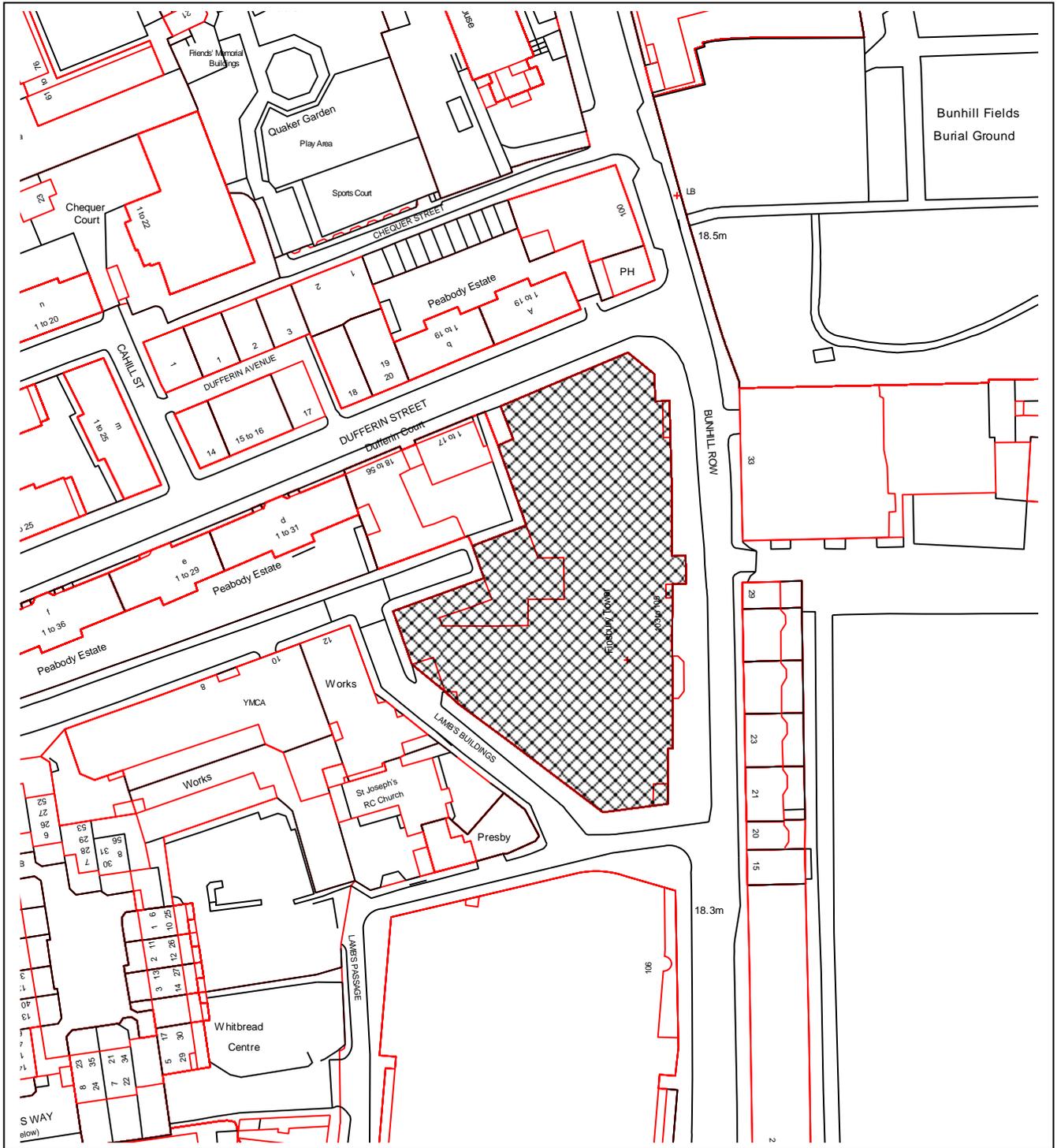
Islington SPG/SPD

- Urban Design Guide 2019

Emerging policies relevant to this application are set out below:

- Policy SP1 – Bunhill & Clerkenwell
- Policy B1 - Delivering business floorspace
- Policy B2 - New business floorspace
- Policy B3 - Existing business floorspace
- Policy B4- Affordable workspace

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P2022/3516/S73

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