



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

AGENDA FOR THE PLANNING SUB COMMITTEE B

Members of Planning Sub Committee B are summoned to a meeting, which will be held in Council Chamber, Town Hall, Upper Street, N1 2UD on, **19 September 2023 at 7.30 pm.**

Enquiries to : Emma Taylor
Tel : democracy@islington.gov.uk
E-mail : democracy@islington.gov.uk
Despatched : 11 September 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**

Committee Membership

Councillor Poyser (Chair)
Councillor Hayes
Councillor Klute
Canalside;
Councillor Jackson
Councillor Ogunro
Canalside;

Wards

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

- Holloway;
- St Peter's and

Substitute Members

Quorum: 3 councillors



A. Formal Matters **Page**

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

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

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

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

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

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

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

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

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

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

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

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

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

5. Order of Business
6. Minutes of Previous Meeting

B.	Consideration of Planning Applications	Page
1.	29 Clerkenwell Road, EC1M 5RN	7 - 52
2.	3 Middleton Mews, N7 9LT	53 - 104
3.	White Lion Youth Centre, 45 White Lion Street, N1 9PW	105 - 146

C.	Consideration of other planning matters	Page
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D. Urgent non-exempt items

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

E. Exclusion of press and public

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

F.	Confidential/exempt items	Page
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G. Urgent exempt items (if any)

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

Date of Next Meeting: Planning Sub Committee B, 12 December 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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items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

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

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

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PROCEDURES FOR PLANNING SUB-COMMITTEES

Planning Sub-Committee Membership

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

Order of Agenda

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

Consideration of the Application

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

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

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

What Are Relevant Planning Objections?

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

For further information on how the Planning Sub-Committee operates and how to put your views to the Planning Sub-Committee please call Thomas French on 020 7527 6568. If you wish to speak at the meeting please register by calling the Planning Department on 020 7527 2278 or emailing enquiriesplanning@islington.gov.uk

London Borough of Islington

Planning Sub Committee B - 13 June 2023

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 13 June 2023 at 7.30 pm.

Present: **Councillors:** Poyser (Chair), Hayes, Klute, Jackson and Ogunro

Councillor Dave Poyser in the Chair

9 **INTRODUCTIONS (Item A1)**

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

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

None.

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

None.

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

None.

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

The order of business changed so that item B2, Land adjoining Collingwood House, Mercers Road, N19 4PJ, was presented first. Item B3, New River College, Elthorne Road, N19 4AB, was presented second. Item B1, Canonbury ATE, Highbury Grove, N5 1HJ, was presented last.

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

RESOLVED:

That the minutes of the previous meetings held 18 April 2023 and 15 December be signed by the Chair as a correct record.

15 **LAND ADJOINING COLLINGWOOD HOUSE, MERCERS ROAD, N19 4PJ (Item B2)**

Proposed redevelopment of existing car park by constructing 6x two storey plus basement mews houses (3 x 2 bed, 4 person and 3 x 3 bed, 5 person units) together with landscaping, cycle parking, vehicle parking and associated works.

(Planning application number: P2021/2840/FUL)

The planning officer introduced the case and explained condition 24 (page 97 of the Agenda) should read: Notwithstanding the terrace areas approved and shown on the approved plans, all other flat roof areas of the dwellings shall **not** be used as a terrace or any other form of private amenity space into perpetuity.

Planning Sub Committee B - 13 June 2023

In response to questions from the Sub-Committee the officer explained all drawings provided in the planning applications were to scale, using scale bars on each drawing. All plans are required to have a scale bar but there was no requirement to have measurements on plans. Therefore if, for example, the height was contested, it would be possible to go back and look at the drawing to scale this up properly. In response to questions surrounding the car park, the Officer explained there would also be restrictions on parking and this had been set out in the planning and transport statements provided, it would also go into a legal agreement along with any carbon offset contributions and affordable housing the scheme would need to provide. Councillors had queries on the basement bedrooms, the officer explained the light wells were increased to gain more daylight into these bedrooms.

Objectors raised concerns around the basement bedrooms stating these would not have been ideal for children and the basements were too extensive. The double sliding doors had also been surrounded by 3-metre-high walls. They also voiced worries that the first-floor dwellings compromised privacy and felt the proposal was poor and had been rushed with no real benefit to the Islington community and a lack of care for the conditions added. The objectors also spoke to environmental concerns and the carbon emissions building these dwellings would produce.

The Applicant explained they wanted to meet ambitions to create more housing on unused back land/brown field sites and this would have been a housing development with high standards of design. They further explained they had made the affordable housing contribution. This would have been a car-free development with energy efficient buildings. They wanted to benefit Islington by optimising and regenerating the area on what was currently an unsustainable car parking site. They also explained that they had adhered to all building and carbon regulations and if these were to change, they would adhere to the new building regulations.

In response to questions from the Sub-committee around access to the site, the applicant explained that while being a car-free site there would be access for emergency vehicles. They also further replied to concerns around basement rooms explaining there had been a long design process to ensure the quality of sunlight these received was good. They had also had tree officers to the site and all reasons for the removal of certain trees were justified in the report. The applicant explained they were open to exploring new materials with recycled content to mitigate more environmental impact.

Councillor Hayes proposed a condition relating to the feasibility of further improvements of the environmental impact of the project. Councillor Klute Seconded.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, the planning permission be granted subject to the conditions and informatives set out in Appendix 1 (page 89-98 of the Agenda) of the officer report and an addition of the further condition set out above.

16 **NEW RIVER COLLEGE, ELTHORNE ROAD, N19 4AB (Item B3)**

Partial demolition of existing school buildings, refurbishment of the retained parts and erection of a single storey wraparound extension to provide additional education/training facilities with associated external landscaping including new entrance gate.

(Planning application number: P2023/0296/FUL)

The Planning Officer introduced the case and explained there had been a lot of support from the Better Archway Forum. In response to questions from the Sub-Committee, the officer explained the building had been unused for a number of years and would be used in the same capacity as when it was in use. He further explained there was a school on site for a considerable amount of time before and environmental health had consulted on noise levels. There had been no objections in regard to the ground source heat pump. There were no objectors present.

The applicant explained the school would have been made up of different component parts, one aspect being for young people that had been excluded from school. This had originally been housed at Elthorne Road. The medical site was for students with physical and mental health issues who could not attend a mainstream school. They explained prior to the Covid-19 pandemic there had been 6 students with moderate-severe issues, and this was now 50 and still rising, therefore they needed new site to accommodate these students. The site had planned to accommodate these students across all key stages. The current structure was dilapidated and falling apart and therefore they wanted to refurbish. This provided a great opportunity to provide the correct accommodations to help those students with Special Education Needs (SEN).

In response to questions from the Sub-Committee the applicant explained they would have been upgrading the internal acoustics including noise absorbing panels to reduce the noise levels. They explained the project was planned to finish by the end of 2024.

Councillor Hayes moved the recommendation. Councillor Jackson Seconded.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, the planning permission be granted subject to the conditions and informatives set out in Appendix 1 (page 124-127 of the Agenda) of the officer report.

17 **CANONBURY ATE, HIGHBURY GROVE, N5 1HJ (Item B1)**

Installation of telecommunications equipment including 6No. Antennas (on 4No. new replacement tripods & support poles), 4No. Dishes, 2No. GPS Antennas, 5No. Equipment Cabinets and ancillary apparatus (following removal of existing equipment including 4No. Existing Antennas, 2No. Existing Cabinets, and Ancillary Apparatus)

(Planning application number: P2022/2151/FUL)

The Planning Officer presented the report and answered questions from the Sub-Committee. The officer explained that this was the 'least worst' option of creating an 'eyesore' in the area and street polls would have been a worse option and there was also long views vs short views to contend with.

The Objectors aroused concern that there does not seem to have been any real changes made since the previous application. This was a residential area with low level buildings that

Planning Sub Committee B - 13 June 2023

would be greatly affected by the erection of telecommunications equipment. They explained they would have preferred an option where these are put at roof height not on level with people's living spaces. The objector also raised concerns over the height of the equipment and thought this had been measured wrong.

The Applicant explained that the height difference was 2.5 metres and the 19.4 metre figure was the median level not the highest point, which was 21 metres. They further explained that while visual impacts were important, technical and operational impacts needed to be considered. If the equipment was lowered this could cause safety implications such as radiation and therefore the antenna needed to be raised to a certain height.

The Sub-Committee discussed the above points and explained that the application had already been deferred to look at the height issue. Therefore, there was limited option as to what the Sub-Committee could do. The guidance stated that existing sites should be used instead of the creation of new ones and all other options had been explored.

Councillor Klute moved the recommendation. Councillor Jackson seconded.

RESOLVED:

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, the planning permission be granted subject to the conditions and informatives set out in Appendix 1 (page 20 of the Agenda) of the officer report.

The meeting ended at 8.50 pm

CHAIR

COMMITTEE AGENDA

1 29 Clerkenwell Road
London
EC1M 5RN

2 3 Middleton Mews
London
N7 9LT

3 White Lion Youth Centre
45 White Lion Street
London
N1 9PW

1 29 Clerkenwell Road
London
EC1M 5RN

Application Number: P2022/2987/FUL

Ward: Clerkenwell

Proposed Development: Partial demolition at roof level and to west elevation; the erection of a single roof extension for office accommodation (Class E Use - Offices/Research and Development) and external plant compound, erection of a side extension at first, second, third and fourth floor levels, installation of a new shopfront and replacement of windows to Clerkenwell Road and lowering of front slab to allow accessible entrance and other associated works

Application Type: Full Planning Application

Case Officer: Mark Heaney

Name of Applicant: Clare Hurford

Recommendation:

2 3 Middleton Mews
London
N7 9LT

Application Number: P2021/1118/FUL

Ward: Holloway

Proposed Development: Demolition of commercial garage/workshops with ancillary office and storage accommodation and 2 self-contained residential flats above; erection of 3-storey building plus basement (Block A) comprising 7 self-contained residential units (1x1 Bed, 5x2 Bed, 1x3 Bed) with private amenity space and erection of 3-storey building plus basement (Block B) comprising 569sqm of office space with associated cycle parking, refuse storage, landscaping, boundary treatment and associated alterations.

Reconsultation reasons: revisions to internal layouts of the residential block (Block A); introduction of central fence to separate the two uses; re-positioning of refuse and recycling bins; re-positioning of Block B cycle parking; removal and re-provision of Beacon Hill street tree; submission of swept path drawings and submission of additional daylight/sunlight details.

Application Type: Full Planning Application

Case Officer: Marc Davis

Name of Applicant: IXIS PROPERTY LTD

Recommendation:

3 White Lion Youth Centre

45 White Lion Street

London

N1 9PW

Application Number: P2023/0562/FUL

Ward: Barnsbury

Proposed Development: Proposed erection of new standalone dance studio in south west corner of car park following demolition of vacant outbuildings and associated plant area. Plus the addition of a new accessible WC at third floor.

Application Type: Full Planning Application

Case Officer: Jake Shiels

Name of Applicant: Tidal Architects Ltd-Mr Damien Swan

Recommendation:

PLANNING COMMITTEE REPORT

**Development Management Service
 Planning and Development Division
 Community Wealth Building Department**

PLANNING SUBCOMMITTEE B		
Date:	19 September 2023	NON-EXEMPT
Application number	P2022/2987/FUL	
Application type	Full Planning Application	
Ward	Clerkenwell	
Listed building	No	
Conservation area	- Conservation Area – Clerkenwell Green CA1	
Development Plan Context	<ul style="list-style-type: none"> - Core Strategy Key Area – Bunhill & Clerkenwell; - Archaeological Priority Area - Central Activity Zone (CAZ); - Employment Priority Area (General); - Finsbury Local Plan Area – Bunhill & Clerkenwell; - Article 4 Direction A1-A2 (Rest of Borough); - Article 4 Direction B1(c) to C3; - Heathrow Safeguarding Area. 	
Licensing Implications	No	
Site Address	29 Clerkenwell Road, London, EC1M 5RN	
Proposal	Partial demolition at roof level and to west elevation; the erection of a single roof extension for office accommodation (Class E(g)(i) Use) and external plant compound, erection of a side extension at first, second, third and fourth floor levels, installation of a new shopfront with the replacement of ground floor shopfront windows to Clerkenwell Road and lowering of front slab to allow accessible entrance and other associated works.	
Case Officer	Mark Heaney	
Applicant	Clare Hurford	
Agent	Mr Neil Gray, Gray Planning & Development Ltd	

1. RECOMMENDATION

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

2. SITE PLAN (site outlined in red)

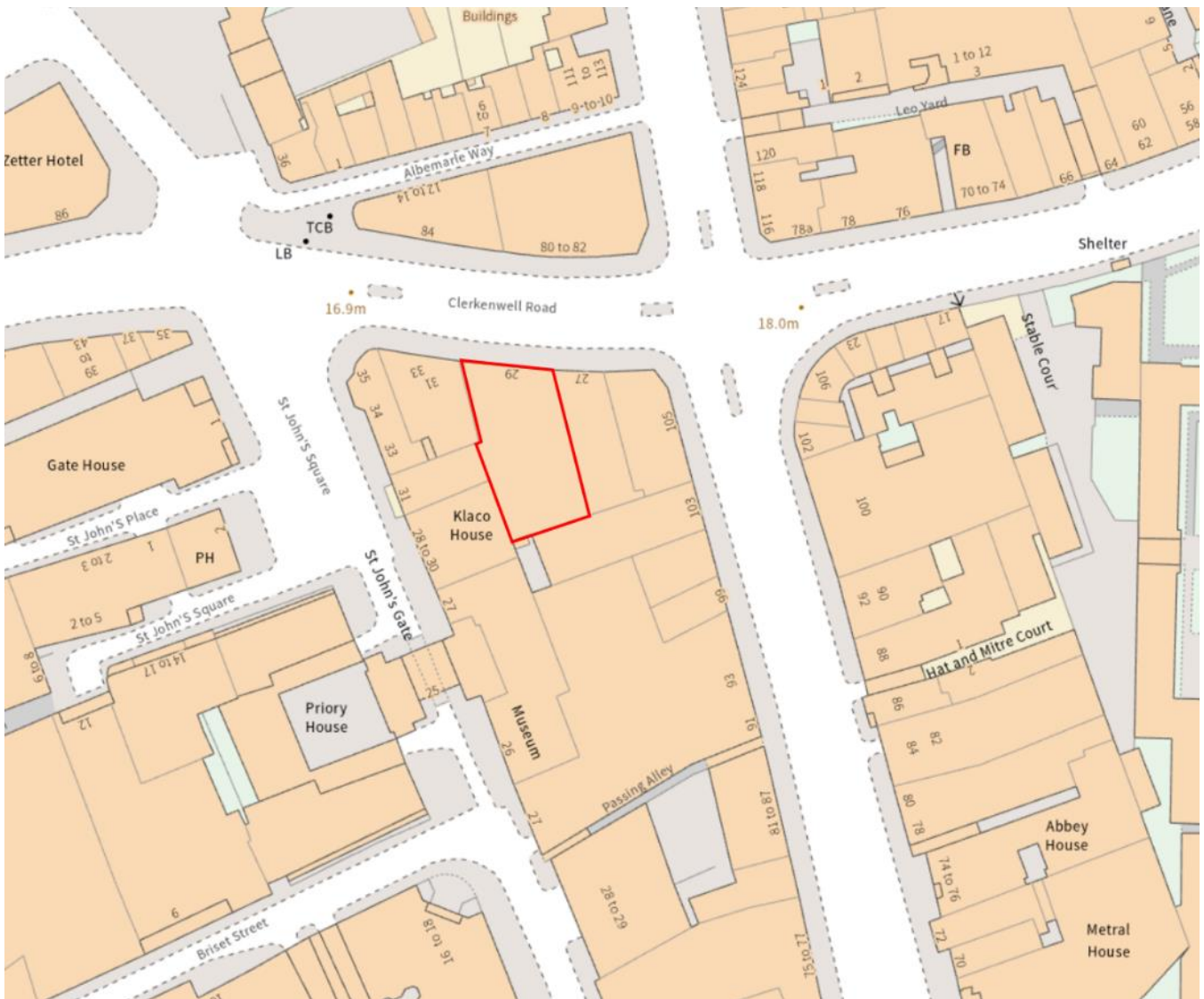


Image 1 – Site Location Plan

3. PHOTOS OF SITE/STREET



Image 2 - Street View of Site



Image 3 - Street View of Site from outside
No. 78 Clerkenwell Road to the east.



Image 4 - Street View of Site from outside No. 84 Clerkenwell Road to the north-west.



Image 5 - Aerial View of Site in Context



Image 6 - Aerial View of Site from the south

4. SUMMARY

- 4.1 This application seeks full planning permission to create a 5th floor roof extension together with rear/side extensions at first to fourth floor levels and the installation of a new shopfront and provision of an accessible entrance and replacement of shopfront windows and refurbish upper floor front windows. It is a redesign of a previous approved planning application ref. 2018/2646/FUL for a similar scheme that was not implemented.
- 4.2 The current scheme is a modification of the previously approved scheme which also included a new 5th floor roof extension and rear/side extensions at first to fourth floor levels together with installation of a new shopfront, alterations to provide an accessible entrance and replacement of shopfront windows and refurbish upper floor front windows. These previous extensions approved a 427sqm uplift in (B1 Use) office floor space now Class E(g)(i). However, the current proposals seek to provide an increase in the uplift of 553sqm in floorspace within the new extensions and provide it as Class E(g)(i) (Offices to carry out any operational or administrative functions). The roof extension would have a (GIA) floor area of 293sqm and the remaining uplift in floor space would be provided within the rear/side extensions at first to fourth floor levels.
- 4.3 The current design of the roof extension has changed from the previous approved curved design with a set back to its east side elevation adjacent to No. 27 Clerkenwell Road. It would now include a new east flank wall and would have an overall height increase of approx. 2m. This redesign follows on from pre-application (Q2021/2984/MIN) discussions with the Council and takes into account a 3 storey roof extension approved at No. 27 Clerkenwell Road (Ref: P2017/4659/FUL) which has expired and was not built out. The revised design of the roof extension with front roof terrace also now corresponds to the design of an approved roof extension with front terrace at No's 33-35 St John Square application ref. P2018/1671/FUL. The existing roof top plant would be set within in a sunken roof top plant area above the roof of the fifth-floor extension. The revised plant area would now have an approx. 5m set back from the south boundary of the site to provide a buffer with the adjoining building of No. 103 St John Street.
- 4.4 The proposed floor plans show internal alterations to include provision of a cycle store, provision of new service core and lifts, relocated toilets and provision of new accessible toilets.
- 4.5 The proposal is considered to not have an unacceptable impact on the amenity of neighbouring properties in regard to impact on daylight and sunlight, sense of enclosure, outlook, privacy, overlooking, noise and light pollution, with a number of conditions recommended to mitigate any amenity and transport impacts. The proposal is considered to be acceptable, on balance, and it is recommended that the application be approved subject to conditions.

5. SITE AND SURROUNDINGS

1. The application site has a site area of approx. 381sqm and is located on the southern side of Clerkenwell Road and contains a five storey (plus basement and ground floor mezzanine) mid-terraced office building located. The site is located within the Bunhill & Clerkenwell Core Strategy Key Area, and the Finsbury Local Plan Area and lies within the Central Activities Zone. The existing building is occupied by approximately 2044 sqm of E(g)(i) Office space and is located within an Employment Priority Area (General).
2. The building is not locally nor statutorily listed, however it is located within the Clerkenwell Green Conservation Area. The application building adjoins No. 27 Clerkenwell Road to the east which is locally listed and is four storeys in height (appearing significantly shorter than the application site).
3. To the west, the application building adjoins 'Pennybank Chambers' No. 33 – 35 Clerkenwell Road which matches the height of the application building. The western flank of the site also adjoins No's 28-30 and 31 St John's Square.
4. To the south-east of the site is the St John's Gate, a Grade I listed building and No 27 St Johns Square a Grade II listed building.
5. The surrounding area is predominantly mixed use in nature including office, commercial and residential buildings.
6. The site has a PTAL rating of 6a (excellent) with a number of TfL bus routes operating from Clerkenwell Road and the site is located approx. 567m from Farrington Station to the south-west.

6. PROPOSAL

7. The proposals seek full planning permission for the erection of a single roof extension together with the installation of a rooftop external plant compound, erection of a rear/side extensions at first, second, third and fourth floor levels to allow for an all-round parapet wall at roof level, green roof and solar panels, installation of a new shopfront to include lowering of the front slab to allow accessible entrance and replacement of shop front windows to Clerkenwell Road together with associated internal works following partial demolition at roof level and to west elevation.
8. The additional floorspace would provide for new office accommodation (Class E(g)(i) Use (Offices to carry out any operational or administrative functions).
9. The application site has previously been granted planning permission for a roof extension and rear/side extensions at first, second, third and fourth floor levels under planning application ref. P2018/2646/FUL in 2019. However, that permission has not been implemented and has now expired. As shown in image 7 below, the existing building has a maximum height of 21.9m. The current scheme would increase the maximum height of the roof extension by approx. 2m when compared to the maximum height of 21.6m of the previous approved scheme. These height increases are shown in images 8 and 9 below. This height increase would allow the front of the roof extension to match the height of the existing adjoining roof extension and roof terrace at Pennybank Chambers No's 33-35 Clerkenwell Road (Ref: P2018/1671/FUL) as shown below.
10. The adjoining 3 storey locally listed building No. 27 Clerkenwell Road has also had planning permission previously approved for an additional 3 storeys (Ref: P2017/4659/FUL). The current proposal is therefore a design, height and massing response to those. The proposed materials palette for the roof extension utilises the palette used of Nos. 31-33 namely zinc roof panels with grey aluminium windows. Above the roof extension, a flat part of the roof with an area of approx. 85sqm would accommodate a green roof, with a central area of 22sqm accommodating solar panels. The rear part of the roof (approx. 70sqm) would accommodate a rooftop plant compound.
11. Other minor works proposed include alterations to the existing shopfront, by reinstating the original window design and refurbishing and repainting the existing upper floor timber sash windows.

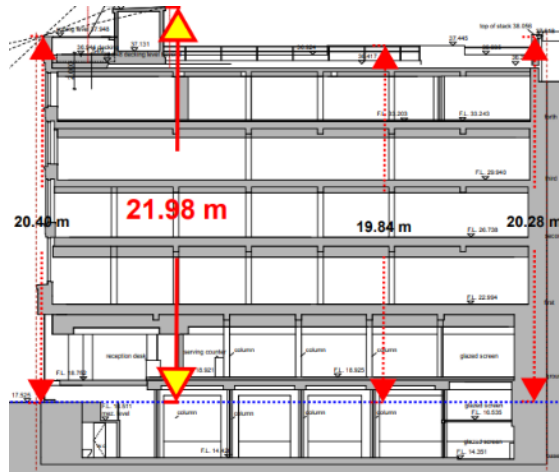


Image 7: Existing Section Plan

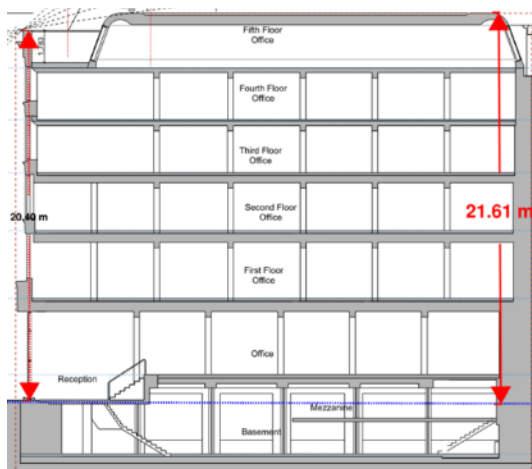


Image 8: Previous approved scheme 2018 (P2018/2646/FUL) now expired.

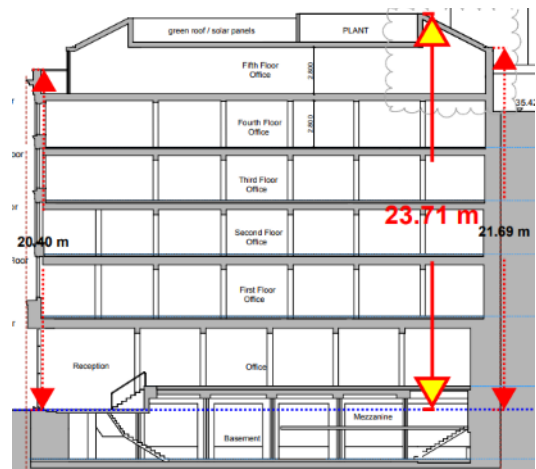


Image 9: Proposed Section Plan



Image 10: Previous approved scheme 2018 (P2018/2646/FUL) now expired.

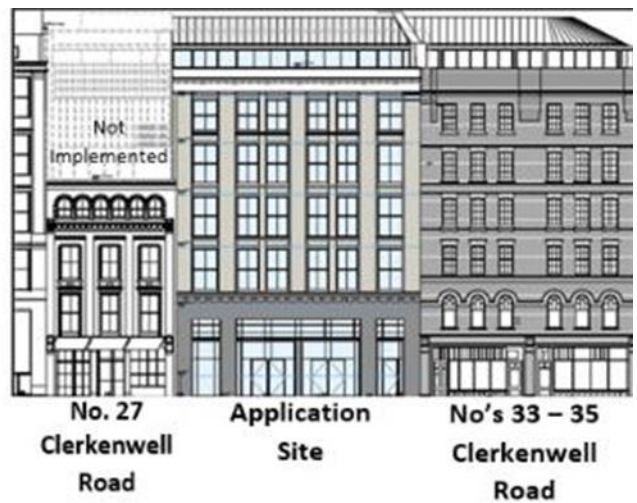


Image 11: Current proposal

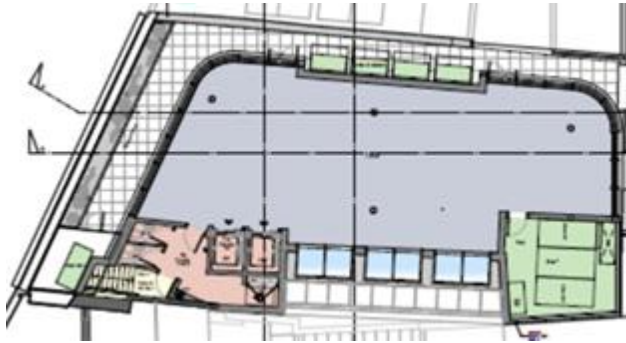


Image 12: Previous approved roof plan 2018 (P2018/2646/FUL) now expired.

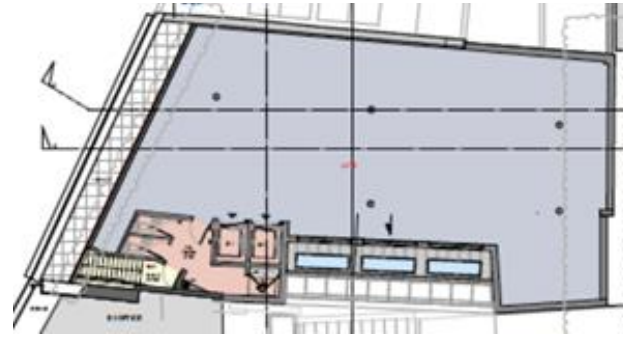


Image 13: Current proposed roof plan

Amendments

12. During the assessment of this application a fire safety statement has been provided and an updated daylight and sunlight assessment has been provided to take into account an update to the BRE Site layout planning for daylight and sunlight (2022) guidance.

7. RELEVANT HISTORY:

PLANNING APPLICATIONS:

Application Number	Development Description	Decision	Decision Date
P2018/2646/FUL	Partial demolition at roof level and the erection of a roof extension for office accommodation (B1 Use) plus terrace and external plant compound, erection of a side extension at first, second, third and fourth floor levels, installation of a new shopfront and replacement of windows to Clerkenwell Road and lowering of front slab to allow accessible entrance.	Approved	09/05/2019
P090753	Renewal of existing shopfront.	Approved	22/06/2009
P012522	Installation of three telecommunications antenna and associated equipment cabinets on the roof.	Approved	31/05/2002
P001036	Installation of a roof-top telecommunications facility comprising on 0.3m diameter radio transmission dish and associated minor works.	Approved	03/07/2000
P072691	Provision of new emergency standby generator.	Approved	18/12/2007
891094	Construction of fifth floor roof extension for ancillary office use (97sq.m). (subsequent appeal dismissed.)	Refused	29/08/1990

PRE-APPLICATION ADVICE

Ref: Q2021/2984/MIN	
Proposal	Officer advice summary:
Pre-application for the partial demolition at roof level and to west elevation; the erection of a single roof extension for office accommodation	In design terms as the site within the Clerkenwell Green Conservation Area and within the setting of listed buildings, any proposal is required to preserve the visual appearance and historic character of this heritage asset.

<p>(Class E Use) and external plant compound, erection of a side extension at first, second, third and fourth floor levels, installation of a new shopfront and replacement of windows to Clerkenwell Road and lowering of front slab to allow accessible entrance.</p>	<p>Whilst the host building has an extant permission for similar alterations, the proposal results in design changes to the approved extensions at roof level. However, these are changes are considered acceptable in design terms and are considered to preserve the visual appearance and historic character of the host building and wider heritage assets, and recommend the design in the proposed Option 1.</p> <p>The proposal should ensure that it demonstrates it would not have a detrimental impact in regards to amenity of the occupiers of neighbouring properties, in terms the loss of daylight/sunlight, outlook, sense of enclosure, noise and privacy.</p> <p>The proposal should demonstrate how they provide accessible accommodation, have acceptable fire safety and security measures, and adequate cycle and waste storage.</p>
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RELEVANT SURROUNDING PLANNING HISTORY

Application Number	Site Address	Development Description	Decision	Decision Date
P2020/1062/ FUL	Clerkenwell Workshop, 27-31 Clerkenwell Close	Installation of roof top plant equipment including the installation of 1 No. new enclosure and enlargement of existing 1 No. plant enclosure at roof level.	Approved	22/08/22
P2021/2519/ FUL	18-30 Clerkenwell Road	Installation of AC equipment to the rear elevation including 9 No. condensers within the lightwell at basement level, 3 No. louvres along the rear elevation at ground floor level, 2 No. louvres at first floor level and an acoustic canopy above the ground floor windows to first floor level, new ventilation louvres within rainscreen cladding on north elevation.	Approved	22/08/2022
P2017/2512/ FUL	33 - 35 St John's Square	The erection of a five storey rear extension from first floor level upwards to provide additional office accommodation (Class B1); extension to existing plant enclosure; new external plant area and external improvements to the facade and shopfronts.	Approved	08.05.2018
P2018/1671/ FUL	33-35 St John Square	The erection of a roof extension and rear extension from first floor level upwards to provide additional office accommodation (Class B1) including a plant enclosure and external improvements to the facade and shopfronts. In connection with the change of use of part ground and basement floors as a flexible/alternative use for either office (Class B1) or retail (Class A1) purposes and associated alterations.	Approved	01/05/2019
P2017/4659/ FUL	27 Clerkenwell Road	Erection of three storey extension to existing three storey (plus basement) host building at fourth, fifth and six floor levels and excavation at basement level to extend the existing floorplate to the rear of the building, and	Approved	04/10/2018

		lowering of floor to form a full height basement. Erection of a setback plant room at roof level above the new sixth floor. Proposed extensions resulting in an uplift of 632m ² floorspace. Change of use at basement to provide Class A3 café floor space and provision of bike store, refuse and recycle store. Change of use from Class A3 café floorspace to Class B1 office floorspace at first floor level; change of use from mixed Class B1 office floorspace and ancillary Class A3 floor space at second and third floors to provide Class B1 office floor space across both floors. Provision of Class B1 office floorspace at new fourth, fifth and six floors. Alterations to ground floor shopfront including installation of new double doors to provide access to the first sixth floors; reinstatement of the missing corbel and the missing sash window to the front elevation at third floor level; three storey contemporary extensions at fourth - sixth floors to be formed of glazing and Corten steel to comprise Class B1 floorspace with reinstatement of existing saw-tooth roof form at sixth floor.		
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CONSULTATION

Public Consultation

12. In total, 110 letters were sent to occupants of adjoining and nearby properties and a site notice was displayed on 24/11/2022 along with a press notice published in the Islington Gazette. The public consultation of the application therefore expired on 18/12/2022; however, it is the Council's practice to continue to consider representations made up until the date of a decision. At the time of the writing of this report, 5 letters of objections have been received raising points related to:
- The proposal sets a precedent in height in the conservation area.(responded to at para 31-54)
 - No assessment on the amenity impacts (including noise) on 103 John Street a residential neighbour.(responded to at para 61-85)
 - Overshadowing of neighbouring roof garden. (responded to at para 79)
 - Overlooking of neighbouring flats. (responded to at para 75-78)
 - Detrimental impact on the visual amenities of the conservation area. (responded to at para 31-60)
 - Inaccuracies in daylight sunlight report. (responded to at para 67)
 - The proposal would result in partial demolition of the historic fabric of the building. (responded to at para 55 -58)
 - The proposal would lead to further disturbance of neighbouring properties in terms of noise from roof top plant. (responded to at para 81-85)
 - Would have a detrimental impact on local bat habitats. (responded to at para 95 condition 14 part q)

Officer response- The material issues raised above are addressed within the relevant highlighted sections of this report below.

Internal Consultees

13. **Islington Inclusive Design Officer:** No objection subject to securing the following items:
- Non-compliant width of the corridor- plans must be updated to ensure at least 1200mm (without obstruction) is provided.
 - Larger lift that is fit for vertical circulation of cycles - this will be not actionable at condition stage. The LCDS specifies "To accommodate all types of cycle, lifts should have minimum

dimensions of 1.2 by 2.3 metres, with a minimum door opening of 1000mm, and any door to a cycle parking area should be automated - push button or pressure pad operated. Islington Policy refers to LCDS- these standards should be met.

- Sanitary provision- regarding the 5th floor: Part M Vol 2 5.7 b)
- It is not understood why the applicant is resisting alternating transfer sides for new accessible WC provision. This a Part M requirement: To clarify- all that is required here is to switch the side of the wall the WC is located closest to. Basement is to left, but all other floors are to the right. If someone's condition means they are stronger on the left-hand side, they would have to travel down to the basement. A snip from BS8300-2:2018 18.1.2 provided below for clarity on this:
- Secure the following by condition: sanitary provision, alternating transfer sides for accessible WC provision.

14. **Islington Acoustics Officer:** No objection subject to noise compliance conditions 6 and 7.

Islington Building Control: Fire Statement requires clarification. Condition 22 requires the submission of a further updated Fire Statement.

Officer comment: Further clarification has been provided and is discussed with the fire safety section below and Condition 22 has been added requesting a further updated Fire Statement.

Planning Policy: No objection, subject a condition (8) to restrict floorspace as office Class E(g)(i).

External consultees

15. **Health and Safety Executive** confirmed that the HSE is the statutory consultee for planning applications that involve or may involve a 'relevant building', which is defined as

- Contains two or more dwellings or educational accommodation and
- Meets the height condition of 18m or more in height, or 7 or more storeys

The HSE have confirmed that this building is deemed not to be a relevant building based on its proposed [office] use and as it does not contain any residential dwellings.

16. **Heritage England:** No comment

17. **Heritage England GLAAS:** confirmed no archaeological requirement

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

- 9.1 Islington Council (Planning Sub-Committee B), in determining the planning application has the following main statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.) and;
- As the development is within close proximity to a conservation area, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) Planning (Listed Buildings and Conservation Areas) Act 1990).
- The development is also in close proximity to statutory listed heritage assets and therefore the Council has a statutory duty to pay special regard to the desirability of preserving these listed building(s), their setting and any of their features of special architectural or historic interest (s16(2) and s66(1) Planning (Listed Buildings and Conservation Areas) Act 1990).

- 9.2 National Planning Policy Framework (NPPF): Paragraph 10 states: “at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.
- 9.3 At paragraph 8 the NPPF states: “that sustainable development has an economic, social and environmental role”.
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee B must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:
- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
 - (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
 - (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

National Guidance

9. 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 considered as part of the assessment of these proposals.

Development Plan

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

Designations

9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Core Strategy Key Area – Bunhill & Clerkenwell;
- Conservation Area – Clerkenwell Green CA1
- Archaeological Priority Area
- Central Activity Zone (CAZ);
- Employment Priority Area (General);
- Finsbury Local Plan Area – Bunhill & Clerkenwell;
- Article 4 Direction A1-A2 (Rest of Borough);
- Article 4 Direction B1(c) to C3;
- Heathrow Safeguarding Area.

Emerging Development Plan Documents

Draft Islington Local Plan 2019

6.1 The council received the Inspectors report for the new Local Plan on 5th July 2023. The receipt of the Inspectors' final report has significant implications for determining planning applications. The National Planning Policy Framework (NPPF) allows Councils to give weight to emerging Local Plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the national policy. On the basis that the Council has received the Inspectors' final report, all objections have been considered and resolved and the Plan has been confirmed as sound and therefore compliant with national policy, almost full weight can be afforded to the new Local Plan, with policies given very significant weight in decision making.

6.2 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).

6.3 Emerging policies that are relevant to this application are listed below:

- Policy PLAN1: Site appraisal, design principles and process
- Policy SP1: Bunhill and Clerkenwell
- Policy B2 New business floorspace
- 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 S3 Sustainable Design Standards
- Policy S4 Minimising greenhouse gas emissions
- Policy S5 Energy Infrastructure
- Policy S6 Managing heat risk
- Policy S7 Improving Air Quality
- Policy S9 Integrated Water Management and Sustainable Drainage
- Policy S10 Circular Economy and Adaptive Design
- Policy T2 Sustainable Transport Choices
- Policy T3 Car-free development
- 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 and vibration

10. ASSESSMENT

Issues

The main issues arising from this proposal relate to the:

- Land use;
- Conservation and Design;
- Neighbouring Amenity;
- Transport and Highways;
- Inclusive Design
- Sustainability;
- Refuse and Recycling;
- Community Infrastructure Levy (CIL)

Land use

11. The Islington Core Strategy (2011) identifies this site as being located within the Bunhill & Clerkenwell Key Area, and policy CS7 therefore applies to this development. The site is located within the Central Activities Zone (CAZ) as designated by London Plan policy SD4.
12. The Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell) (2013) identifies this site as located within the Bunhill & Clerkenwell area framework and therefore Objective 5 and Policies BC5, BC7, BC8, BC9 and BC10 of the Finsbury Plan are relevant.
13. The Development Management Policies (2013) identify the site as being located within an Employment Priority Area (General). Therefore, policies DM5.1 and DM5.4 apply.
14. Draft Local Plan strategic policy SP1 aims to deliver 216,900sqm of new office space in this area over the plan period. This policy has key strategic priorities for this area and seeks to deliver growth in accordance with the policies within the Bunhill and Clerkenwell Area Action Plan (AAP).
15. The existing use of the building is office with an existing GIA of approx. 2,044sqm. The proposed development would result in an additional office floorspace of 553 sqm. The roof extension would have a (GIA) floor area of 293sqm and the remaining uplift in floor space would be provided within the side extensions at first to fourth floor levels. The Council policy encourages the intensification, renewal and modernisation of existing business floorspace within Employment Priority Areas and within the Bunhill & Clerkenwell Core Strategy Key Area.
16. Specifically, policy BC8 states that proposals should incorporate the maximum amount of business floorspace reasonably possible. A key issue here is whether the B1 floorspace has been maximised (BC8Aii) and optimised (BC8Ci) – this is particularly important in commercial offices.
17. Policy BC1 of the Bunhill and Clerkenwell Area Action Plan (Draft Local Plan Main Modifications Schedule) takes into account the change of use within Use Class E and advises the Council will impose conditions to ensure that office use is secured against change to other Class E uses. The AAP seeks to maximise office floorspace as far as possible part D of this policy does allow exceptions in limited circumstances to prioritise research and development space.
18. The proposal submitted would add an additional 553 sqm of floorspace at first, second, third, fourth and roof levels for use within Class E(g)(i) (Offices to carry out any operational or administrative functions). The provision of additional office floorspace is welcomed as Policy BC1 seeks to prioritise office space in this location. Furthermore, in order to comply with Draft Local Plan policy B3 and protect the existing and maximise new office floorspace, condition 8 would restrict the floorspace to be retained within Class E(g)(i) (Offices). This would correspond to the approved office use within the building and the Applicant has agreed to this condition in an email received 31/08/23.
19. Furthermore, the new office floorspace provided within the extensions allow a balance between maximising internal floorspace and ensuring accessibility and services within the building are satisfactory. The internal layout also allows for flexible design as such complying with policy DM5.1

which states that new office accommodation must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation, particularly for small businesses. The new office floorspace would help the Councils meet its target of providing 443,000sqm up to 2036 as set out in Draft Local Plan policy B1(C). It would also ensure compliance with Draft Local Plan policy B2(A)(i) by prioritising the intensification of a priority office use in the Bunhill and Clerkenwell AAP area.

20. The prioritisation of office space in this location therefore complies with the Council's strategic policies, Draft Local Plan policy SP1. It would, also comply with Policy AAP8 of the Bunhill and Clerkenwell Area Action Plan (AAP) which supports the enhancement of office functions within Historic Clerkenwell principally along the main commercial corridors.



Image 14: The site is located within 'Historic Clerkenwell Spatial Strategy area which is part of the wider Bunhill and Clerkenwell AAP area boundary.

21. Overall, subject to condition 8, the proposal would improve and maximise the internal office floorspace and the proposal would not be contrary to London Plan (2021) policies E1 and E2, Core Strategy Policy CS 13, Finsbury Local Plan (2013) policy BC8, DM Policy DM5.1, Policy BC1 of the Draft Bunhill and Clerkenwell Area Action Plan, Draft Local Plan policies BC1, BC2 and BC3 and SP1.

Design and Conservation

22. Policy CS9 of the Core Strategy 2011 and Policy DM2.1 of the Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
23. Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance.
24. Draft Local Plan policy DH2 states that development within conservation areas and their settings – including alterations to existing buildings and new development - must conserve and enhance the significance of the area, and must be of a high quality contextual design.
25. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas within their area. Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving a listed building, or its setting or any features of special architectural

interest which it possesses.

26. No. 29 Clerkenwell Road is an imposing 5 storey (plus basement and mezzanine) building sited within the Clerkenwell Green Conservation Area and within a historically significant part of the borough and within the wider setting of both the Grade I listed St John's gate and Priory Church of St John. The application building has double height entrance frontage and, whilst not locally listed, is considered to make a substantial positive to the conservation area which itself is considered to be of outstanding importance by virtue of its rich collection of Victorian, Georgian and earlier buildings and important open spaces.

Roof extension and associated works

27. The following paragraphs of the Clerkenwell Green Conservation Area Design Guidelines provide specific guidance on extensions:
28. Paragraph 1.20 states *'New buildings and roof extensions to existing buildings should conform to the height of the existing development in the immediate area.'*
29. Paragraph 1.21 notes that most buildings in the area are between three and five storeys in height. The guidance states that *'no new building or extension will be permitted above five storeys. All plant rooms and lift overruns should be located so as to be invisible from the street including long views from adjacent streets.'*
30. Paragraph 1.22 states *'roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building.'*
31. Paragraph 1.23 states *'strong parapet lines and hidden roofs are characteristic of many properties in the area. These include terraces of Georgian houses in Sekforde Street, Woodbridge Street and Compton Street, but also Victorian and Edwardian or early 20th century commercial buildings throughout the area. It is considered that visible roof extensions can be detrimental to the simple verticality of these buildings and should be resisted. In these situations, applicants will need to demonstrate that set-back extensions are not visible from public spaces and streets. Roof terraces can be a way of achieving private amenity space, but should only be allowed where they are not visible from the street and do not cause problems of overlooking of neighbours.'*

Height, Bulk and Mass

32. Although, the proposed height of the roof extension would run contrary to paragraph 1.21 above and would be larger than the previously approved roof extension (Ref: P2018/2646/FUL). The proposed roof extension would be in-keeping with the height, bulk and design of the recently built roof extension adjoining at Nos.31-35 St John's Square (approved under reference P2018/1671/FUL). It would also be finished in materials to match detailed design of the adjoining roof extension. In this respect the proposed development would respond positively to the existing site context and intended future character of the area in terms of building lines, frontages, storey heights and massing.
33. Above its roof it would have a sunken area which would accommodate a solar panel array and green roof. These features are not objected to in terms of design as these elements would not be visible from public views and would be limited in private views, therefore they would not be dominating features in the skyline.

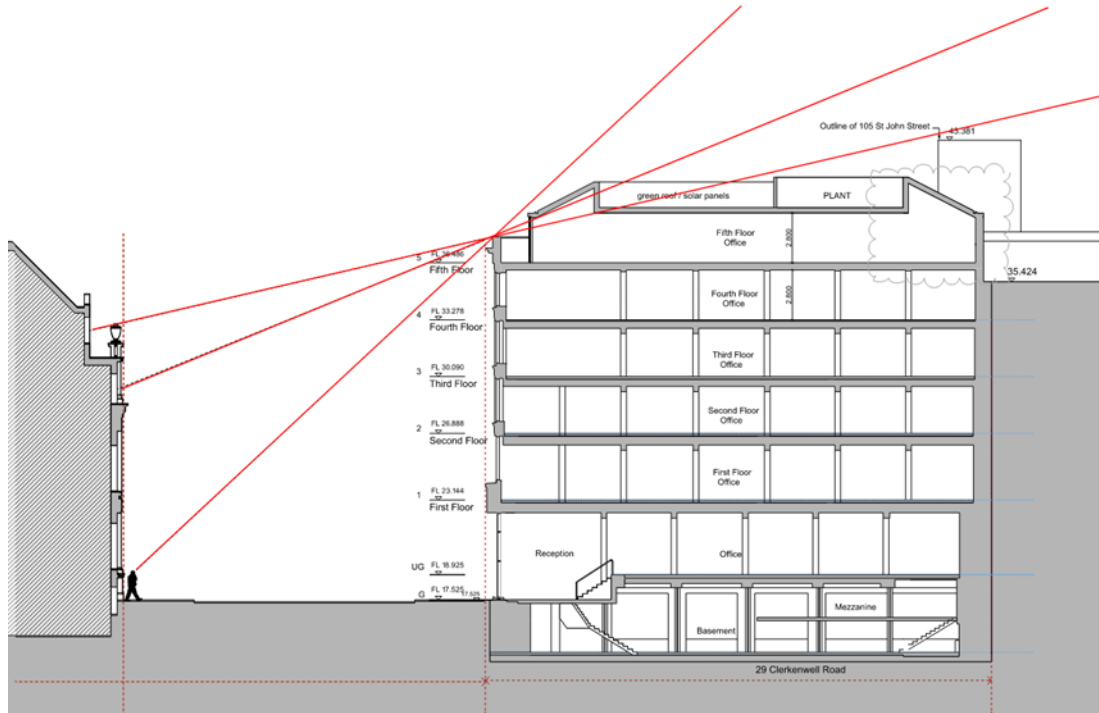


Image 15: Proposed Section Plan CC

34. The front of the proposed roof extension would be set back from Clerkenwell road by 1.2 metres to create a roof terrace to reciprocate the design of the adjoining roof terrace at Nos.31-35 St John’s Square. The roof would be gently sloped at a low pitch of 26 degrees to reduce sightlines from street level. The proposal would include the creation of a new parapet wall along the eastern boundary with No. 27 Clerkenwell Road. It is accepted that from limited views, this parapet wall may be visible from street level. However, this would only be visible from certain points along Clerkenwell Road and would contribute toward the future character of the area. In that there are aspirations to develop additional storeys above No. 27 (evident by the previous expired planning permission ref. P2017/4659/FUL) which is a material consideration. The proposed mansard design with its flank wall would appear of a more traditional design and reciprocate the design features of the adjoining mansard. This current design that includes parapet walls and has followed officer design guidance provided within pre-application Q2021/2984/MIN.



Image 16: Approved roof extension at No. 27 Clerkenwell Road which was not built out (Expired Consent Ref. P2017/4659/FUL).



Image 17: CGI image showing the 3 storey roof extension approved at No. 27 Clerkenwell Road (Ref: P2017/4659/FUL) which has expired and was not built out.

35. It is considered that given the building's mid terrace siting that a more uniform design with parapet walls on both sides would be more appropriate than a design that is set back from this boundary with No. 27 as previously approved (Ref: P2018/2646/FUL). This would create an attractive and well designed roof extension corresponding to the objectives of Draft Local Plan policy PLAN1 which subject to design seeks that all development must make efficient use of sites/buildings and also London Plan policy D3 which advises a design led approach to optimising site capacity.

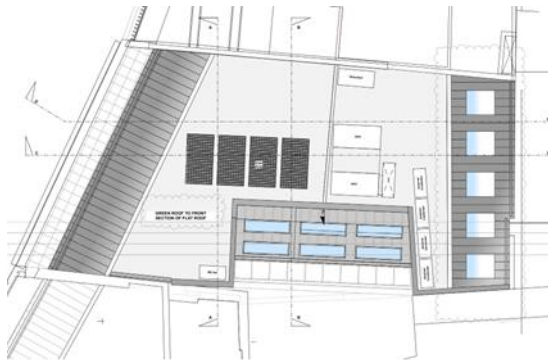


Image 18: Proposed roof plan



Image 19: Proposed east flank elevation

Local Views

36. The site is located within Local Views LV4 (View from Archway Road to St. Paul's Cathedral) and LV5: (View from Archway Bridge to St Paul's Cathedral) and protected Vista VC1 (Alexandra

Palace viewing terrace to St Pauls). The host building has an existing maximum height of 21.98m and the proposed image below shows that the proposed height of approx. 23.71m would be consistent with heights along the terrace. Therefore it is not considered that the roof extension would be of a height or scale to impact on these local and strategic protected views.

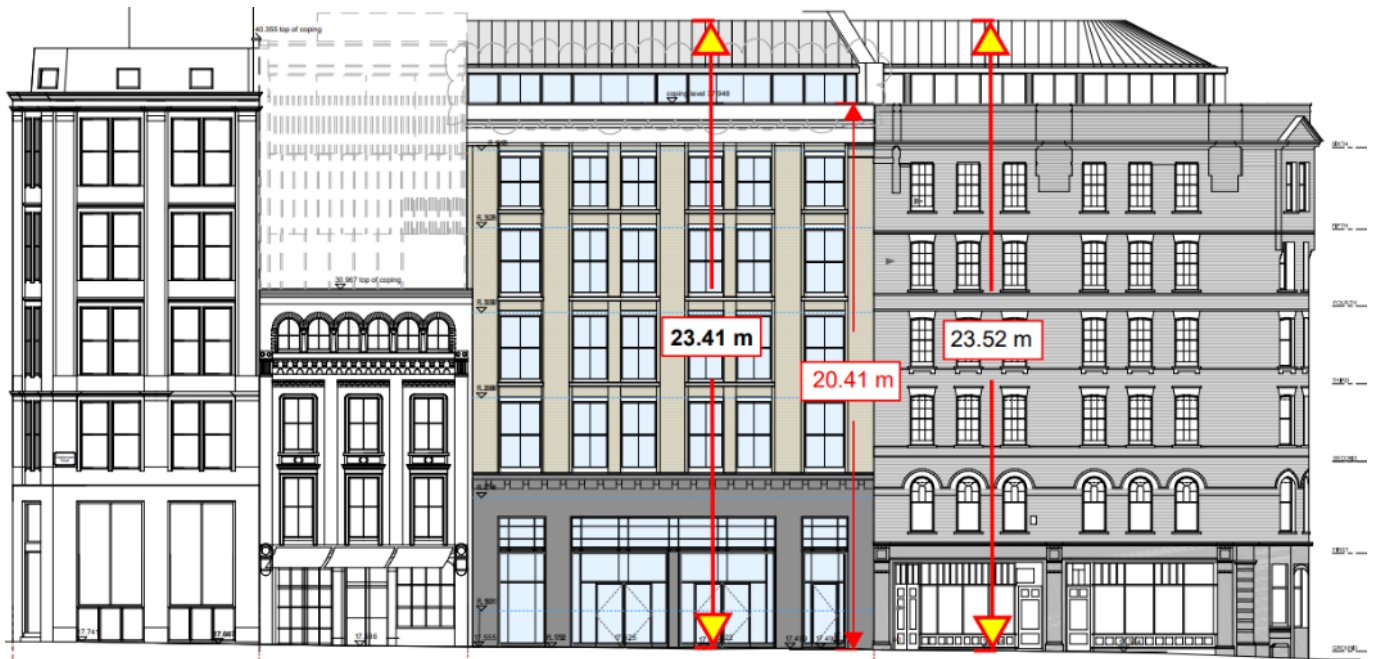


Image 20: Proposed front elevation showing adjoining height of No's 33-35 St Johns Square.

37. Furthermore, the existing site is located in an area of high density buildings which limits its visibility within the Clerkenwell Green Conservation Area. It is acknowledged that glimpses may remain in longer views from St John's Place and St John's Path to the west of the site, as a result of the gap in the roofline caused by the lower height of No. 28 St John's Square. However, due to the limited nature of these views, and distance from the site, the visual impact is minor and not considered harmful to the significance of the conservation area or that it would harm the setting of the listed buildings of 27 St Johns Square and St Johns Gate. The extension would appear as a mansard style addition and it would therefore not have an uncharacteristic appearance in glimpses of the roofline from surrounding sites in compliance with Draft LP policies DH1 and DH2.



Image 21: View from north-west from outside St John Priory Church St Johns Square

38. The rear elevation of the building includes a raised parapet wall with a low pitched section of zinc roof (27°) to give the appearance of a lead mansard. The parapet wall would be constructed

in stock bricks to match the existing building and this part of the roof extension would provide a buffer and screen the roof top plant. Public sightlines towards this corner of the site are limited by No. 28-30 St John's Square, and due to the detailed design and materials of the part of the extension it would create an attractive roofscape.

39. The proposed materials for the roof extension include lead coloured zinc cladding, graphite grey powder coated window frames, and yellow London stock brick for the external walls. These materials would match the character and appearance of the existing building and are considered to be acceptable. Condition 3 would be imposed to ensure the construction detailing and materials are acceptable.
40. A front roof terrace is also proposed set behind the 1.5m high parapet wall. It would have a floor area of approx. 29.5sqm. and would be similar in design to the adjoining front roof terrace at No's 33-35 Clerkenwell Road. The section plan below shows that it would not be visible from the street and is therefore considered to be acceptable. Condition 12 would ensure it is appropriately illuminated and to avoid light spill.



Image 13: Existing West Elevation

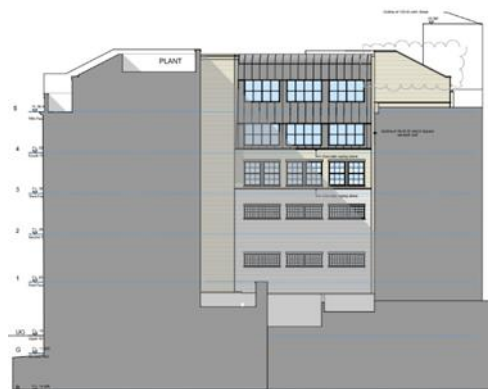


Image 14: Proposed West Elevation

Side/rear extension

41. As part of the proposal, on the western elevation of the building facing the internal courtyard between the host building and the rear of the neighbouring properties at nos. 28-30 and 31 St John's Gate, a proposed side extension is proposed at first, second, third and fourth floor levels.
42. As shown in images 12 and 13 above, the previous approved roof extension in 2018 had a gross internal area approx. 194sqm. The current proposed roof extension would provide an increase floorspace and provide a GIA of approx. 293sqm. As with the 2018 scheme, the remaining uplift in office floor space would be provided within the extensions at first, second, third and fourth floor levels. The current scheme would use a design led approach by taking account of planning permissions granted at neighbouring sites. The current design is considered to be sympathetic to its context and would optimise the site capacity and provide more office space in compliance with London Plan policy D3.
43. This area is currently built-out at ground floor level, while it remains open at the levels above, with the exception of a small external staircase at the south-west corner of the site. Where the side extension may be visible from public views given the lower height of No. 31 St John's Square, it would appear visually interesting and would not harm the relationship with surrounding buildings.
44. The side/rear extension would be constructed of yellow London stock brick with graphite grey powder coated windows, with concrete coping and window lintels. Overall, it is considered to be acceptable and would not cause harm to the character or appearance of the host building, the wider conservation area or setting of the listed buildings.

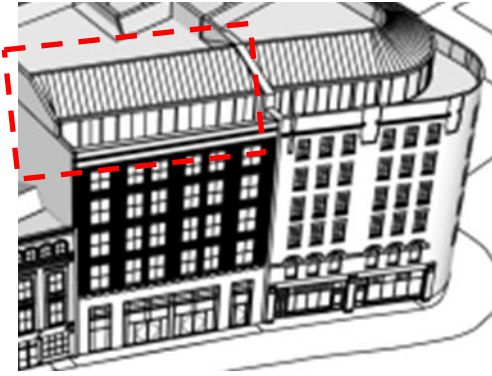


Image 15: Isometric view of proposed roof extension.

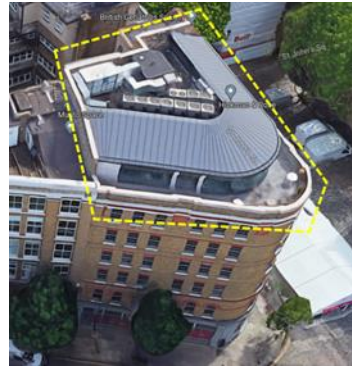


Image 16: Approved roof extension at No's 33-35 St John Square (ref. P2018/1671/FUL).

45. Overall, officers consider that the design and intent of No. 29 is a simply ordered, functional building with a hidden roof and these characteristics would remain unchanged following the introduction of the roof extension with associated plant and terrace. It's scale, bulk, height and massing would appear well proportioned with adequate detailing. The development would not harm visual amenity and would preserve the character and appearance of the surrounding conservation area.

Shopfront alterations

46. Paragraph 5.202 of the Urban Design Guide 2017 states that new or refurbished shopfront design should respect the local streetscene, the building as a whole and its design detail.
47. The proposal includes the replacement of the existing shopfront at the Clerkenwell Road elevation. The existing shopfront contains some art deco influences within the western bays, however the eastern part of the shopfront is modern in character.



Image 17: Pre-Existing Shopfront Circa 2008



Image 18: Existing Shopfront

48. The proposed alterations to the existing shopfront would make the current windows and spacers more uniform in size and design and is considered a planning gain in keeping with the historic character of the host building.

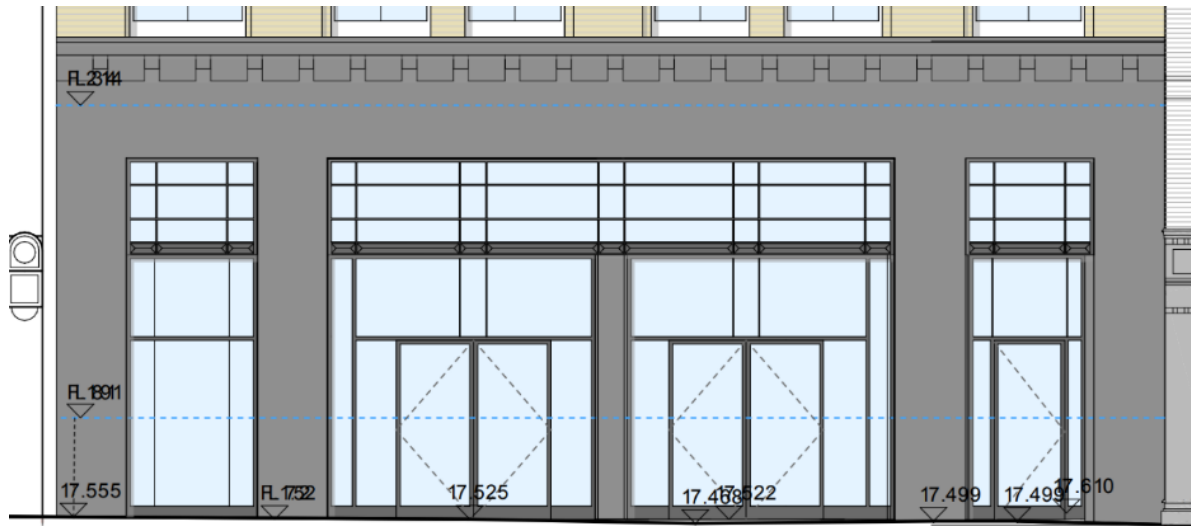


Image 19: Proposed shopfront

49. The proposed shopfront is considered to be an improvement when compared to the existing shopfront as shown above. It would have art deco features reintroduced to its fenestration and would have large generous entrance doors of good proportion and careful detailing. From historic street view imagery it appears that the new shopfront would reinstate the period detailing of an earlier shopfront. The proposed symmetrical design, detailing and general character is considered appropriate and is welcomed addition in the historic streetscene. The new shopfront is considered to represent a minor enhancement to the character and appearance of the Clerkenwell Green Conservation Area.

Design conclusion

In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, the Local Authority has paid special attention to the desirability of preserving or enhancing the character and appearance of the Clerkenwell Green Conservation Area. In accordance with Sections 16(2) and 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, the Local Planning Authority has had special regard to the desirability of preserving the setting of the adjacent statutorily listed buildings or any features of special architectural interest which they possess.

50. The positive contribution made by No. 29 Clerkenwell Road to the Clerkenwell Green Conservation Area arises from its architectural quality as an early C20 commercial building, including its scale, materials and articulation which are highly characteristic for the area. It also has historical value in illustrating how the area was developed from the late C19, following the construction of Clerkenwell Road, when larger commercial/industrial premises began to be built. The proposed roof and side extensions would have a high quality traditional design and would not result in the loss of these values and therefore make a positive contribution to the Conservation Area. Further to this, the proposed shopfront would reinstate historic features and make a positive contribution.

51. As such, the proposals are not considered to cause harm to the designated heritage assets in the context of paragraph 202 of the NPPF. However, should the decision maker consider that harm should arise then the proposals would bring economic benefits by increasing employment floorspace added to the building. The proposed design of the scheme would also preserve the character and appearance of the Clerkenwell Green Conservation Area would be preserved, as would the settings of nearby listed buildings. Therefore, the proposed development complies with the National Planning Policy Framework 2021, policies D1, D3 and D4 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011, policies DM2.1 and DM2.3 of the Development Management Policies 2013 and Draft Local Plan policies PLAN1, DH1 and DH2. The development also adheres to the guidance in the Islington Urban Design Guide 2017 and the Clerkenwell Green (CA01) Conservation Area Design Guidelines.

52. Policy DM2.1 states that development should not have an adverse impact on neighbouring amenity in terms of overshadowing, overlooking, privacy, direct sunlight and day light, over-dominance, sense of enclosure and outlook. Draft Local Plan policy PLAN1 requires development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
53. In general, for assessing the sunlight and daylight impact of new development on existing buildings, the Building Research Establishment (BRE) 'Site Layout planning for daylight and sunlight: a guide to good practice' (2022) provides the current best practice guidelines for which development is assessed against. In accordance with both local and national policies, consideration has also 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.
54. BRE Guidelines paragraph 1.1 states: "People expect good natural lighting in their homes and in a wide range of non-domestic buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by. Access to skylight and sunlight helps make a building energy efficient; effective daylighting will reduce the need for electric light, while winter solar gain can meet some of the heating requirements".
55. Paragraph 1.6 states: "The guide is intended for building designers and their clients, consultants, and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design."
56. The application site is located in a dense urban location and there is a notable tightness in character between the site and the surrounding properties. The majority of immediately surrounding buildings are in commercial use with the notable exception of No. 103 St. John Street which contains six residential flats on the upper floor levels.

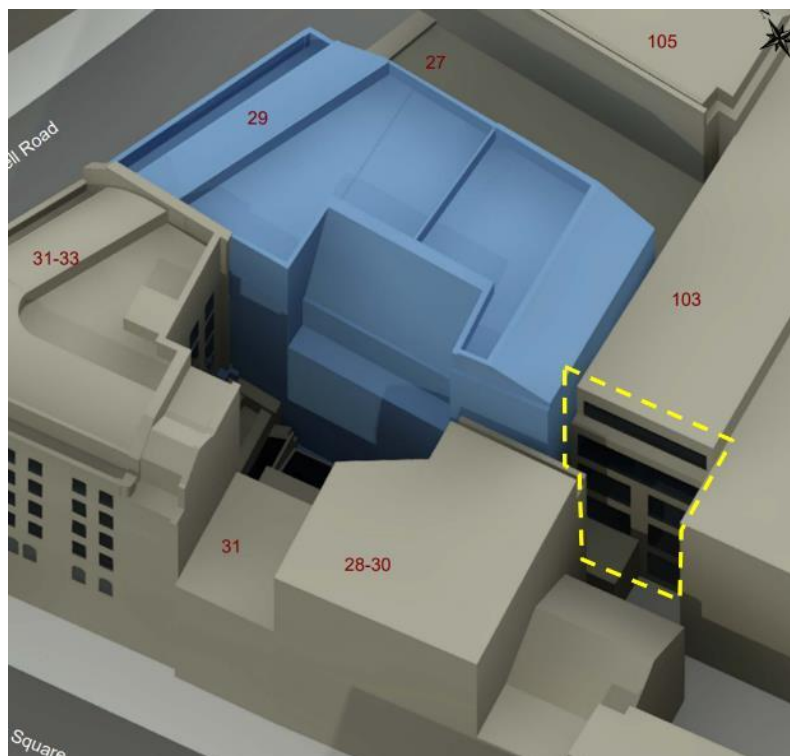


Image 20: Proposed extensions in context with No. 103 St John Street.

57. The application has been accompanied by a Daylight and Sunlight Assessment updated on the 16th of September 2022 in line with BRE (2022) guidance and carried out by Herrington Consulting Ltd, qualified professionals. The report assesses the impact of the proposal on daylight/sunlight to the rear facing windows of habitable rooms at No. 103 St John Street.
58. It is noted that within the objections received that raise issue with the accuracy of the report.

However, Officers have requested further clarification from the Applicants daylight and sunlight consultant regarding the methodology and assumptions reached within this report and now consider that this report is sufficient to allow officers to accurately assess the daylight and sunlight and overshadowing impacts of this scheme as assessed below.

Daylight

59. The daylight sunlight assessment calculates daylight impacts on No. 103 using the VSC and NSL. However, the NSL requires accurate floorplans for helpful results to be produced. In this case it was not possible to obtain detailed floor plans for the flats within No. 103 St Johns Street and the room dimensions assessed using NSL were estimated. In this case the daylight impacts were calculated using the VSC and these results are summarised below. Of the 7 windows assessed using the VSC, all 7 achieve a VSC value of 27% or 0.80 times their former value post development as is recommended by the BRE and the impact would be negligible. This is a very good result for an urban setting.

Window	VSC before proposal	VSC after proposal	Fraction of former value
W1 (ground)	3.87	3.69	0.95
W1 (First)	8.99	8.66	0.96
W2 (First)	9.31	8.62	0.93
W1 (Second)	15.29	14.82	0.97
W2 (Second)	14.36	13.16	0.92
W1 (Third)	23.60	22.32	0.95
W1 (Fourth)	34.22	32.31	0.94

Table 1: Summary of vertical sky component results

Sunlight:

60. The BRE Guidelines (2022) states at paragraph 3.2.1; “in designing a new development or extension to a building, care should be taken to safeguard the access to sunlight both for existing dwellings, and for any nearby non-domestic buildings where there is a particular requirement for sunlight. People are particularly likely to notice a loss of sunlight to their homes and if it is extensive then it will usually be resented
61. At paragraph 3.3.2 of the guidelines it states that ‘Obstruction to sunlight may become an issue if
- *Some part of a new development is situated within 90° of due south of a main window wall of an existing building*
 - *In the section drawn perpendicular to this existing window wall, the new development subtends an angle greater than 25° to the horizontal measured from the centre of the lowest window to a main living room.*
62. At paragraph 3.2.3 of the guidelines ‘it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun’.
63. The daylight and sunlight assessment submitted by the applicant assesses sunlight impacts using the APSH. Of the 7 windows assessed at the rear of No. 103 St John Street which is located south of the proposed extensions, all windows passed the APSH test. Therefore, the proposed scheme would have a negligible impact on sunlight received to No. 103 St John Street.
64. No Daylight or Sunlight analysis has been conducted with regard to the adjoining and adjacent commercial office buildings as these uses do not fall under the assessment of current BRE Guidelines which recommend that they occupy the less well daylit areas of new developments.

Outlook and Sense of Enclosure

65. The proposed extensions and roof would be located adjacent to the rear elevation of the commercial office buildings fronting St John’s Square to the west, reducing the level of outlook towards the east from these buildings. However, it is noted that these largely comprise of open plan office floorspace. Therefore, it is not considered that the reduced outlook would cause undue harm to these neighbouring occupiers.

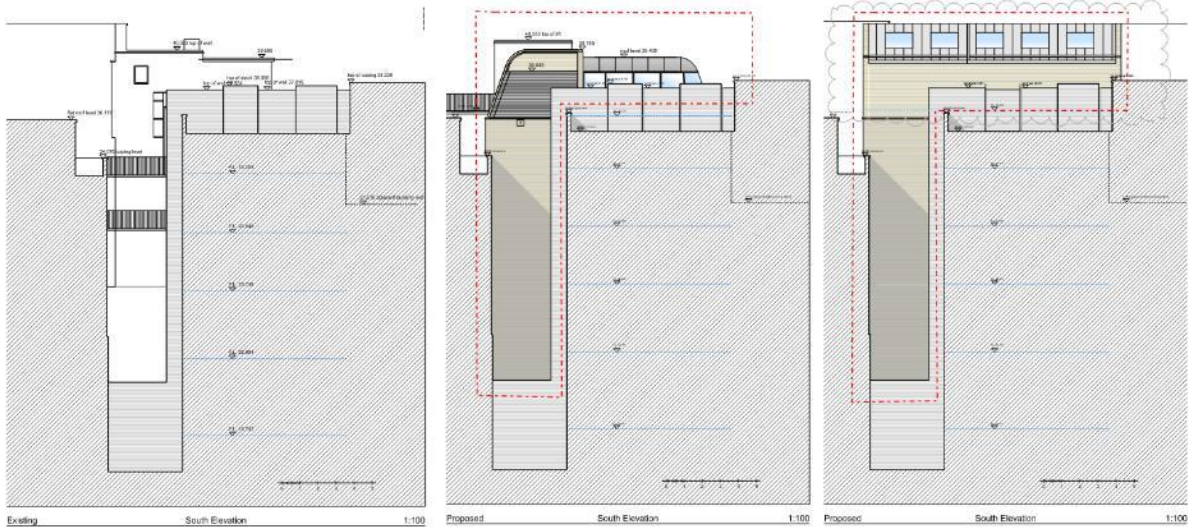


Image 21: Existing rear south elevation

Image 22: Previously approved rear south elevation (P2018/2646/FUL)

Image 23: Proposed rear south elevation

66. The proposed rear/side extensions at first to fourth floor and roof extension would be located adjacent to the rear windows of the residential flats within No. 103 St Johns Street. The above image shows that whilst there would be an increase in height and bulk when compared to the previous approved scheme, it is considered that the proposals would not have an unacceptable impact on the outlook from the rear windows of these flats or from the roof terrace above. Furthermore, as shown above, the existing outlook from the rear windows of these flats to the north is already restricted by the rear of the existing building which is set at a right angle from these windows. The additional height and bulk proposed within the current scheme is not considered to impact on the outlook of these flats or create a sense of enclosure that would warrant a refusal of the application.

Privacy and Overlooking

67. The proposed roof extension would be built up to the rear boundary with No. 103 but there is no rear roof terrace proposed and the proposed rooflights would be sloped upwards orientated towards the sky. Therefore, it is considered that the proposal would not result in any additional overlooking of the amenities of the residential flats within No. 103 St. John Street.
68. The proposed alterations to the existing west elevation windows and the proposed new windows on the extensions would have a similar size and design as previously approved as shown below.



Image 24: Existing side (west) elevation

Image 25: Previously approved side (west) elevation (P2018/2646/FUL)

Image 26: Proposed side (west) elevation

69. The west elevation windows of the side extension would allow outlook towards the rear of the buildings fronting St Johns Square to the west of the site. However, officers note that these are commercial office buildings and therefore the proposed new fenestration would not cause undue overlooking to neighbouring buildings. Given that this would be office-to-office overlooking, this would not warrant a reason for the refusal of the application.

70. The proposed new shopfront windows would face onto Clerkenwell Road and retain the existing active frontage of the shopfront within the streetscene which is acceptable. The upper floor front windows fronting Clerkenwell Road would be refurbished and would not be enlarged or repositioned. Their refurbishment would not create any additional amenity impacts over and above their existing position.

Overshadowing:

71. There is a roof garden located at the top of No. 103 St. John Street, as highlighted in green below. Whilst the BRE guidelines state that outdoor amenity spaces such as gardens and recreation areas should be assessed for overshadowing, this is not necessary in this instance, given that the amenity area is due south of the Site (as shown in the map highlighted below) and therefore would not be impacted by overshadowing caused by the proposed roof extension.

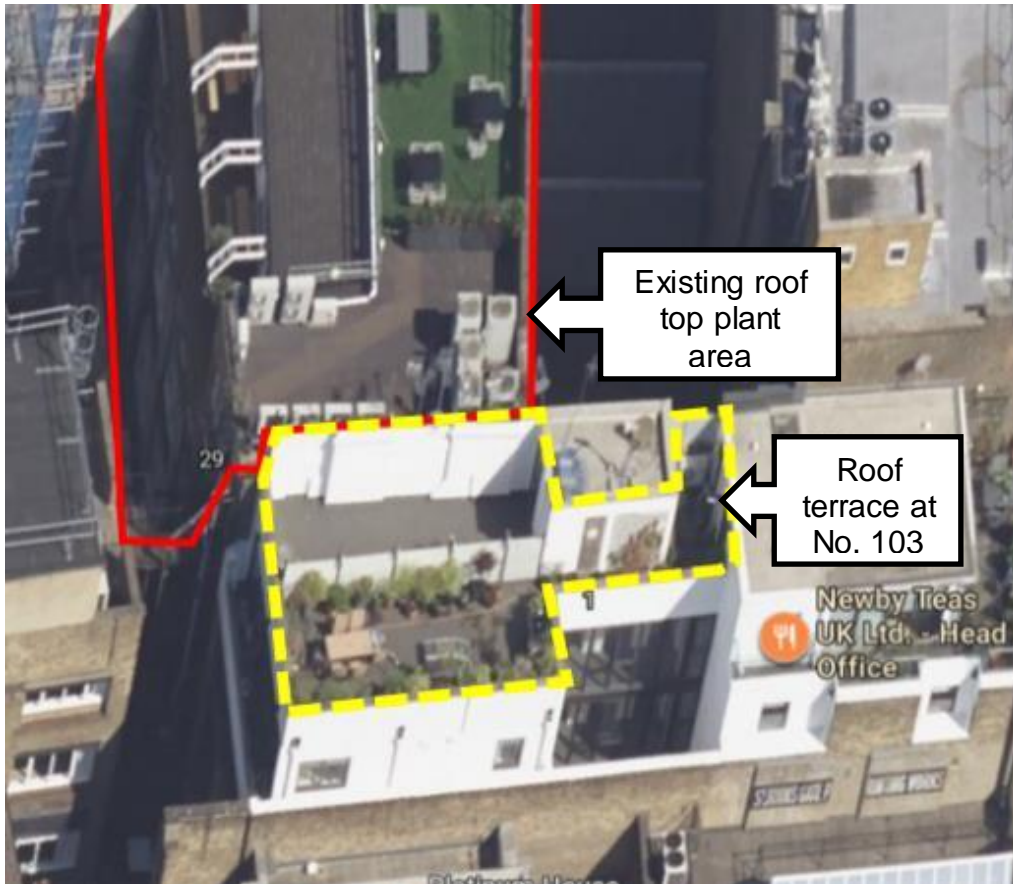


Image 27: Rear of Site (outlined in red) in context with roof terrace at No. 103 St John Street shown outlined in yellow.

Noise

72. The existing rooftop contains a significant amount of servicing plant and equipment. This plant is uncovered and is not subject to any noise attenuation measures. Much of the plant is located at the rear of the site, directly adjacent to the residential property at No. 103 St John Street.

73. The proposal includes the provision of a new plant area with 4 external air conditioning units and 2 AHU ventilation units located on the roof. It would be further set back in a visually inconspicuous location than the existing plant area as it would be set down within the roof which would also help mitigate noise impacts from the proposed plant equipment.



Image 28: Proposed plant area plan

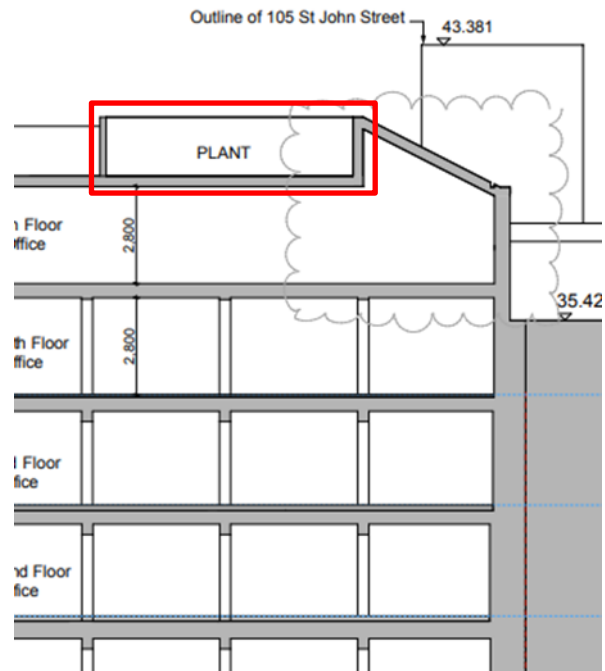


Image 29: Proposed plant area section plan showing sunken plant area.

74. The applicant has provided a noise impact assessment regarding the noise impacts from the proposed plant equipment which has been reviewed by the Councils Noise officer who has raised no objection to the proposal subject to conditions 6 and 7.
75. The recommended noise conditions 6 and 7 would control overall plant noise levels and to control hours of operation for the plant by requiring a timer to be installed limiting the operation of all plant to between the hours of 07:00 to 23:00 each day only and not be operated outside of these hours. Condition 6 would also ensure that the new plant is checked upon installation and regularly checked, maintained and serviced to ensure noise levels do not rise or acoustic character such as tonality, intermittency, impulsivity or other acoustic character develop over time.
76. Subject to these conditions it is not considered that the proposed service equipment would cause excessive noise disturbance to surrounding residential occupiers.

Conclusion on Amenity

77. Overall, the development proposed is concluded to not result in unacceptable adverse effects on the amenities of surrounding occupiers in terms of noise, privacy, having an overbearing effect, loss of outlook or sunlight/daylight reductions. A comprehensive Daylight and Sunlight Report has been submitted in support of the application that satisfactorily demonstrates that there will not be any adverse loss of light implications for surrounding occupiers. Where necessary, conditions have been included to control any potential effects that have been identified to ensure no negative effects to neighbouring amenity will be realised such as construction impacts, controlling plant noise and hours of use of the plant equipment. The development is therefore considered to comply with the relevant policies within the London Plan (2021), Islington Core Strategy (2011), Islington's Development Management Policies (2013) and Draft Local Plan (2019).

Sustainability

78. Policy DM7.1 part C of the Islington Development Management Policies states that Major developments, minor developments creating new residential and/or commercial units, and extensions of 100m² or greater, shall be accompanied by a Sustainable Design and Construction Statement (SDCS), including where relevant an Energy Statement. The SDCS shall clearly set out how the application complies with relevant sustainable design and construction policies and guidance. Policy DM7.2 seeks to ensure Energy efficiency and carbon reduction in minor schemes.

79. Draft Local Plan policy S3 requires all non-residential and mixed-use developments proposing 500sqm or more net additional floorspace are required to achieve a final (post-construction stage) certified rating of Excellent as part of a fully fitted assessment within BREEAM New Construction 2018 (or equivalent scheme), and must make reasonable endeavours to achieve an Outstanding rating. A 'verification stage' certification at post occupancy stage must also be achieved, unless it can be demonstrated that this is not feasible.
80. The applicant has submitted a Sustainable Design and Construction Statement by MMA Consulting Engineers which explored different measures to address carbon reduction and sustainability. In summary to achieve such sustainable measures in both the construction and use of the development, the following will be applied: implementation of sustainable systems for energy, water, and waste management as well as construction management. Furthermore, the statement also refers to measures during the occupation and use of the refurbished building.
81. The Sustainable Design and Construction Statement outlines how the development will achieve a 16% reduction in carbon savings when compared to an equivalent development constructed to compliance with Building Regulations Part L 2013. The submitted plans show that above the roof extension, a flat part of the roof with an area of approx. 85sqm would accommodate a green roof, with a central area of 22sqm accommodating a solar PV array.
82. Such measures are welcomed to ensuring the proposed development and its continued use would not contribute further towards carbon emissions and climate change and therefore is considered that subject to conditions 11 and 18 the scheme would comply with policies DM7.1 and DM7.2 of the Islington Development Management Policies 2013, Policy CS10 of the Core Strategy (2011) and Draft Local Plan policies S1, S2 and S3.

Flood Risk SUDS

83. Water efficiency has been considered in the Sustainability Statement but limited details on sustainable drainage have been provided. The applicant has confirmed that water attenuation will be provided in the form of a water consumption strategy. The Applicant states that rainwater and greywater harvesting on-site would be impractical. However given the large area of the roof extension proposed it is considered that further details beyond minimising water demand are required to ensure that surface water run-off is managed as close to its source as possible to prevent flood risk elsewhere in the Borough in accordance with the guidance within Draft Local Plan policies S8 and S9 and London plan policies SI 12 and SI 13.
84. Given the lack of detail provided at this stage and insufficient justification as to why rainwater recycling is not feasible or practical to comply with Council policies, a SUDS condition (C19) is advised to ensure the development will incorporate sufficient water Management measures.

Biodiversity

85. As stated above a green roof is proposed to the front part of the roof extension. However limited details have been provided in terms of its detailed design, depth and substrate. Draft Local Plan policy G5 requires the green roof to have an extensive substrate of 80-150mm. A cross section is required to illustrate this as well as confirmation that the roof is biodiversity-based with seed mix focussed on wildflower planting with no more than 25% sedum. Condition 11 is advised for these details to be provided post consent to ensure the green roof maximises its biodiversity benefits. This condition would also seek the applicant to maximise bio-diversity benefits and explore opportunity to provide a brown roof on the rear part of the roof around the service equipment area.
86. The NPPF (Ch 15), London Plan policy G6(B)(4) and Draft Local Plan policy G4 requires development to achieve bio-diversity net gain and seek opportunities to create new habitats. Noting the objections received above, which raise concerns about bat habitats in the immediate area, it is considered that condition 17 would ensure some incorporation of artificial nest boxes bricks provide nesting and roosting opportunities for birds, including species under threat such as swifts, house martins, swallows and house sparrows, and where appropriate, bats. Furthermore, Condition 14 part q would require a bat survey. These conditions would ensure these ecological benefits are incorporated into the development with the full details provided and approved post consent.

Air Quality

87. London Plan Policy SI1 2 (d) requires development proposals should ensure that where emissions need to be reduced to meet the requirements of Air Quality Neutral or to make the impact of development on local air quality acceptable, this is done on-site. Where it can be demonstrated

that emissions cannot be further reduced by on-site measures, off-site measures to improve local air quality may be acceptable, provided that equivalent air quality benefits can be demonstrated within the area affected by the development.

88. Furthermore, Draft Local Plan policy requires development proposals, particularly major developments or any other site which may cause disruption during its construction - must adhere to best practice construction techniques to limit impacts on air quality and reduce noise and vibrations from construction and the transportation of construction waste. Information must be provided to identify and mitigate impacts, including a Construction Logistics Plan.
89. As the site is located within the Central Activities Zone, a condition would ensure that all non road-mobile machinery (NRMM) used in the demolition and construction phase is compliant with the NRMM Low Emission Zone requirements and a Method of Construction Statement is submitted providing details of dust mitigation to ensure that air quality is not adversely affected during the demolition and construction phase of the development.
90. Subject to conditions 14 and 15, the development would not be contrary to London Plan Policy SI1, the Mayor's SPG The Control of Dust and Emissions During Construction and Demolition and Draft Local Plan policies T5 and S7.

Circular Economy

91. Certain circular economy points have been highlighted in the submitted Sustainability Statement. Emerging Policy S10 Part C requires a minimum 10% of the total value of materials used in the construction of minor developments must derive from recycled and re-used content in the products and materials selected. As this policy is now given significant weight in decision making condition (11) would require an Adaptive Design Strategy as part of an updated Sustainable Design and Construction Statement to ensure compliance with Draft Policy S10.

Highways and Transportation

Accessibility:

92. The alterations to the shopfront would provide an accessible entrance from the public realm which would ensure convenient access and meet the needs of disabled people in accordance with Draft Local plan policy DH7(a).
93. The submitted transport statement states that it is estimated that the additional floorspace would accommodate approx. 18-27 additional workers, whilst the application form states that additional staff would increase by 75. It is considered that in an area with such a high PTAL rating an additional 75 staff could be accommodated and would have no unacceptable impact on the existing public transport network.

Cycle Parking:

94. Provision of secure, sheltered and appropriately located cycle parking facilities is required in accordance with London Plan Policy T5 and the London Cycling Design Standards as well as by policy DM8.4 and Appendix 6 of the Development Management Policies 2013. For E(g)(i) office floorspace in this location 1No. cycle parking space is required per 75 sqm of floorspace. The proposal includes the provision of an additional 553 sqm of E(g)(i) office floorspace, and therefore in this instance an additional 7No. additional cycle parking spaces are required.
95. The application includes the provision of 26 No. cycle parking spaces at mezzanine level. The proposal also includes the provision of end-of-trip facilities, including lockers, and shower facilities which is welcomed. Condition 10 would ensure the design and layout of the cycle parking fully corresponds with the guidance within the London Cycling Design Standards.

Car Parking:

96. The application site has a PTAL rating of 6a (excellent) and the development does not propose any onsite parking.
97. In accordance with policy T6.2 of the London Plan, policy CS10(H) of the Core Strategy, policy DM8.5 of the Development Management Policies and Draft Local Plan policy T3 (with the exception of car parking for disabled users), the proposed development would be 'car free'. Staff would be restricted from apply for business on-street parking permits.

Refuse and recycling:

98. The proposals would not alter the existing refuse and recycling arrangements that are in place and the submitted plans show that the internal reconfiguration would retain a refuse store within the basement level.

Construction:

99. Limited information has been submitted to demonstrate that the development during its demolition and construction phases would not impact on highway safety, traffic flows, congestion of the road network or footway space.

100. As the site is in an area of high density buildings with no rear access and the main access being from Clerkenwell Road which is a London local bus route. A condition 14 would be imposed to require a Construction Management Plan to identify and mitigate impacts and ensure that there is no disruption during demolition and construction phase commensurate to the scale of development in accordance with Draft Local Plan policy T5(G) and London Plan policy T7(K).

Inclusive Design

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

102. The current proposal would represent changes at ground floor level and at significant increase in office floorspace at roof level. The Inclusive Design officer has reviewed the application and is broadly supportive of the proposal but has raised some concerns with regards the width of lift to accommodate cycle transport, sanitary provision at 5th floor, transfer sides for the new accessible WC provision. It is considered that these points can be adequately addressed by way of planning pre-commencement condition 13 and that overall the scheme presented can achieve accessible and inclusive design. Furthermore, separate to planning controls, the scheme would also have to achieve compliance with the Building Control regulations approved document Part M.

103. Given the approaches taken to improve accessibility for all users, the proposed development is considered to comply with policy D5 of the London Plan 2021, policy DM2.2 of the Islington Development Management Policies 2013 and Draft Local Plan policies DH7(A) and PLAN1.

Fire Safety

104. Part B of the London Plan policy D12 states that *'In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:*

- 1) *identify suitably positioned unobstructed outside space:*
 - a) *for fire appliances to be positioned on*
 - b) *appropriate for use as an evacuation assembly point*
- 2) *are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures*
- 3) *are constructed in an appropriate way to minimise the risk of fire spread*
- 4) *provide suitable and convenient means of escape, and associated evacuation strategy for all building users*
- 5) *develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in.*
- 6) *provide suitable access and equipment for firefighting which is appropriate for the size and use of the development'.*

105. Development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.

106. The Health and Safety Executive were consulted with as part of the application process and

have confirmed that the building is not a 'relevant building' as building not over 18 metres from the ground to the top floor finished floor level.

107. In order to be compliant with Policy D12, the applicant has submitted a Fire Statement which has been reviewed by the Council's Building Control Team who required additional information regarding the proposed fire strategy. The applicant has since provided further information to regarding the Building Control officers queries. Officers consider that an appropriate condition 22 would ensure that the development would meet the highest standard of fire safety in compliance with policy D12 of the London Plan (2021).

Community Infrastructure Levy

108. The proposed development is located within CIL Zone 1 would be liable for both the Mayoral and Islington CIL. The charge is Mayoral CIL is £50 per sqm and Islington CIL is £80 per sqm.

SUMMARY AND CONCLUSION

109. The overall design of the extensions and refurbishment of the buildings is acceptable and represents a high standard of design that is supported, in accordance with DM2.1. Furthermore, it is concluded that the development will not detrimentally impact the adjoining locally listed building nor the setting of the nearby Grade I and II listed buildings or would harm the surrounding Clerkenwell Green Conservation area and therefore the development would not be contrary to paragraph 202 of the NPPF and accords with the heritage conservation principles of LP policy HC1, DM policy DM2.3 and Draft LP policies DH1 and DH2.
110. The development would not unacceptably impact the amenities of surrounding residents and conditions are advised to ensure disturbance from the construction phase of the development would be minimised as much as possible. In relation to demolition and construction phase further details of mitigation measures to reduce amenity, air quality and highways would be secured by condition.
111. Full details of sustainable design features such as a green roof, SUDs and rainwater recycling and further ecological benefits have been secured via condition such as nest boxes/bricks.
112. The development includes a significant amount of cycle parking in compliance with London Plan standards for the additional floor space proposed. End of trip facilities, accessible cycle spaces and visitor spaces are also proposed. The internal refurbishment of communal areas building will also bring the building up to modern standards in relation to accessibility and inclusive design.
113. In terms of daylight/sunlight the submitted Daylight and Sunlight Report has identified that the reduction in daylight and sunlight would have negligible impacts and unlikely to be noticeable to the adjacent residential occupiers within No. 103 and the scheme would overall comply with BRE Guidelines. The proposal is considered to have an acceptable impact on the amenity impact on neighbouring properties in regards to sense of enclosure, noise, privacy, overlooking, and light pollution, with a number of conditions recommended to mitigate any amenity and transport impacts. Planning conditions would also ensure that the final construction detailing and external materials are acceptable and the scheme is built out achieve bio-diversity net gain proportionate to its size and incorporate sustainability measures including sustainable drainage to achieve water use efficiency.
114. In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the National Planning Policy, the London Plan, the Islington Core Strategy, Islington Development Plan, Draft Local Plan and associated Supplementary Planning Documents and should be approved accordingly.

CONCLUSION

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

APPENDIX 1 – RECOMMENDATION

RECOMMENDATION A

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

List of Conditions:

1	<p>Implementation Period</p> <p>3 YEAR CONSENT PERIOD: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</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>Site Location Plan EX (PL) 000; Existing Street Elevation EX (PL) 014; Existing North Elevation EX (PL) 09; Existing West Elevation EX (PL) 010, Existing East & South Elevation EX (PL) 011; Existing Section AA & BB EX (PL) 012; Existing Section CC EX (PL) 013; Existing Plan - Roof EX (PL) 008; Existing Plan - Basement EX (PL) 001; Existing Plan - Basement Mez EX (PL) 002; Existing Plan - Ground Floor EX (PL) 003; Existing Plan - First Floor EX (PL) 004; Existing Plan - Second Floor EX (PL) 005; Existing Plan - Third Floor EX (PL) 006; Existing Plan - Fourth Floor EX (PL) 007; Proposed Street Elevation PR (PL) 214 Rev A; Proposed East & South Elevation PR (PL) 211 Rev A; Proposed West Elevation PR (PL) 210 Rev A; Proposed North Elevation PR (PL) 209 Rev A; Proposed Section AA & BB PR (PL) 212; Proposed Section CC PR (PL) 213 Rev A; Proposed Plan – Basement PR (PL) 200; Proposed Plan - Ground Floor PR (PL) 202; Proposed Plan – Mezzanine PR (PL) 201; Proposed Plan - First Floor PR (PL) 203; Proposed Plan - Second Floor PR (PL) 204; Proposed Plan - Third Floor : PR (PL) 205; Proposed Plan - Fourth Floor PR (PL) 206; Proposed Plan - Fifth Floor PR (PL) 207 Rev A; Proposed Plan - Roof PR (PL) 208 Rev A; Daylight and Sunlight Assessment Rev 03 dated 16 Sept 2022; Herrington Consulting Ltd Letter kc/1440/14742 dated 16/09/22; Design and Access Statement ref. VMM1250_DAS_(R1_JMJC) dated June 2022; Salus Fire safety statement ref 508459 dated 26th June 2022; Heritage Impact Assessment dated May 2022; KP Acoustics Planning Compliance Report ref. 25325.PCR.01 dated 11/11/2022; Planning Statement ref 2017_42 dated July 2022; Structural Report 150626 Rev1 dated 22/05/22; Sustainable Design and Construction Statement 6106-MMA-XX-ZZ-RP-MEPH-ES-01 Rev01 dated 24/06/22; Transport Statement dated June 2022, 2 x Emails from Agent dated 31/08/23 and 01/09/23 clarifying daylight sunlight report methodology, Email from Agent dated 31/08/23 confirming agreement to CLASS E(g)(i) office use compliance condition, Email from Agent dated 31/08/23 regarding fire safety comments response.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>MATERIALS (DETAILS):</p> <p>CONDITION: For the hereby approved roof extension details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <p>a) brickwork (including photograph of brick type and mortar details)</p>

	<p>b) Roofing materials (including photograph of cladding material and front roof terrace balustrading treatment)</p> <p>b) Window details (including sections and reveals);</p> <p>c) Any other external materials (including balustrades) to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>The external alterations at ground floor shopfront which shall be constructed in accordance with the materials shown in the approved drawings and Design and Access Statement.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Hours of Use – Roof Terrace (COMPLIANCE)
	<p>CONDITION: The hereby approved roof terrace shown on drawing PR(PL)208 RevA shall only be used during the following hours:</p> <p>Monday to Friday 09:00 to 21:00 hours and 12:00 to 19:00 hours on Saturdays, Sundays and bank holidays.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
5	FLAT ROOF NOT USED AS AMENITY SPACE (COMPLIANCE):
	<p>The flat roof areas allocated for green roof and plant equipment above the roof extension shown on plan no. PR(PL)208 RevA hereby approved shall not be used as an amenity or sitting out space of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency into perpetuity.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
6	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+A1:2019.</p> <p>The plant shall be checked upon installation and regularly checked, serviced and maintained in good condition to ensure noise levels do not rise or acoustic character such as tonality, intermittency, impulsivity or other acoustic character develop.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
7	Noise (Compliance):
	<p>CONDITION: Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of all plant to between the hours of 07:00 to 23:00 each day only. The plant shall not be operated outside of these hours. The timer shall be maintained as such thereafter.</p> <p>REASON: In order to protect the amenity of neighbouring properties.</p>
8	CLASS E(g)(i) - OFFICE USE ONLY (COMPLIANCE):
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Amendment)(England) Regulations 2020, the extensions hereby approved shall be used only as an Office (Class E(g)(i) (or the equivalent use within any amended/updated subsequent Order) hereby approved, shall be limited to those uses and for no other purpose (including any other use within Class E(g)(i) of the Schedule to the Town and Country</p>

	<p>Planning (Amendment)(England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification without first obtaining planning consent from the Local Planning Authority.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in order to protect the supply of office floorspace in this Employment Area and Central Activities Zone location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan including Finsbury Local Plan Policy BC8 is vitally important to ensure that targets to increase employment continue to be met for the borough as a whole.</p>
9	<p>PD Removed Class E to Residential (COMPLIANCE)</p> <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 floorspace in this location.</p>
10	<p>Cycle Parking (COMPLIANCE)</p> <p>CYCLE PARKING: The bicycle storage areas at mezzanine floor level, as shown on approved plan number PR(PL)201, shall be provided prior to the use of the extensions hereby approved and maintained as such thereafter.</p> <p>The cycle ramps, storage and ancillary facilities shall be designed in accordance with guidance within Ch 8 of the London Cycling Design Standards.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
11	<p>Sustainable Design Construction Statement (Details)</p> <p>CONDITION: Prior to demolition and above ground works of the development hereby approved a Sustainable Design and Construction Statement shall be submitted and approved by the Local Planning Authority and shall demonstrate how the proposal meets the Councils Sustainable Design policies. The approved details shall be implemented in full and retained thereafter into perpetuity.</p> <p>The submitted details shall provide an Adaptive Design Strategy and demonstrate that a minimum 10% of the total value of materials used in the construction of the development has been derived from recycled and re-used content in the products and materials selected.</p> <p>REASON: In order to ensure a sustainable form of development.</p>
12	<p>LIGHTING (CONDITIONS):</p> <p>Details of measures to adequately mitigate light pollution from any areas of glazing within the 5th floor roof extension and to its outdoor terrace hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the approved extensions. These measures are to include (but are not limited to):</p> <ul style="list-style-type: none"> - Lighting strategies that reduce the output of luminaires closer to the facades; - 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 into perpetuity.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
13	<p>Accessible Measures (Compliance)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, and prior to the commencement of the development, the following inclusive design measures shall be included in the final design of the building and these shall be retained as such thereafter into perpetuity.</p> <p>i) The corridor plans must be updated to ensure at least 1200mm (without obstruction) are provided.</p> <p>ii) Revised floor plans must show a larger lifts that are fit for vertical circulation of cycles. The lifts should have minimum dimensions of 1.2 by 2.3 metres, with a minimum door opening of 1000mm, and any door to a cycle parking area should be automated, push button or pressure pad operated and designed to meet LCDS standards.</p> <p>iii) Revised sanitary provision on the 5th floor must be designed to be accessible and comply with Building Regulations Part M Vol 2 5.7 b)</p> <p>iv) WC provision must provide alternating transfer sides for new accessible to comply with Building Regulations Part M and BS8300-2:2018 18.1.2 or any superseded requirement.</p> <p>REASON: To ensure appropriate access is provided for disabled people, older people and others with mobility constraints.</p>
14	<p>Construction and Environmental Management Plan</p>
	<p>CONDITION: Prior to the commencement of the development a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority in consultation with TfL. The CEMP shall be prepared in accordance with Islington Council's Basement Development SPD (2016). The CEMP shall provide details in relation to:</p> <p>a) The notification of neighbours with regard to specific works;</p> <p>b) Advance notification of any access way, pavement, or road closures;</p> <p>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</p> <p>d) Details regarding the planned construction vehicle routes and access to the site;</p> <p>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</p> <p>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</p> <p>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</p> <p>h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting;</p> <p>i) Details of measures taken to prevent noise disturbance to surrounding residents;</p> <p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and dust, vibration and TV reception)</p>

	<p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using Clerkenwell Road and St Johns Street at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Measures to protect the existing carriageway/footway</p> <p>q) bat survey</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
15	<p>NRMM Compliance</p>
	<p>No non-road mobile machinery (NRMM) shall be used on the site unless it is compliant with the NRMM Low Emission Zone requirements (or any superseding requirements) and until it has been registered for use on the site on the NRMM register (or any superseding register).</p> <p>Reason: To ensure that air quality is not adversely affected by the development in line with London Plan policy SI 1 and the Mayor's SPG: The Control of Dust and Emissions During Construction and Demolition.</p>
16	<p>Green Roof (DETAILS)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <p>a) how the extent of green/brown roof has been maximised;</p> <p>b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 - 150mm); and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
17	<p>Bird Boxes (DETAILS)</p>
	<p>CONDITION: Prior to the commencement of the hereby approved development, details of appropriate bird/bat box locations shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information and investigation by a suitably qualified ecologist of the most suitable locations for bird and/or bat boxes. The approved details shall be implemented in full and retained thereafter.</p>

	<p>REASON: To provide suitable nesting locations in accordance with the Council's biodiversity objectives.</p>
18	<p>BREEAM Excellent (COMPLIANCE)</p> <p>CONDITION: Prior to occupation of any part of the approved extensions a final code certificate shall be obtained confirming the development hereby permitted has achieved a minimum BREEAM New Construction rating of 'Excellent'.</p> <p>REASON: To ensure that the development has an acceptable level of sustainability and in the interest of addressing climate change.</p>
19	<p>Sustainable Urban Drainage System (Details)</p> <p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition or above ground works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To manage the water environment of the development and mitigate the impact on flood risk, water quality, habitat and amenity value</p>
20	<p>CIRCULAR ECONOMY (DETAILS)</p> <p>CONDITION: Prior to the commencement of works, details of an Adaptive Design Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted Adaptive Design Strategy shall demonstrate that the hereby approved development has been designed to</p> <ul style="list-style-type: none"> a) last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development; b) avoid construction waste and the unnecessary demolition of structures; c) be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design; d) be adaptable – the plan form, layout and structure enables the building to be adapted to respond to change and/or adapted for various uses throughout its life; e) enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and f) maximise the re-use and/or recycling of all materials arising from demolition and remediation works. <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
21	<p>Secure by Design</p> <p>The development shall be constructed and operated thereafter to 'Secured by Design Standards'. A certificate of accreditation to Secured by Design Standards shall be submitted to the local planning authority for approval in writing prior to the occupation of the extensions hereby approved.</p> <p>Reason: To ensure that the development maintains and enhances community safety.</p>

22	Fire Safety (Details)
	<p>Prior to the commencement of the development hereby permitted, an updated Fire Safety Statement shall be submitted to and approved in writing by the local planning authority in consultation with the Councils Building Control team. The updated Fire safety Statement shall include full details of construction methods, materials and means of escape.</p> <p>Reason: In the interests of fire safety and to ensure the safety of all building users.</p>

List of Informatives:

1	The Building Acts and Building Regulations
	<p>To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works. T 020 7527 5999 E building.control@islington.gov.uk</p>
2	Accessibility
	<p>The London Plan, Islington's Local Plan and relevant Supplementary Planning Documents and Part M of the Building Regulations require the creation/maintenance of an Inclusive Environment.</p> <p>If you require any further information or advice on the application of the principles of Inclusive Design contact the Inclusive Design officers T 020 7527 2394 E planning@islington.gov.uk</p> <p>Other applicable standards and design guidance are set out in: Inclusive Design in Islington SPD www.islington.gov.uk/inclusivedesign Streetbook SPD www.islington.gov.uk/streetbook Islington's Inclusive Landscape Design SPD www.islington.gov.uk/DownloadableDocuments/Environment/Pdf/ldf_pack/Inclusive_LandscapeDesign_SPD_January_2010.pdf BS8300:2009 – Design of buildings and their approaches to meet the needs of disabled People. Inclusive Mobility: www.dft.gov.uk/publications/inclusive-mobility Approved Document M – Access to and use of buildings (Volume 1 Dwellings and Volume 2 buildings other than dwelling) https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/990362/Approved_Document_M_vol_2.pdf</p> <p>Regardless of any Planning or Building Regulations approval your client and or future occupant may have duties under the Equalities Act 2010 (which supersedes the Disability Discrimination Act). Those duties include taking all reasonable steps to ensure a disabled person experiences no less favourable treatment, which will have implications for the design and management of premises see: https://www.equalityhumanrights.com/en/multipage-guide/employing-people-workplace-adjustments</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011 and Draft Local Plan policy T3. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
6	Roller Shutters
	<p>ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or to the ground floor glazed shopfront. The applicant is advised that the</p>

	<p>council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
7	<p>Highways</p> <p>In order to comply with all provisions of the Traffic Management Act (2004), Highways Act (1980), New Roads and Streetworks Act (1991) and/or other Highways matters, you should contact: T 020 7527 2000 E public.realm@islington.gov.uk</p> <p>There are various standards, guidance and licenses:</p> <p>Hoardings, scaffolding, skips, overhanging structures, temporary crossover licenses and haulage routes and the like are regulated by the Streetworks Team. T 020 7527 2000 E streetworks@islington.gov.uk</p> <p>Tables and chairs licensing are regulated by the Street Trading Team. T 020 7527 2000 E street.trading@islington.gov.uk</p> <p>Parking suspensions require a minimum of 2 weeks notice. T 020 7527 2000 E parkingsuspensions@islington.gov.uk</p> <p>Any joint conditions survey required between Islington Council Highways and interested parties before commencement of building work T 020 7527 2000 E public.realm@islington.gov.uk</p> <p>Please note any damage to the public highway, or, any asset forming part of the public highway (including lighting, drainage and street furniture), alterations to road markings or parking layouts (must be agreed by Traffic and Parking) will be paid for by the developer.</p> <p>All works to the public highway, unless otherwise legally agreed, must be undertaken by London Borough of Islington Highways Service. Works to the public highway will not commence until hoarding and major works around the development has been removed/completed. Before works commence on the public highway, the planning applicant must provide Islington Council's Highways Service with six months notice. All new statutory services must be complete prior to footway and/or carriageway works commencing.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting (or the PFI contractor) and not a nominee of the developer. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. Consideration should be taken to protect the existing lighting equipment within and around the development site. T 020 7527 2000 E streetlights@islington.gov.uk</p> <p>Public highway, footway and carriageway crossfalls, will not be permitted to drain water onto private land or private drainage and vice versa.</p>
	<p>Trees</p> <p>Any Street trees which are the subject of a Tree Preservation Order or within a conservation area may not be lopped, felled, uprooted or wilfully damaged without permission. Should you wish to undertake any such works contact the Tree Service. Email: planning@islington.gov.uk</p>
	<p>Nuisance from Construction Work</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</p>

	<p>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, 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>T 020 7527 3258 E pollution@islington.gov.uk</p>
	<p>Fire Precautions</p>
	<p>If you require continued maintenance of fire precautions in existing buildings where no building work is planned contact the London Fire Brigade.</p> <p>Address: Hackney, Islington & City FRS Team, London Fire Brigade, 3rd Floor Shoreditch Fire Station, Old Street, London, EC1V 9EY.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

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

- Policy SD4** The Central Activities Zone
- Policy SD5** Offices, other strategic functions and residential development in the CAZ
- Policy D1** London's form, character and capacity for growth
- Policy D3** Optimising site capacity through the design-led approach
- Policy D4** Delivery good design
- Policy D5** Inclusive design
- Policy D8** Public realm
- Policy D12** Fire safety
- Policy D13** Agent of Change
- Policy D14** Noise
- Policy E1** Offices
- Policy E2** Providing suitable business space
- Policy HC1** Heritage conservation and growth
- Policy G6** Biodiversity and access to nature
- Policy SI1** Improving air quality
- Policy SI2** Minimising greenhouse gas emissions
- Policy SI7** Reducing waste and supporting the circular economy Policy
- Policy SI13** Sustainable drainage
- Policy T3** Transport capacity, connectivity and safeguarding
- Policy T5** Cycling
- Policy T6** Car parking
- Policy T6.2** Office parking
- Policy T7** Deliveries, servicing and construction

B) Islington Core Strategy 2011

Spatial Strategy

- Policy CS8 Enhancing Islington's Character

Strategic Policies

- **Policy CS 8** – 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 Space

C) Development Management Policies June 2013

Design and Heritage

- **DM2.1** Design

Transport

- **DM8.2** Managing transport impacts

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

Employment

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

Health and open space

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

Energy and Environmental Standards

- **DM7.1** Sustainable design and construction statements
- **DM7.2** Energy efficiency and carbon reduction in minor schemes
- **DM7.4** Sustainable design standards
- **DM7.5** Heating and cooling

Infrastructure

- **DM9.2** Planning obligations

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

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

Policy BC7 Historic Clerkenwell

Policy BC8 Achieving a balanced mix of uses

Policy BC9 Tall buildings and contextual considerations for building heights

E) DRAFT Islington Local Plan

Policy PLAN1: Site appraisal, design principles and process

Policy SP1: Bunhill and Clerkenwell

Policy B2 New business floorspace

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 S3 Sustainable Design Standards

Policy S4 Minimising greenhouse gas emissions

Policy S5 Energy Infrastructure

Policy S6 Managing heat risk

Policy S7 Improving Air Quality

Policy S9 Integrated Water Management and Sustainable Drainage

Policy S10 Circular Economy and Adaptive Design

Policy T2 Sustainable Transport Choices

Policy T3 Car-free development

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 and vibration

F) DRAFT Bunhill and Clerkenwell Area Action Plan 2019

2. Area wide policies

Policy BC1 Prioritising office use

3. Area Spatial Strategies

Policy BC8 Historic Clerkenwell

3. Designations

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

- Core Strategy Key Area – Bunhill & Clerkenwell;
- Conservation Area – Clerkenwell Green CA1
- Archaeological Priority Area
- Central Activity Zone (CAZ);
- Employment Priority Area (General);
- Finsbury Local Plan Area – Bunhill & Clerkenwell;
- Article 4 Direction A1-A2 (Rest of Borough);
- Article 4 Direction B1(c) to C3;
- Heathrow Safeguarding Area.

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

The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design
- Urban Design Guide
- Clerkenwell Green CADG

London Plan

- Sustainable Design & Construction
- Planning for Equality and Diversity in London

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ISLINGTON



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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE B		
Date:	19 September 2023	NON-EXEMPT

Application number	P2021/1118/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	Unlisted
Conservation area	Hillmarton
Development Plan Context	Conservation Area (Hillmarton) Cycle Routes (Local) Article 4 Direction restricting A1-A2 (Rest of Borough)
Licensing Implications	None
Site Address	3 Middleton Mews, London, N7 9LT
Proposal	Demolition of commercial garage/workshops with ancillary office and storage accommodation and 2 self-contained residential flats above; erection of 3-storey building plus basement (Block A) comprising 7 self-contained residential units (1x1 Bed, 5x2 Bed, 1x3 Bed) with private amenity space and erection of 3-storey building plus basement (Block B) comprising 569sqm of office space with associated cycle parking, refuse storage, landscaping, boundary treatment and associated alterations

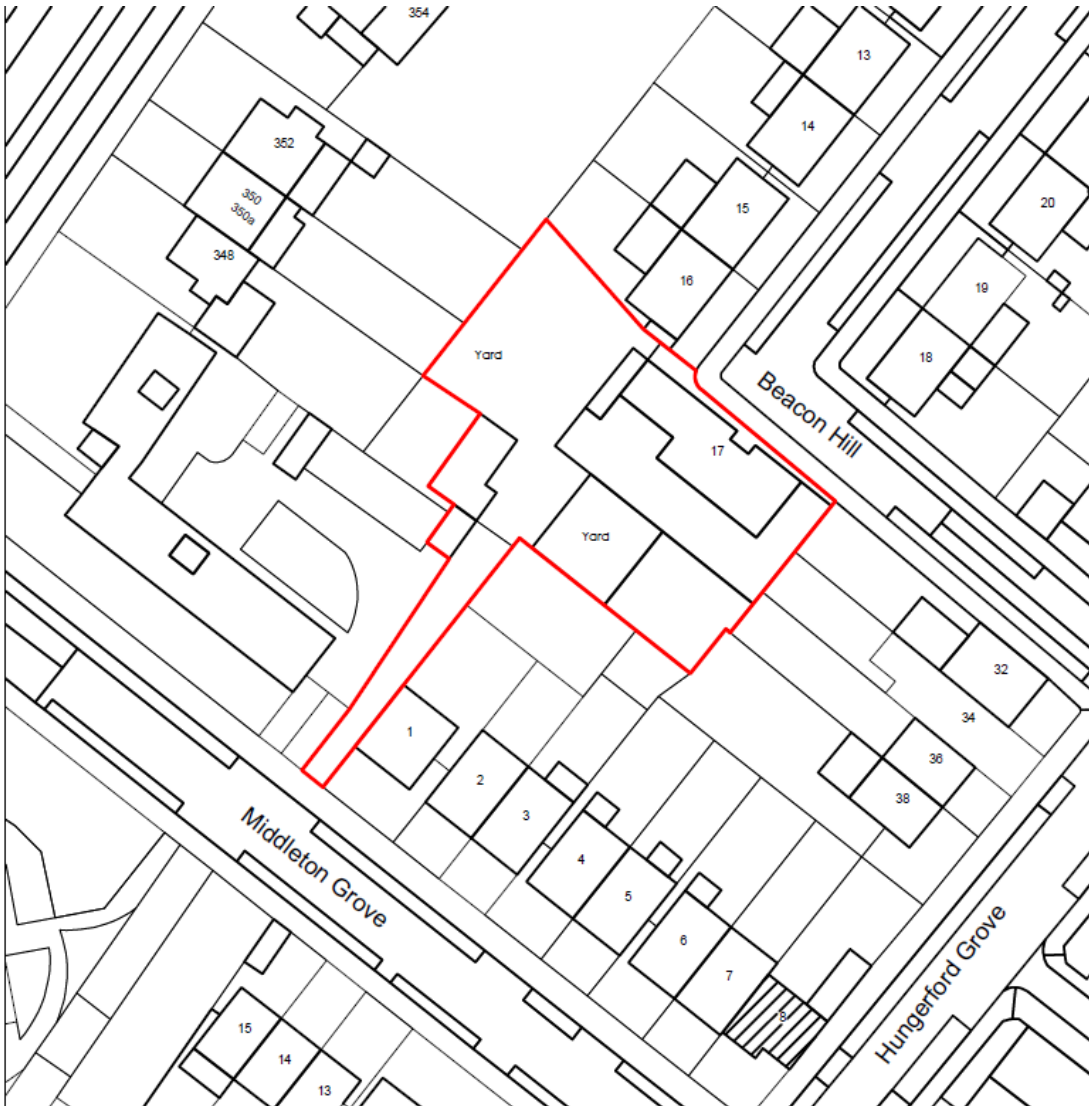
Case Officer	Marc Davis
Applicant	IXIS Property Ltd.
Agent	Mr Sam Ashdown – Tasou Associates Limited

1. RECOMMENDATION

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

1. Conditions set out in Appendix 1; and
2. Prior completion of a deed of planning obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1

2. SITE PLAN (SITE OUTLINED IN RED)



3. PHOTOS OF SITE/STREET



Image 1: Aerial view facing north-east



Image 2: Street view from Beacon Hill



Image 3: View from Middleton Grove (with accessway)



Image 4: Main building (within the site)



Image 5: View towards Beacon Hill (from within site)



Image 6: View of the existing courtyard and surrounding buildings (within site)

4. SUMMARY

- 4.1 The application seeks planning permission for the demolition of commercial garage/workshops with ancillary office and storage accommodation and 2 self-contained residential flats above; erection of 3-storey building plus basement (Block A) comprising 7 self-contained residential units (1x1 Bed, 5x2 Bed, 1x3 Bed) with private amenity space and erection of 3-storey building plus basement (Block B) comprising 569sqm of office space with associated cycle parking, refuse storage, landscaping, boundary treatment and associated alterations.
- 4.2 The application is a resubmission on a previously refused scheme (P2016/5045/FUL) of which the residential block (Block A) was considered inappropriate in design, scale, massing and bulk, as well as resulting in substandard accommodation by means of lack of outlook and overlooking between amenity spaces. The scheme is brought forward to committee given the number of objections received.
- 4.3 Officers are satisfied that the current scheme overcomes the previous refusal reason relating to design and character. The latest proposal has a clearer relationship with the forms, massing and proportions of the surrounding streetscape and in its form and detailed design is considered not to cause harm to the character and appearance of the conservation. The Design Officer has been consulted and is satisfied that the latest design would not cause harm to the character and appearance of the conservation area. Amendments have been received during the application stage to resolve any issues arising from other planning matters and the relevant public consultations have taken place.
- 4.4 The previous concerns regarding quality of accommodation are also considered to have been overcome, with the latest scheme delivering 7 no. well-designed units which meet the relevant minimum floorspace requirements and provide a good quality of outlook and exposure to daylight/sunlight. The units have also been designed so that they not directly overlook one another, alleviating privacy issues.
- 4.5 Having regard to Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 the proposal is considered not to impact on the character and appearance of the Hillmarton conservation area and the proposal is considered compliant with policies CS8 and CS9 of the Islington Core Strategy (2011), DM2.1 and DM2.3 of Development Management Policies (2013), Policies PLAN1, DH1, DH2 and H4 of the SDMP, Policies D4 and HC1 of the London Plan (2021), and the guidance contained within the Urban Design Guide (2017) and the Hillmarton Conservation Area Design Guidelines (2002).
- 4.6 The proposal is considered to not detrimentally impact the amenity of the occupiers of neighbouring properties, the wider public highway network and biodiversity and appropriate conditions are recommended ensuring this.
- 4.7 The proposal is considered to be acceptable, and it is recommended that the application be approved subject to conditions.

5. SITE AND SURROUNDINGS

- 5.1 The application site relates to an historic motor repair garage situated between Hillmarton Grove and Beacon Hill, the premises are served by a narrow vehicular access from Middleton Grove via Middleton Mews, but also have a frontage to Beacon Hill. On this frontage is a roller shutter door, as well as the entrance to two self-contained flats situated above the existing building.
- 5.2 A visit to the site (November 2022) has found the use of the premises to have changed from a motor repair garage to a plant shop. This has been carried out without planning permission under the recent changes to the General Permitted Development Order (see Land Use for more info).
- 5.3 The area around the application site is predominantly residential, largely comprising Victorian terraced or semi-detached houses, although Middleton Grove contains some 1960s blocks of flats. The site together with the whole of Beacon Hill is within the Hillmarton Conservation Area.

6. PROPOSAL (IN DETAIL)

- 6.1 The application seeks planning permission for the demolition of commercial garage/workshops with ancillary office and storage accommodation and 2 self-contained residential flats above; erection of 3-storey building plus basement (Block A) comprising 7 self-contained residential units (1x1 Bed, 5x2 Bed, 1x3 Bed) with private amenity space and erection of 3-storey building plus basement (Block B) comprising 569sqm of office space with associated cycle parking, refuse storage, landscaping, boundary treatment and associated alterations.
- 6.2 The proposal would involve the demolition of all existing buildings on site (commercial and 2 no. residential units) and replacement with a residential block (Block A) and commercial office block (Block B). Block A would be positioned towards the east of the site and would be two storeys over basement (with roof level) and would have T-shaped footprint providing 7 no. self-contained residential units with associated amenity spaces and would have a frontage on to Beacon Hill. Block B would be contained within the site (towards the west) and would also be of two storeys over basement (with roof level), albeit with a more regular footprint. The differences in floorspace can be seen in the tables below:

Residential:

Units Lost					
Unit Type	Units	Tenure	GIA	Hab Rooms	Bedrooms
Flat	1	Market for Rent	53	2	1
Flat	1	Market for Rent	71	3	2

Units Gained					
Unit Type	Units	Tenure	GIA	Hab Rooms	Bedrooms
Flat	1	Market for Rent	94	3	2
Flat	1	Market for Rent	86	3	2
Flat	1	Market for Rent	96	4	3
Flat	1	Market for Rent	66	3	2
Flat	1	Market for Rent	74	3	2
Flat	1	Market for Rent	50.5	2	1
Flat	1	Market for Rent	107	3	2

Commercial:

Use Class	Existing gross internal floor area (square metres)	Gross internal floor area lost (including by change of use) (square metres)	Gross internal floor area gained (including change of use) (square metres)

Class E (formerly Class B1c – light industrial)	420	420	0
Class E (formerly Class B1a - offices)	0	0	569
Total	420	420	569

- 6.3 The development would incorporate a refuse storage towards the north of the site (housing both commercial and residential bins) and would accommodate cycle parking in store fronting Beacon Hill for the residential units and an enclosure within the site for the commercial unit. The two uses would be kept separate via a 1.8m high metal railing. The Middleton Grove entrance would be the primary point of access for the commercial use, whilst the residential use would be primarily accessed via Beacon Hill.
- 6.4 Revisions have been made since the previously refused proposal. The key revisions include:
- *Reduction of the rear projection depth, height and width of Block A and introduction of a centralised 'spine' party wall with dormer windows at roof level.*
 - *Reduction in footprint of Block B by 27% from the previous proposal and introduction of an office basement level.*
 - *Alteration to the roof form of both blocks (A&B) to introduce a pitched roof, with the aim of resembling a traditional mews.*
 - *The proposed unit mix comprises 1x1b, 5x2b and 1x3b. The previously proposed unit mix comprised 2x1b, 5x2b, 2x3b.*
 - *Omission of solely subterranean units, with 2 no. maisonette-style units now being proposed across upper and lower ground floor levels.*
- 6.5 Further revisions have been made during the application stage which consist of the following:
- *Minor re-positioning of the footprint of Block A in a north-westerly direction, away from the tree canopy of the mature tree at the foot of the rear garden of No. 34 Hungerford Road (see Trees section for further info).*
 - *Separation of the residential and commercial uses by a 1.8m high fence including cycle parking spaces and refuse arrangements.*
 - *Re-working the internal layouts of Block A (see Quality of Accommodation section for further info)*

7. RELEVANT HISTORY:

Planning Applications

P2023/1171/S73: Section 73 application (Minor Material Amendment) to remove condition 2 (restricted use of vehicular entrance) of Planning Permission Reference: 881503 dated 15/06/1989 for 'Reconstruction of garage buildings and new vehicular entrance from Beacon Hill'.

P2016/5045/FUL: Demolition of existing buildings on site and erection of one 3 storey building plus basement (block A) comprising residential 9 self-contained flats (2 x 1 bed, 5 x 2 bed & 2 x 3 bed). Also private amenity space and covered bike space and bins storage. Erection of part two storey part 3 storey office building (B1) (block B) with covered bike store and commercial bin store plus associated landscaping, boundary treatments and associated alterations. **Refused 02/02/2018. Dismissed upon Appeal 14/01/2019.**

Reasons for Refusal:

- 1) **REASON:** *The proposed building Block A by reason of its excessive design, scale, massing and bulk, rearward depth and siting would result in an overdominant, discordant and unduly prominent form development that fails to respect the established pattern of development, to the*

detriment of the character and appearance of the surrounding conservation area and wider urban setting contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policies CS 8 and CS9 of the Islington Core Strategy (2011), Policy DM2.1 and DM2.3 of the Islington Development Management Policies (2013), The Islington Urban Design Guide (2017), the Hillmarton Conservation Area Design Guidelines and the NPPF.

- 2) **REASON:** *The proposal would result in a substandard and poor standard of living accommodation for the proposed basement and ground floor flats numbered Flats 1 to 5 inclusive by reason of their poor and compromised outlook, mutual overlooking and loss of privacy to each units rear windows and amenity spaces and the creation of poor non-functional and enclosed private amenity spaces for each proposed unit. The proposed units would therefore fail to provide an acceptable living environment for prospective occupiers. The proposal is therefore considered contrary to policies 3.5 and 3.6 of the London Plan (2016), policy CS12 of Islington's Core Strategy (2011) and policy DM3.4 of the Islington Development Management Policies (2013) and the NPPF.*

P081590: Extension to existing car repair workshop. **Approved with Conditions 26/09/2008.**

930188: Continued use of garage premises without compliance with condition 02 of planning permission dated 15th June 1989 (Ref: 88/1503) to allow vehicle entry/exit via Beacon Hill. **Refused 02/04/1993. Dismissed upon appeal 16/09/1993.**

Reason for Refusal:

“Unrestricted use of the entrance/exit as proposal would be detrimental to pedestrian safety and to residential amenities in this part of the Hillmarton Conservation Area”

881503: Reconstruction of garage buildings and new vehicular entrance from Beacon Hill. **Approved with Conditions 15/06/1989.**

Pre-Planning Applications

Q2021/2103/HH: Change of use of site from car garage [Use Class E(g)] to plant shop [Use Class E(a)] with associated conservatory (greenhouse) building (following demolition of existing car garage buildings). **Pre-Application Advice Given 18/09/2021.**

- *Although there is potential for the proposed change of use to be carried out without planning permission under the 2020 version of the Use Class Order, it is recommended firstly that the existing use is established through a Lawful Development Certificate. It is also recommended that an operational management plan is submitted to fully clarify the proposed use of the premises. With the creation of new development on the site, it is likely that some of the Class E uses would not be acceptable given the location of the site and some uses may be conditioned out of the scheme, pending on the detail provided.*

Q2019/1115/MIN: Demolition of existing buildings on site and erection of one 3 storey building plus basement (block A) comprising residential 9 self-contained flats (2 x 1 bed, 5 x 2 bed & 2 x 3 bed). Also private amenity space and covered bike space and bins storage. Erection of part two storey part 3 storey office building (B1) (block B) with covered bike store and commercial bin store plus associated landscaping, boundary treatments and associated alterations. **Pre-Application Advice Given 15/05/2020.**

- *Given the principle was considered acceptable as part of the previously refused proposal (ref: P2016/5045/FUL), the pre-application advice was focused around the design of the development and its impact upon the Hillmarton Conservation area.*

Q2016/2020/MIN: Pre-application Follow Up for demolition of existing buildings on site and erection of one 3 storey building plus basement comprising nine flats (Block A) and a part 2 storey, part 3 storey building comprising 630sqm office floorspace (Block B), with associated landscaping and amenity space on pre-application reference Q2015/3916/MIN. **Pre-Application Advice Given 28/07/2016.**

Q2015/3916/MIN: Pre-application for demolition of existing buildings on site and erection of one 3 storey building plus basement comprising nine flats (Block A) and a part 2 storey, part 3 storey

building comprising 630sqm office floorspace (Block B), with associated landscaping and amenity space. **Pre-Application Advice Given** 04/12/2015.

8. CONSULTATION

Public Consultation

- 8.1 The original public consultation involved letters being sent to occupants of 237 no. adjoining and nearby properties on 25/05/2021. A site notice and press release was also displayed. The consultation period ended on 27/06/2021. A total of 28 responses were received in objection to the development during this consultation and two in support.
- 8.2 The first re-consultation was carried out to account for re-positioning of Block A. This was carried out on 18/10/2022 and expired on 08/11/2022. A total of 9 responses were received in objection to the development during this consultation and one in support.
- 8.3 The second re-consultation was carried out to account for re-arrangement of the refuse and cycle stores, reconfiguration of Block A and installation of a fence/gate to separate the two uses. This was carried out on 22/05/2023 and expired on 12/06/2023. A total of 12 responses were received in objection to the development during this consultation and 1 comment in support. A consolidated letter of objection was also received signed by 20 objectors.
- 8.4 Overall, there have been 35 unique respondents to the proposal, with 33 in objection and 2 in support. The main objecting comments concern:
1. Increase in urban residential overcrowding (*Paragraphs 10.8 & 10.144*)
 2. Profit motivated design (*Paragraph 10.143*)
 3. Poor quality of design (*Paragraphs 10.37-10.46*)
 4. Development out of character with the Hillmarton conservation area (*Paragraphs 10.37-10.46*)
 5. Overdevelopment of the site (*Paragraphs 10.37-10.46*)
 6. Poor quality of living accommodation – particularly basement flats (*Paragraphs 10.83-10.95*)
 7. Loss of privacy (*Paragraphs 10.55-10.57*)
 8. Loss of daylight and sunlight (*Paragraphs 10.58-10.63*)
 9. Increased noise impacts and noise pollution (*Paragraphs 10.69-10.70*)
 10. Increased odours (*Paragraphs 10.69-10.70*)
 11. Drainage concerns (*Paragraph 10.130*)
 12. Subsidence and foundation concerns (*Paragraph 10.143*)
 13. Increased street parking and traffic issues (Beacon Hill) (*Paragraph 10.113*)
 14. Concerns surrounding access to the site (*Paragraphs 10.112*)
 15. Increased pressure upon local services (*Paragraph 10.143*)
 16. Increased risk of crime (*Paragraph 10.110*)
 17. Property damage and party wall issues (*Paragraph 10.143*)
 18. Impact upon protected trees and removal (*Paragraphs 10.118-10.121*)
 19. Refuse arrangement concerns (*Paragraphs 10.97-10.101*)
 20. Disruption during the building works (*Paragraph 10.143*)
 21. Objection towards the loss of the current use (*Paragraph 10.12*)

Internal Consultees

- 8.5 **Design and Conservation:** No objection to the latest design, with a full set of design observations being provided. Amendments have been made to the internal layout since the original submission which will be discussed in the 'Quality of Accommodation' section of the report.
- 8.6 **Policy:** No objection, subject to the inclusion of a condition to ensure the commercial office element operates in business use within Class E as opposed to flexible use Class E, due to the predominantly residential character of the area.
- 8.7 **Affordable Workspace:** Clarification was sought, but it has been determined that the scheme does not involve 1,000sqm + of commercial workspace and thus an obligation is not applicable.

8.8 **Trees:** Initial objection, owing to the positioning of Block A to a mature tree at the foot of the garden of No. 34 Hungerford Road. Objection rescinded after amendments to move the footprint of Block A outside of the tree's canopy.

8.9 **Environmental Health:** There are 4 x new AC units planned for the office building block B. To meet the noise criterion, it is necessary to fully enclose the units and the visual amenity of this will need to be considered. This should be conditioned as below for overall noise and controls on hours of operation in line with the assumptions of the noise report.

The site is noted on the council's contaminated land database due to the historic car garage and repairs usage. The 2016 app included a desk study and site investigation with elevated lead and mercury samples noted. A remediation strategy of removal of soil for the basements and importation of 300mm of clean cover for any areas of soft landscaping was proposed. However, this app doesn't include any of this or any more recent info, thus a condition is recommended to prevent a pollution leakage.

The development is in a highly constrained site surrounded by nearby residential and therefore some disruption is inevitable as a result of constructions. To minimise the impacts, a condition for a Construction Environmental Management Plan is recommended.

8.10 **Ecology:** It is recommended that a pre-commencement condition is included for a bat survey to ensure that no bats are roosting in the existing buildings.

8.11 **Energy and Sustainability Officer:** A number of clarifications were requested relating to energy and sustainability which have since been addressed by the agent. Further information can be found within the relevant sections of the report.

8.12 **Inclusive Design:** A number of clarifications were sought, particularly on cycle, drop-off and accessibility. These have since been clarified and the drawings have been amended accordingly. The Inclusive Design officer thus does not now raise an objection.

8.13 **Highways and Transport:** Requested swept path analysis drawings to demonstrate that vehicles are able to successfully enter, manoeuvre and exit the site both during the construction stage and throughout the course of the development. Upon review of the swept path drawings, no objection has been raised, subject to the inclusion of a pre-commencement condition requesting a construction management plan.

8.14 **Refuse and Recycling:** Initial concern to the proposal, given the travelling distance to the street for collection days would be less than 10.0m. This has been revised and there is subsequently no objection to the latest arrangement.

External Consultees

8.15 **Network Rail:** No objection

8.16 **London Underground:** No objection

8.17 **TFL:** No comments to make, other than to emphasise compliance with the London Plan (2021),

8.18 **Islington Swifts:** request that at least one integrated swift nesting box is installed near roof level

8.19 **Design Out Crime:** No objection, subject to the inclusion of a condition demonstrating secured by design accreditation prior to occupation.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

National Guidance

- 9.1 Islington Council (Planning Sub-Committee B), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.) and;
 - As the development is within a conservation area, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) Planning (Listed Buildings and Conservation Areas) Act 1990).
- 9.2 National Planning Policy Framework (NPPF): Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.
- 9.3 At paragraph 8 the NPPF states: "that sustainable development has an economic, social and environmental role".
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

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

National Guidance

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

Development Plan

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

Designations

- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- iConservation Areas 170914 CA32 Hillmarton
 - iCycle Routes (Major) 170914 Development Management Po Major Cycle Route
 - iLocal Views LV4 170914 Local view from Archway Road
 - iLocal Views LV5 170914 Local view from Archway Bridge
 - iWithin 100m TLRN 170914 Site within 100m of a TLRN Road
 - iArticle 4 Direction A1-A2 (Rest of Borough) 45 23623111

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan 2019

- 9.13 The council received the Inspectors report for the new Local Plan on 5th July 2023. The receipt of the Inspectors' final report has significant implications for determining planning applications. The National Planning Policy Framework (NPPF) allows Councils to give weight to emerging Local Plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the national policy. On the basis that the Council has received the Inspectors' final report, all objections have been considered and resolved and the Plan has been confirmed as sound and therefore compliant with national policy, almost full weight can be afforded to the new Local Plan, with policies given very significant weight in decision making.

- 9.14 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

- the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

9.15 The emerging policies which are relevant to this application are set out below:

- Policy PLAN1 Site appraisal, design principles and process
- Policy DH1 Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 Heritage assets
- Policy B1 Delivering Business Floorspace
- Policy B2 New Business Floorspace
- Policy B3 Existing Business Floorspace
- Policy G4 Biodiversity, Landscape Design and Trees
- Policy G5 Green Roofs
- Policy H1 Thriving Communities
- Policy H2 New and Existing Conventional Housing
- Policy H4 Delivering High Quality Housing
- Policy H5 Private Outdoor Space
- Policy S1 Delivering sustainable design
- Policy S2 Sustainable design and construction
- Policy S3 Sustainable design standards
- Policy S4 Minimising greenhouse gas emissions
- Policy S5 Energy Infrastructure
- Policy S8 Flood Risk Management
- Policy S9 Integrated Water Management and Sustainable Drainage
- Policy S10 Circular Economy and Adaptive Design
- Policy T1 Enhancing the public realm and sustainable transport
- Policy T3 Car Free Development Parking
- Policy T5 Delivery, servicing and construction
- Policy ST2 Waste

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Neighbouring Amenity
- Residential Mix and Quality of Accommodation
- Refuse and Recycling
- Accessibility
- Highways
- Landscaping, Trees and Biodiversity
- Sustainability
- Circular Economy
- Basement Development
- Land Contamination
- Small Site Housing Contributions and Carbon Offsetting
- Community Infrastructure Levy
- Other Matters

Land Use

Residential Development

10.2 Paragraph 7 of the NPPF (2021) states that housing applications should be considered in the context of the presumption in favour of sustainable development. Local planning authorities should

normally approve applications for residential development, provided that there are not strong economic reasons why such development would be inappropriate.

- 10.3 Core Strategy Policy CS12 seeks to ensure that the Borough has a continuous supply of housing to meet London Plan targets. London Plan Policy D6 also seeks to maximise the supply of additional homes in line with the London Plan's guidelines on density, having regard to the site's characteristics in terms of urban design, local services and public transport, and neighbour amenity.
- 10.4 Draft Local Plan Policy H1 identifies that Islington should continue to be a place where people of different incomes, tenures and backgrounds can live in mixed and balanced communities which are economically, environmentally and socially healthy and resilient. All new housing development must be fully integrated within, and relate positively to, its immediate neighbours and locality. Gated development is not suitable, as it isolates and compartmentalises communities.
- 10.5 Draft Local Plan Policy H2 (Part A) identifies that Islington aims to meet and exceed the housing target of 7,750 units by 2028/29, which equates to an annualised target of 775 per annum. Part C of the Policy adds that the loss of existing self-contained housing will be resisted unless the housing is replaced by at least equivalent floorspace and does not involve the net loss of more than one unit. Part E adds that concentrations of one-bedroom units – overall and as part of constituent market and affordable elements of a proposal – will not be acceptable.
- 10.6 Draft Local Plan Policy H4 (Part A) requires all new residential housing developments to be designed and built to a high quality for duration of its lifetime. Residential development must be functional, useable and comfortable space that has good amenity for occupiers of all ages, whilst meeting the required space criteria set out under the London Plan and the relevant Supplementary Planning Guidance (SPG).
- 10.7 There are 2 no. residential units at first floor level currently within the existing building that contains a frontage on to Beacon Hill. These residential units are referred to in Planning Inspectors decision dated 16/09/1993 and therefore are considered to have an established C3 use. It is therefore the case that there is a policy presumption in favour of the delivery of new housing, and the site is considered to be a sustainable location for new housing.
- 10.8 The proposed scheme would deliver 7 no. residential units which would contribute towards the Borough's target of 7,750 units by 2028/29 as set out by Draft Local Plan Policy H2. It would also provide high-quality residential units, avoiding the over-proliferation of one-bedroom units with an active frontage on to Beacon Hill, in line with Draft Local Plan Policies H1 and H4. Therefore, subject to compliance with other policies, the introduction of residential units at this site is supported in principle and amount to public benefits in support of the proposal.

Office Development

Loss of Existing Buildings and Use:

- 10.9 The Glossary to Islington's Core Strategy February 2011 (the Core Strategy) defines 'Employment floorspace/buildings/development/uses' are then defined as 'activities or uses that generate employment, including offices, industry, warehousing, showrooms, hotels, retail, entertainment, educational, health and leisure uses'.
- 10.10 Both Policy CS13 (Part B) of the Core Strategy and Policy B3 (Part A) of the Islington Draft Local Plan seek to protect 'existing business spaces' against change of use to non-business uses, including units suitable for small and medium enterprises by reason of their type and size.
- 10.11 Both Policy DM5.2A of the Islington Development Plan Document (2013) and Draft Local Plan Policy B3 (Part B) note that proposals that would result in a loss or reduction of business floorspace will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence which shows there is no demand for the floorspace. This evidence must demonstrate that the floorspace has been vacant and continuously marketed for a period of at least two years.

- 10.12 The permission reference P881503 identifies the historic use as garage buildings, although a recent officer site visit has found that the site has recently changed use under permitted development and is used as a garden centre. When considering the historic use, garages for repairs and vehicle testing were previously categorised as a B2 use as described by the land Use Gazetteer. However, under the Town and Country Planning (Amendment) (England) Regulations 2020, the current use has been found to be Class E(g)(iii). Either way, it is considered that there is no specific policy requirement for the retention of a car repair garage or in the case of the current use, a garden centre, and therefore the loss would not be resisted.
- 10.13 As existing, the site incorporates a total of 420sqm of business floorspace and the proposal seeks to introduce a total of 569sqm of office space, an overall uplift of 149sqm. With both the historic and proposed uses now falling within the same Use Class (Class E) and owing to the proposed business floorspace uplift, officers are satisfied that a sufficient amount of business floorspace would remain at the site. The proposal is therefore considered to accord with Policy CS13 of the Islington Core Strategy (2011), Policy DM5.2 of the Development Management Policies (2013) and Draft Local Plan Policy B3.

Introduction of Office Use:

- 10.14 Policy DM5.1 of the Islington Development Plan Document (2013) states that outside the CAZ, Employment Growth Areas, Strategic Industrial Sites and Town Centres, that business floorspace may be provided within mixed use developments where this would enhance the character and vitality of the local area, would not detrimentally impact on residential amenity, and would not compromise residential growth. Draft Local Plan Policy B2 reiterates this policy and adds that proposals for new business floorspace must be accessible to all in accordance with the priority for sustainable modes of transport set out in Draft Local Plan Policy T1 and must not prejudice the overall aim of reducing the need to travel.
- 10.15 Draft Local Plan Policy B1 (Part C) notes that the Council is committed to ensuring there is an adequate supply of business space in line with job growth projections and will protect existing business space throughout the borough through implementing planning policies which seek to ensure, at least, no net loss of business floorspace, and through the making of Article 4 Directions, where appropriate. Part F of Policy B1 also adds that development in the borough must provide jobs and training opportunities/support.
- 10.16 The London Plan (2021) places importance upon office use and recognises that London contains a diverse range of office markets. Amongst other things, Policy E1 expresses support for locally orientated, town centre office provision to meet local needs. It also stresses that Development Proposals related to new or existing offices should take into account the need for a range of suitable workspace, which includes lower cost and affordable workspace.
- 10.17 The LB Islington Employment Land Study by Ramidus Consulting Limited dated January 2016 (the ELS) generally underlines the need to protect business floorspace and provide new office floorspace if London Plan forecasts of employment growth in Islington from 109,400 to 129,092 jobs by 2041 are to be met. It also, amongst other things, highlights a large amount of commercial floorspace in the Borough lost to residential use, and makes reference to the market for small occupiers and for flexible space.
- 10.18 The ELS identifies the biggest threat to growth as likely to come from restricted supply as potential office premises are outbid in value terms by residential use. If, as set out in the Mayor's SPG, the CAZ is to accommodate projected employment growth and remain globally competitive, it recommends that policy should seek to retain land for commercial office development.
- 10.19 The applicant is proposing to provide Block B which is proposed to be solely in Class E(g)(i) office use, with the proposed floor space being a total of 569sqm. The Islington Draft Local Plan (Section 4.7) makes reference to an unprecedented high need for additional office floorspace (400,000sqm by 2036). Officers are satisfied in this case that the introduction of 569sqm of new office space would contribute towards the need, whilst subsequently resulting in adequate employment opportunity and training opportunities/support in this location.

- 10.20 Both the previously refused application (ref: P2016/5045/FUL) and subsequent appeal (PINS ref: APP/V5570/W/18/3201432) did not raise an objection to the introduction of an office use at the site. The proposed 569sqm provision is considered to continue to supply a welcomed source of business floorspace in this location, which has been historic to the site, and officers are satisfied that the proposal would provide high-quality, flexible office space which also has the potential to be divided up into smaller units that are designed to be occupied by small businesses (i.e. 90sqm or less). The proposal for modern office space is therefore considered to enhance the overall character and vitality of the local area and is deemed to be of a higher quality than the historic employment space. It is therefore considered to be in line with Policy DM5.1 of the Development Management Policies (2013), Draft Local Plan Policies B1 and B2 and Policy E1 of the London Plan (2021). The sustainable transport aspects of the scheme, as identified by Draft Local Plan Policy B2 can be found in the relevant section of the report, below.
- 10.21 It is noted that the Council's Policy officer was consulted at the application stage and did not raise a concern towards the principle of the proposed uses at the site. Given the wide flexibility of Class E under the latest Town and Country Planning (Amendment) (England) Regulations 2020 however, a condition has been recommended to ensure that the future use is restricted within Classes E(g)(i), E(g)(ii) and E(g)(iii) only. A further condition will be added to prevent the office space from being converted into residential use. Such conditions are considered a necessary inclusion in this case to prevent the potential for alternative uses being introduced in the future and these will be included as part of the list of conditions. Taking into account this factor and those discussed in the above assessment, officers consider the proposal overall to be acceptable in land use terms.

Design and Conservation

- 10.22 Policies CS8 and CS9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.23 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource, and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance.
- 10.24 Policy PLAN1 of Islington's Strategic and Development Management Policies, amongst other objectives, aims to achieve development that represents a high quality of design that is sustainable and inclusive and that positively contributes to local character, legibility and distinctiveness.
- 10.25 Part A of Policy DH1 supports innovative approaches to development while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. Part E of the policy states that the Council will conserve or enhance Islington's heritage assets and their setting in a manner appropriate to the significance.
- 10.26 Policy DH2 requires development within conservation areas and their settings to conserve or enhance the significance of the area and be of a high-quality contextual design. Proposals that harm the significance of a conservation area or listed building must provide clear and convincing justification for the harm and proposals that will cause substantial harm to the significance of a conservation area or listed building will be strongly resisted.
- 10.27 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving the Grade II Listed Building.
- 10.28 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas within their area.

- 10.29 The application site relates to a motor repair garage situated between Hillmarton Grove and Beacon Hill, the premises are served by a narrow vehicular access from Middleton Grove via Middleton Mews, but also have a frontage to Beacon Hill. On this frontage is a roller shutter door, as well as the entrance to two flats situated above the garage. The area around the application site is predominantly residential. There is a bend in the road (Beacon Hill) where the application site can be appreciated from public views which affords the site greater visual prominence.
- 10.30 The existing building is two storeys high with an attached single storey extension and an ancillary single storey building situated within the site. The main two storey building provides an interesting roofline that gives a balanced transition between the larger scale of the properties on Hungerford Road and the more modest scale of Beacon Hill and is historic. It is considered that the current two storey building has undergone unsympathetic alterations (e.g. the painting of the brickwork, the replacement windows and front door, alterations to the boundary). The site remains an important part of its spacious and leafy setting.
- 10.31 The special character and appearance of a conservation area can be perceived not only from public viewpoints but also from private ones. In addition to its prominence on the street frontage, the site as a whole is widely overlooked from the upper levels of many of the surrounding residential properties in Middleton Grove, Hungerford Road, Beacon Hill and Camden Road. Despite its current untidy state, its size and its open and leafy nature reinforces the area's sense of spaciousness and makes a positive contribution to the character and appearance of the conservation area.
- 10.32 The proposed removal of the main building and those ancillary buildings within the site would facilitate the erection of a residential building - Block A- accommodating 7 self-contained units, and a commercial building Use Class E - Block B. Block A would have two storeys with an additional set-in roof level and the building with a T-shaped footprint.

Design Context and History:

- 10.33 A previous application (ref: **P2016/5045/FUL**) for the provision of two three storey blocks (A & B) to provide 9 no. residential units (2 x 1 bed, 5 x 2 bed & 2 x 3 bed) and office space respectively, was refused on 02/02/2018 for the following two reasons:
- 1) *REASON: The proposed building Block A by reason of its excessive design, scale, massing and bulk, rearward depth and siting would result in an overdominant, discordant and unduly prominent form development that fails to respect the established pattern of development, to the detriment of the character and appearance of the surrounding conservation area and wider urban setting contrary to Policies 7.4 and 7.6 of the London Plan (2016), Policies CS 8 and CS9 of the Islington Core Strategy (2011), Policy DM2.1 and DM2.3 of the Islington Development Management Policies (2013), The Islington Urban Design Guide (2017), the Hillmarton Conservation Area Design Guidelines and the NPPF.*
 - 2) *REASON: The proposal would result in a substandard and poor standard of living accommodation for the proposed basement and ground floor flats numbered Flats 1 to 5 inclusive by reason of their poor and compromised outlook, mutual overlooking and loss of privacy to each units rear windows and amenity spaces and the creation of poor non-functional and enclosed private amenity spaces for each proposed unit. The proposed units would therefore fail to provide an acceptable living environment for prospective occupiers. The proposal is therefore considered contrary to policies 3.5 and 3.6 of the London Plan (2016), policy CS12 of Islington's Core Strategy (2011) and policy DM3.4 of the Islington Development Management Policies (2013) and the NPPF*
- 10.34 The refusal was appealed with the Planning Inspectorate (ref: APP/V5570/W/18/3201432) and was subsequently dismissed on 14/01/2019. The reasons for the dismissal of the previous appeal were predicated on the design of the proposed buildings, not the loss of the existing buildings on the site.
- 10.35 As advised at pre-application stage, the proposed demolition of an historic building within a conservation area is regrettable. The existing building has a limited positive contributed to the

conservation area due to the height and form of the building and the pitched roof. However, it is considered not to be the strongest contributor of the assets within the conservation area and so its replacement is considered acceptable in principle provided it is replaced with a building or buildings of appropriately high quality. As currently proposed, the submitted design is considered to justify the loss of the existing conservation area building fronting Beacon Hill.

10.36 Paragraph 32.5 of the Hillmarton Conservation Area Design Guidelines (2002) states that the Council wishes to retain all statutory and locally listed buildings together with the Victorian structures in the area. Whilst the Council does not resist the loss of the building on the appeal site in principle, it considers that the design of any replacement should be of the highest quality to justify its loss. Paragraph 32.8 of the CADG states that new development should conform to the established height, scale and proportions of existing buildings in the immediate area.

10.37 A comparison of the previously refused (and dismissed) scheme and the current scheme can be seen in the drawings below:



Image 7: Existing Beacon Hill North-east elevation



Image 8: Beacon Hill Block A North-east elevation (refused vs current scheme)



Image 9: Middleton Mews Block A South-West elevation (refused vs current scheme)



Image 10: Block B South-East elevation towards Beacon Hill (refused vs current scheme)

Block A:

10.38 The Inspector raised concern towards the previous design of Block A, identifying in **Paragraph 13** that *“the rear section would not appear subservient to the main building ... it would be a large and dominating element that would substantially increase the bulk of built development towards the rear of the appeal site”*. Concerns were also raised towards the depth in **Paragraph 14** *“the depth would reduce the spaciousness of the site and undermine the contribution that this currently makes to the character of the Conservation Area”* and the top storey in **Paragraph 15** *“the top storey would fail to integrate successfully with the rest of the building and would appear as an unduly bulky, awkward and unwelcome addition to the proposed building that would be directly at odds with the traditional roof forms nearby”*.

10.39 The design of Block A has generally improved from the previous refusal and relates better to the surrounding context and villas on Beacon Hill. The main concern at pre-application stage and in previous proposals for this site was the top floor which will be prominent from views from Beacon Hill in both directions. The boxy top addition formerly proposed was considered to fail to preserve or enhance the character and appearance of the conservation area. It is identified that the area is characterised by pitched roofs and as such it was advised that a roof that relates better to this context would be more appropriate on the subject site. This proposal has a far clearer relationship

with the forms, massing and proportions of the surrounding streetscape and in its form and detailed design is considered to cause less than substantial harm to the character and appearance of the conservation area, therefore it meets the requirement to preserve or enhance character and appearance.

- 10.40 The large rear roof projection has now been omitted and replaced with a small dormer for access to the roof terrace as shown by the red dash line on the flank and rear elevations. A detailed review of the floor construction has resulted in the parapet height of the rear projection is now set 0.6m below the main building which reduces the perceived massing in terms of both height and width of the rear projection, the depth of which has been reduced from the previous scheme. All sliding doors to the rear elevation which lead to amenity space have been reduced from triple to double sliding doors to give a domestic scale. Frameless glass balustrades to balconies and at ground floor to the lightwells have been revised to metal railings which is more appropriate to the conservation area.
- 10.41 The lintels over the first-floor window to the street elevation and coping detail have been revised from reconstituted stone to double brick soldier courses. This is considered to relate more closely to the Beacon Hill villas and the revisions to Block B. A central 'party wall' spine has been introduced to the roof profile as requested in the most recent pre-application advice. The lift core has been repositioned to sit centrally in the plan to conceal the lift over run. The lift over-run is concealed within the roof build-up as previously requested. The two dormers either side of the rear projection on the rear elevation have been made the same size and match those located on the front elevation and also on Block B.
- 10.42 It is considered that the design of Block A would conform to the established height, scale and proportions of existing buildings in the immediate area in accordance with Policy DM2.3 of the Development Management Policies (2013) and Draft Local Plan Policies DH1 and DH2.

Block B:

- 10.43 Block B was previously of concern in terms of its height and bulk, although it is noted that the latest appeal decision (ref: APP/V5570/W/18/3201432) did not raise concern to the design. As consistently advised at pre-application stage, it was considered that a lower building that is subservient to the villas on Beacon Hill would be more appropriate here as it is a secondary street. In order to successfully remain subservient, it was advised that the height should be reduced, and the building line set back from the houses on Beacon Hill. The building line has been set back, and the massing and design of the building amended to provide a more contextual and subsidiary appearance to this block, in comparison with previously refused schemes. Although still a considerable footprint, the block is considered appropriate to the overall site area and would deliver the opportunity for high-quality office space in the area which is identified as a public benefit.
- 10.44 The building's appearance more closely resembles a traditional mews. The principal elevation has been divided into five distinct bays which have a large single opening at ground floor which represents the stable/coach house opening of a traditional mews structure.
- 10.45 The design of Block B would conform to the established height, scale and proportions of existing buildings in the immediate area in accordance with Policy DM2.3 of the Development Management Policies (2013) and Draft Local Plan Policies DH1 and DH2.
- 10.46 The proposed materials of both blocks appear to be acceptable in principle, however full details of the thicknesses of the frames along with details for the front door and material samples for all facing materials will be included as a pre-commencement condition on the decision notice.

Overall Site:

- 10.47 It is noted that the latest design keeps the residential (Block A) and commercial (Block B) separate from one another. Block A would be accessed from Beacon Hill, whilst Block B would be accessed from Middleton Grove in a similar arrangement to the existing. A 1.8m high fence would be incorporated within the central access area to further separate the two uses. Officers deem it

necessary to keep the uses separate in this case to avoid an overlap between the uses and to ensure that the two uses can function separately.

Design Conclusions:

- 10.48 The proposal would involve the removal of an historic building which forms part of the Hillmarton Conservation area and replacement with new buildings (Blocks A and B), of which Block A (residential block) would have a prominent frontage on to Beacon Hill. As per the above assessment, the design of the new blocks has been considered to be acceptable and thus the harm to the heritage asset in this case (Hillmarton Conservation Area) can be identified as amount to less than substantial.
- 10.49 Paragraph 202 of the National Planning Policy Framework (2021) states that “*where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*” It is acknowledged in this case that the residential element of the proposal would primarily be of benefit to the applicant, although conversely, it would introduce 7 no. high-quality residential units to a brownfield site. The introduction of 569sqm of office space to Block B can also be identified as a public benefit, offering employment opportunities to the local and wider community. Overall, the public benefits which the scheme would introduce are considered to outweigh the less than substantial harm, balancing in favour of the development.
- 10.50 In line with Sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposal hereby under consideration, special regard has been given to the desirability of preserving the character and appearance of the conservation area and the setting of the neighbouring listed building.
- 10.51 The proposal on balance is considered to be in keeping with the visual appearance of the building within the application site and wider streetscene and is considered acceptable in design and conservation terms which will preserve the character and appearance of the Hillmarton Conservation Area. The proposal is considered compliant with policies CS8 and CS9 of the Islington Core Strategy (2011), DM2.1 and DM2.3 of Development Management Policies (2013), Policies PLAN1, DH1 and DH2 of the SDMP, Policies D3, D4 and HC1 of the London Plan (2021), and the guidance contained within the Urban Design Guide (2017) and the Hillmarton Conservation Area Design Guidelines (2002).

Neighbouring Amenity

- 10.52 The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy D14 identifies that buildings should not cause unacceptable harm to the amenity of in particular, residential buildings in respect of matters including privacy and overshadowing. Policy D14 (part A) of the London Plan 2021 states that development proposals should seek to manage noise by mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development; separating new noise sensitive development from major noise sources through the use of distance, screening or internal layout in preference to sole reliance on sound insulation; controlling and mitigating potential adverse effects through the application of good acoustic design principles; and promoting new technologies and improved practices to reduce noise at source and on the transmission path from source to receiver.
- 10.53 Development Management Policy DM2.1 (part Ax) confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.54 Draft Local Plan policy PLAN1 applies to all new developments. Part B(i) of this policy requires compliance with contextual design principle and requires all development to provide a good level of amenity, including consideration of noise and the impact of disturbance, hours of operation,

vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

- 10.55 In this case, the site adjoins the rear gardens of neighbouring properties to Middleton Grove (nos. 1, 2 & 3) Hungerford Road (nos. 38-32, even), Camden Road (nos.348- 354, even) and no. 16 Beacon Hill. The rear gardens would separate the proposed built form and the existing dwellings in the vicinity of the application site. No 16 Beacon Hill has the most sensitive relationship to the proposed development, being located immediately adjacent to the site.

Overlooking/Loss of Privacy

- 10.56 Standard 28 of the London Plan SPG Housing (2016) requires proposals to demonstrate that habitable rooms would have adequate levels of privacy in relation to neighbouring properties, the street and other public spaces and Policy DM2.1 and Policy PLAN1 identifies a minimum distance of 18 metres between windows 'to protect privacy for residential developments and existing residential properties.
- 10.57 The south-east, south-west and north-west elevations of the proposed Block A and Block B would face onto the rear elevations of the surrounding properties which contain residential windows. It is also noted in particular that Flats 4 and 5 would contain external 5sqm balcony spaces that would face in a south-westerly direction towards Middleton Grove. It is however, considered the rear habitable windows to those properties on Camden Road and Middleton Grove as to prevent direct overlooking, in excess of 18.0m, as required by Policy DM2.1 and Policy PLAN1. It is important to note that the proposed 5sqm balconies have been positioned to the main spine of Block A rather than its central projection, and this further extends the separation distances between the Middleton Grove properties.
- 10.58 It is noted that Nos. 32 and 34 Hungerford Road have rear projections which are approximately 15.0m from the proposed south-east flank elevation of Block A, which is 3.0m less than the desired 18.0m advocated by local policy, however, the latest revisions (Rev. G) have since omitted any side facing windows that would face towards the properties on Hungerford Road. It is therefore considered that there would not be any opportunity for undue overlooking to any habitable windows, which is welcomed. Whilst is acknowledged a degree of overlooking would occur to the private amenity spaces of these properties, namely from the balcony of Unit 5 which would be positioned less than 18m from the garden space, it is considered that there is often a degree of mutual overlooking in built up areas such as this and as such, this would not warrant a reason for refusal in this case.

Sunlight/Daylight

- 10.59 Sunlight: the BRE Guidelines (June 2022) confirm that windows that do not enjoy an orientation within 90 degrees of due south do not warrant assessment for sunlight losses. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where:
- In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period; and
 - In cases where these requirements are breached there will still be no real noticeable loss of sunlight where the reduction in sunlight received over the whole year is no greater than 4% of annual probable sunlight hours.
- 10.60 Daylight: the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either:
- The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or

- The daylight distribution, as measured by the No Sky Line (NSL) test where the percentage of floor area receiving light is measured, is not reduced by greater than 20% of its original value.

10.61 It has been determined from the proposed sections that the buildings to Middleton Grove, Camden Road and Hungerford Road which face onto the proposal, would not interrupt to the 25-degree line to those windows located at ground floor level. As such, it is considered these windows would not be adversely impact in terms on loss of daylight/sunlight. An external daylight/sunlight report has been submitted during the assessment stage, primarily to assess the impact of the proposal on the nearest residential dwellinghouse, No. 16 Beacon Hill.

10.62 The submitted report identifies that two windows to No. 16 (W9 & W10) fall below the recommended VSC levels, with both windows being located within the side elevation of the rear return. The respective loss was 27% and 32% of the former value and was therefore below the recommended levels. The side facing windows which would experience the loss serve as secondary windows in this case to a wider kitchen/living/dining space. Given that this is the case and the wider results, including the fact that the front bay window to the front elevation (W1) would experience a surplus of light as a result of the development, the losses to the two side windows is considered on balance to be acceptable when viewing the scheme overall. The specifics of the assessment to No. 16 can be seen in the table, below.

16 Beacon Hill			Vertical Sky Component			No sky line (Daylight Distribution)		
	Room number/ Window number	Room use	Existing (%)	Proposed (%)	Loss (%)	Existing (%)	Proposed (%)	Loss (%)
Ground	R1/W1	Unknown	18.66	22.85	N/A	99.67	99.74	N/A
	R1/W2	Unknown	33.25	33.26	N/A			
	R1/W3	Unknown	29.88	29.88	N/A			
	R2/W4	Unknown	32.48	32.08	1%	99.32	99.32	N/A
	R2/W5	Unknown	32.18	31.82	1%			
	R2/W6	Unknown	30.57	30.32	1%			
	R3/W7	Unknown	35.77	35.69	N/A	95.85	95.87	N/A
	R4/W8	Unknown	32.28	32.24	N/A	99.84	99.84	N/A
	R4/W9	Unknown	28.61	20.86	27%			
	R4/W10	Unknown	21.10	14.30	32%			
	R5/W11	Unknown	26.14	23.89	9%	92.30	92.11	N/A
First	R1/W1	Unknown	35.66	35.86	N/A	97.06	97.07	N/A
	R2/W2	Unknown	36.69	36.72	N/A	98.12	98.12	N/A
	R3/W3	Unknown	37.10	37.05	N/A	94.81	94.83	N/A
	R4/W4	Unknown	35.63	35.63	N/A	93.72	93.72	N/A
	R5/W5	Unknown	35.49	35.35	N/A	98.32	98.32	N/A
	R5/W7	Unknown	36.06	35.88	N/A			
	R6/W6	Unknown	34.79	33.79	3%	95.77	95.75	N/A
Second	R1/W1	Unknown	38.74	38.55	N/A	80.58	78.77	2%
	R2/W2	Unknown	38.02	38.01	N/A	59.48	59.48	N/A
	R3/W3	Unknown	37.91	37.87	N/A	60.87	60.87	N/A

- 10.63 With regards to available sunlight hours (ASPH) the results demonstrate there to be one annual transgression (W10) and two winter transgressions (W9 & W10), with four windows with improved results (Ground W1 & First W1-W3). For the justification outlined above, it is considered that owing to their orientation and size, the two windows (W9 & W10) which are affected serve as secondary windows to the main living space at ground floor level at No. 16. This space is served by a set of double doors (W11) and is considered to continue to receive appropriate levels of daylight/sunlight in spite of the transgressions to the side windows.
- 10.64 In relation to daylight distribution, the results have found there to be no transgressions. Where these guidelines are exceeded then sunlight and/or daylight may be adversely affected. The BRE Guidelines (2022) provide numerical guidelines, the document though emphasises that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Overshadowing to Neighbouring Properties

- 10.65 The BRE guide recommends that at least 50% of the area of each amenity space listed above should receive at least two hours of sunlight on 21st March. The 50% criteria mentioned above is also applicable when assessing the impact of a development on an existing neighbouring amenity area. If, as a result of a new development, an existing garden or amenity area does not meet the 50% criteria, and the area which can receive two hours of sunlight on 21st March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable.
- 10.66 An amenity space analysis has been included within the daylight/sunlight report, which takes into consideration the impact upon the nearest rear garden, No. 16 Beacon Hill. The amenity space at this property was found to contain a considerable amount of vegetation. Notwithstanding, the test takes into account the situation without the vegetation present and has found that although there would be some reduction to the garden area, it would still pass the test contained within the BRE guide. Given this was the case and that the current proposal (in particular Block B) has a reduced footprint and height compared to the previous approval; it is considered that there would be, on balance, no adverse impact in relation to overshadowing to this neighbouring property and other surrounding properties.



Image 11: View to the rear of No. 16 Beacon Hill with associated window labelling

Outlook and Sense of Enclosure

- 10.67 As stated, the site adjoins the rear gardens of neighbouring properties to Middleton Grove (nos. 1,2 & 3) Hungerford Road (nos. 38-32, even), Camden Road (nos.348- 354, even) and no. 16 Beacon Hill.
- 10.68 To the north, the main rear elevations of the properties on Camden Road are located approximately 18m from the curtilage of the application site. To the southwest, the properties on Middleton Grove are located approximately 19m from the sites curtilage and to the south east, nos. 38-32 (even) Middleton Grove are located approximately 15m from the boundary of the application of site. The rear gardens of these properties adjoin the application site and therefore there is an element of relief in the built form, between the proposed and existing dwellings. As such due to the relative, generous, separation distances to those adjoining properties on Hungerford Road, Middleton Grove and Camden Road it is considered that there would be no adverse impact on these properties.
- 10.69 Block B would rise up two storeys (plus roof level). It is considered that the proposed flank elevation of Block B would be appreciable from the rear windows of 16 Beacon Hill and would have the potential to create a material effect of the outlook of the occupiers to no. 16 Beacon Hill. However, the proposed massing has been designed so as not to unacceptably impinge on the outlook or cause an increased sense of enclosure. Based on the angle of the curtilage, the built form, towards to the rear is further stepped away from the boundary line, mitigating the presence of the building with no. 16 Beacon Hill. Due to the overall design of the proposal, its two-storey form with in roof form, it is considered Block B would not be unacceptably overbearing or cause an undue sense of enclosure.

Noise and Odours

- 10.70 The development of 7 no. new dwellings and office space would result in a material intensification of the use of the site. An increase in noise and disturbance would be very likely, particularly in respect of pedestrian movements. Nonetheless, given the predominant character of the surrounding area and the overall extent of existing commercial use on site and residential development nearby, it is considered that the development of the site for commercial and 7 no. new dwellings in this location would be relatively limited in its impact on neighbouring living conditions. The application sites material intensification is also alleviated the rear gardens of the surrounding properties adjoin the site. A relevant sound insulation condition will be included as part of any recommendation for approval.
- 10.71 The development is in a highly constrained site surrounded by nearby residential and therefore some disruption is inevitable as a result of constructions. The delivery and servicing plan suggests that the main point of access to the site during the construction phase would be via Beacon Hill. The recommendation for approval will include a pre-commencement condition which requests a fully detailed plan to be submitted outlining the construction arrangements, as requested via the Council's Highways team.

Conclusions:

- 10.72 Notwithstanding the extent of separation of proposed Block A to nos. 32 & 34 Hungerford Road and the potential for loss of light to the windows of the side return to no. 16 Beacon Hill, taking into account the design, form and layout of the reduced-scaled development, it is considered overall the proposal would not significantly harm the living conditions of the occupiers of the adjoining occupiers.
- 10.73 Accordingly, it does not conflict with Policies CS8 and CS9 of Islington's Core Strategy and Policy DM2.1 of Islington's Local Plan: Development Management Policies and Draft Local Plan policy PLAN1 insofar as they aim to safeguard residential amenity. The scheme would also adhere to a core principle of the National Planning Policy Framework, which is to always ensure a good standard of amenity for all occupants of land and buildings.

Residential Mix and Quality of Accommodation

- 10.74 The London Plan (2021) recognises that design quality is a fundamental issue for all tenures and that the size of housing is a central issue affecting quality. Policy CS12 notes that a range of unit sizes should be provided within each housing proposal to meet the need in the borough, including maximising the proportion of family accommodation. Development Management Policy DM3.1 further states the requirement to provide a good mix of housing sizes.
- 10.75 Tables 3.2 and 3.3 of Policy DM3.4 of the Islington's DMP stipulate the minimum gross internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within the proposed flats. New accommodation should also be of adequate size, with acceptable shape and layout of rooms (with due consideration to aspect, outlook from habitable rooms, noise, ventilation, privacy, light).
- 10.76 In terms of amenity space, Policy DM3.5 details how all new residential development should provide good quality private outdoor space, in accordance with the minimum required figures. The minimum requirement is 5sqm on upper floors and 15sqm on the ground floors for 1-2 person dwellings. For each additional occupant, an extra 1sqm is required on upper floors and an extra 5sqm on ground floors up to a minimum of 30sqm for family housing (three bedroom residential units and above)
- 10.77 Draft Local Plan policy H1 states that all new housing must contribute to the delivery of the Local Plan vision and objectives, making the borough a fairer place through the delivery of the right type of housing that meets identified needs. Draft Local Plan Policy H2 (D) states that all development proposals for conventional residential dwellings (including conversions and extensions) must provide a good mix of unit sizes which contributes to meeting the housing size mix priorities set out in Table 3.2. For market tenure it assigns the highest priority to 2 bed units, a "medium" priority to

3 beds, a “low” priority to 1 beds and 4 beds and no priority to studios/bedsits. Draft Local Plan Policy H4 requires all new housing to be designed and built to a high quality for the duration of its lifetime.

10.78 The table below sets out the expected spatial standards that should be met for the newly proposed residential units in line with London Plan Policy D4:

Unit	No. Bedrooms/ Occupancy	Expected	Floor Space Provided (Approx.)	Minimum Required Floor Space	Provided Storage (Approx.)	Required Storage
1	2 bedroom, 4 person (2b4p)		94.0sqm	79.0sqm	3.0sqm	2.5sqm
2	2 bedroom, 3 person (2b3p)		86.0sqm	70.0sqm	4.5sqm	2.0sqm
3	3 bedroom, 5 person (3b5p)		96.0sqm	93.0sqm	8.0sqm	3.0sqm
4	2 bedroom, 3 person (2b3p)		66.0sqm	61.0sqm	1.0sqm	2.0sqm
5	2 bedroom, 4 person (2b4p)		74.0sqm	70.0sqm	1.5sqm	2.5sqm
6	1 bedroom, 2 person (1b2p)		50.5sqm	50.0sqm	1.0sqm	1.5sqm
7	2 bedroom, 4 person (2b4p)		107.0sqm	70.0sqm	2.0sqm	2.5sqm

10.79 The table below sets out the expected amenity space provision that should be met for the newly proposed residential units:

Unit	Outdoor space Provided	Minimum required outdoor space as per policy DM3.5 and Policy H5
1	54.0sqm	25.0sqm
2	76.0sqm	20.0sqm
3	45.0sqm	30.0sqm
4	5.0sqm	6.0sqm
5	5.0sqm	7.0sqm
6	N/A	5.0sqm
7	12.0sqm	7.0sqm

10.80 Each of the units would exceed the minimum floorspace requirements, which is welcomed. It is acknowledged that some of the required storage minimum areas would not be met for the upper floor units, but each of the units would provide a designated area for storage. It is also welcomed that the three duplex units would provide surplus storage. The individual layouts of each unit are discussed further detail in the sections below.

10.81 The three duplex units would comfortably exceed the minimum amenity requirements and are considered to provide high quality, usable amenity space. It is recognised that the upper floors are more constrained due to their location and thus, units 4, 5 and 6 do not comply with the required minimums in this case. The fact that 5.0sqm is provided for units 4 and 5 is welcomed however, and the absence of amenity space for unit 6 is outweighed by the more generous provision

at the lower ground levels which can be recognised as the family-sized units of the development. Green roofs are also proposed to the residential and commercial blocks, but these would not constitute usable amenity space. Alike the quality of internal accommodation, the individual provision of amenity for each unit is discussed in further detail in the sections below.

- 10.82 The access to the residential units would take place from Beacon Hill. Unit 1 would have its own entrance, whilst a communal entrance would be shared for all other Units (2-7). The communal entrance has been revised since the original submission as concerns were raised towards the opening being located immediately adjacent to Unit 2. The entrance now opens into a smaller entrance area which contains a secondary door into the communal ground floor lobby area. The entrances to Units 2 and 3 are located at this level, whilst a communal lift and staircase would allow for access to the upper floor units. Officers welcome the revised residential access arrangement.
- 10.83 The design has carefully ensured that the two uses (residential and commercial) are kept separate from one another in all cases. There would be an open access point to the wider site area from Beacon Hill, but from a residential perspective, this would only give access to the refuse store. A fence would be incorporated to keep the commercial block (Block B) separate and entrance to this block would take place from the existing accessway which fronts Middleton Grove, with the residential (Block A) entrance taking place from Beacon Hill. This arrangement has been followed to more closely match the arrangement of the existing.

Units 1, 2 & 3 (Basement/Ground Floor):

- 10.84 The ground floor of units 1 and 2 would occupy the main bathroom and a double bedroom with kitchen/living area and would both be dual aspect, having exposure to good levels of daylight/sunlight and outlook to the front and rear respectively. Unit 3 would be also dual aspect at ground floor level and would accommodate the living, kitchen and dining area and bathroom with an obscure glazed window. The living, kitchen and dining area would be served by two generous rear facing open windows which is welcomed.
- 10.85 The layout of Unit 1 has been amended during the assessment stage to swap the locations of the bedroom and bathroom spaces at ground floor level. This is to ensure that there would not be undue overlooking to the habitable spaces given the location of the window adjacent to the open pinch-point area to be used for transporting refuse bins. The bedroom space would remain at 12sqm which qualifies as a double bedroom.
- 10.86 The duplex three units (1, 2 & 3) would all accommodate bedroom spaces at lower ground floor level, accessible via an internal access stair. Units 1 and 2 would accommodate a double bedroom with an ensuite bathroom, whilst Unit 3 would incorporate three separate bedrooms. The units would each be served by adequately sized lightwells at basement level and as part of the submission documents, an Average Daylight Factor & Room Depth Assessment (prepared by CMPC) has been submitted which demonstrates that each basement bedroom would pass the appropriate room depth analysis tests for daylighting. Further information has also been submitted during the assessment stage to demonstrate that each unit would pass the criteria of the 2022 BRE guidance which requires an internal assessment against LUX levels. The arrangement of these units is therefore considered to be acceptable and would provide a good quality of accommodation for future occupiers. The units would also exceed the minimum requirement for internal storage spaces, with storage areas being located at both levels which is welcomed.
- 10.87 In terms of amenity space, suitable sized rear gardens of 54sqm, 76sqm and 45sqm respectively would be accessible via the living/kitchen dining area. The paths to the rear gardens have been amended during the assessment stage to ensure they serve minimal disruption to the lightwell spaces below. The gardens would be enclosed by 1.8m high close board timber fencing and associated planting, ensuring they are kept as private usable space to the occupiers of the residential units only. The garden sizes would all exceed the minimum requirements and are therefore considered to be acceptable in terms of quality of accommodation.

Units 4, 5 & 6 (First Floor):

- 10.88 These units would be accessible either via the communal stairway or lift, leading to a communal corridor at first floor level. Each of the units would occupy a single level only, with Units 4 and 5 occupying two bedrooms and a living/kitchen area and Unit 6 occupying one bedroom and a living/kitchen area.
- 10.89 Units 4 and 5 would be triple aspect, with the bedroom and living/kitchen area being exposed to generous amounts of daylight/sunlight and outlook, owing to the window layout proposed. Unit 6 would be double aspect with an obscure glazed bathroom window now being incorporated for the purpose of ventilation. The two habitable rooms to Unit 6 would be served by rear south-west facing windows and which would give generous outlook, owing to the rear gardens at the levels below.
- 10.90 It is acknowledged that three units (4, 5 & 6) would fall short of the minimum storage requirements. However, given that storage space has been considered and that each of these units exceeds the required minimum space standard, the shortfall is considered not to warrant a refusal of permission.
- 10.91 In terms of amenity provision, Units 4 and 5 would incorporate external balcony spaces at an area of 5sqm. Although this would fall short of the minimum requirement by 1sqm, the provision is considered acceptable, owing to the units' positioning at the upper floor levels. The balcony would be easily accessible from the respective living/kitchen area of the units.
- 10.92 Unit 6 would not incorporate external amenity provision, incorporating Juliet balconies as an alternative. Whilst this factor has been acknowledged, the absence of amenity space is considered acceptable on balance, given that it is the smallest unit out of the proposed and could create issues with overlooking between other units should a balcony be incorporated, owing to the stepped design of the building. The close positioning of Caledonian Park (approx. 400m) is also noted and can substitute as additional amenity space for the future occupiers.
- 10.93 It is noted that both officers and the Inspector previously raised concern to the amenity space provision, citing mutual overlooking between balconies and habitable windows and limited outlook, given that a side facing balcony was previously proposed to one of the flats as well as sunken amenity areas bounded by tall retaining walls.
- 10.94 The latest scheme is considered to overcome this issue, as the balconies proposed would overlook the ground floor garden of Units 1 and 2 only, neither of which would be sunken. Unit 6 has purposely been designed not to incorporate a balcony of its own so that the possibility of overlooking into habitable windows of both neighbouring properties and other units is eliminated.

Units 7 (Second Floor):

- 10.95 Unit 7 is the most spacious out of the units proposed and would occupy the entirety of the second-floor level. It would be accessible both via the staircase and communal lift. The main habitable rooms would be exposed to good levels of daylight/sunlight and outlook, through a combination of flat-roof dormer windows and rooflights and the general layout is considered not to raise a concern. An additional section drawing has also been submitted to demonstrate that a sufficient area of the roof space of Unit 7 would comply with both the minimum 2.5m floor to ceiling height as required by Policy DM3.5 and the minimum 2.6m floor to ceiling height as required by Part F of Draft Local Plan Policy H4 (Part F).
- 10.96 A private roof garden would be incorporated to this unit at an area of 12sqm. The roof garden is considered to be well designed, with a setback of 1.6m from the surrounding flank walls, further enclosed by associated planting. The overall design of this unit is considered to be acceptable on the basis of quality of accommodation.

Conclusion:

- 10.97 Overall, it is considered that the proposed units comply with the minimum floor space standard set out in the latest London Plan (2021) and is also acceptable in terms of layout and private amenity provision. This is broadly in line with Islington policy DM3.4 and Draft Local Plan policies H1, H2 and H4 and H5.

Refuse and Recycling

- 10.98 The Council's publication entitled 'Recycling and Refuse Storage Requirements' provides guidance on storage for mixed use schemes. The aforementioned guidance is just that and should not be regarded as a mandatory requirement. It does however provide clear guidance in terms of the waste and recycling capacity.
- 10.99 The proposed refuse and recycling arrangements have been subject to amendments at the assessment stage. It is proposed to keep the refuse stores separate for the commercial and residential uses. The residential bin store is to be located towards the north-west of the site, adjacent to the commercial block, whilst the commercial bin store within the central accessway of the site. Both sets of bins would be transported to Beacon Hill during collection day, via an open 'pinch-point' which faces the street. The residential store would incorporate 4x1100L Eurobins and 2x 240L compost bins, whilst the commercial store would incorporate 2x 1100L bins. Officers are satisfied with both the size of the bin stores proposed and the number of bins included for each store.
- 10.100 The Council's refuse and recycling officers have requested the travelling distance from the refuse locations to be no greater than 10.0m. The applicant has therefore confirmed that the distance between the residential bin store and the street would be 7.5m, whilst the distance between the commercial bin store and the street would be 9.5m. Although a street tree currently exists adjacent to the open pinch point, this is to be removed to improve the access and a s106 contribution is requested to compensate for this. Further information can be found as part of the 'Trees' section of the report.
- 10.101 The issue of width has also been discussed with refuse and recycling officers, as it is identified that the separation distance between the corner of the residential block and the boundary with Beacon Hill would be narrow. The refuse and recycling officer has confirmed the width of a 110L Eurobin is 1.27m and the minimum width between the proposed residential block and the boundary wall has been measured to be 1.48m. Although not a substantial difference, officers are satisfied that the proposed arrangement would work in practice and given that the arrangement would result in the two uses remaining separate to each other, are minded supporting the proposal on the grounds of refuse and recycling.
- 10.102 Given the conclusions of the above, the proposal would make satisfactory provision for refuse and recycling storage. It would therefore be in accordance with Policy CS11 of the Core Strategy and Draft Local Plan Policy H4 insofar as it seeks to encourage sustainable waste management. A condition regarding the provision of refuse has been included as part of the recommendation for approval to ensure the refuse and recycling facilities were provided prior to the first occupation of the development and permanently maintained on site in accordance with the proposed plans.

Accessibility

- 10.103 The National Standard is broken down into 3 categories; Category 2 is similar but not the same as the Lifetime Homes standard and Category 3 is similar to present wheelchair accessible housing standard. Planning must check compliance and condition the requirements, if they are not conditioned, Building Control will only enforce the basic Category 1 standards. If the proposal was considered acceptable overall, a condition would be attached to ensure the proposal would comply with Category 2.
- 10.104 The Council's inclusive design (access) officer has been consulted at the application stage and several concerns and clarifications were raised which are discussed individually, below. The main point of entry for the majority of the 7 no. residential units is from Beacon Hill and the levels can be accessed via a central lift/stair core. To improve safety for drops offs, this has been revised to a ramp as opposed to the external stairs. A section of space has now also been identified for the duplex units for future through-the-floor lifts.
- 10.105 With regards to drop off and access from Beacon Hill, an additional dropped kerb has been requested at a minimum width wide enough to allow for a wheelchair to pass through. This has now been provided at a width of 1.6m. A further dropped kerb has also been introduced opposite

the bike store entrance to accommodate the residential cycle parking which has been welcomed by the Inclusive Design officer.

- 10.106 With regards to office access arrangements, concerns were initially raised towards the basement steps in the office providing a safe drop off and the inclusion of stair winders. The office access arrangement has consequently been amended to provide a ramp instead of stairs and given the rise of the ramp would be less than 300mm, this is considered an acceptable alternative. The inclusion of stair winders has also been considered to be acceptable by Building Control.
- 10.107 Preference was also given to the toilet/shower of the office block being re-located at ground floor level rather than the basement, as this is a requirement of M4 Vol 2 paragraph 5.10. This has been amended accordingly and will be covered via the relevant compliance condition.
- 10.108 Concerns were also raised towards the original cycle parking arrangements, with vertical mounted cycle racks being presented. A more family orientated approach of semi-vertical bike racks has now been presented which has been considered a more acceptable approach here. Cycle lockers have also been included for Block B at basement floor level.
- 10.109 Taking into account the amendments and clarifications provided, the accessibility arrangements are considered acceptable, and a condition would be attached to ensure the proposed residential units meet Category 2 of the Building Regulations, alongside Policy DM2.2 of the Islington DPD and Draft Local Plan Policies H4 and B2.

Design Out Crime

- 10.110 Policy DM2.2 (part ii) of the Islington DPD and Draft Local Plan Policy H4 identify that all developments should be of high quality and should deliver safe, legible and logical environments. New residential developments should also achieve Secured by Design (SBD) accreditation from the Met Police prior to occupation.
- 10.111 The Design Out Crime officer has been consulted on the proposals as part of the assessment stage. It has been welcomed that the site would be separated by a 1.8m high gate and would not present the opportunity for a direct cut through from Middleton Grove to Beacon Hill. An objection has therefore not been raised on the grounds of crime, subject to a condition being included to ensure the development achieves Secured by Design accreditation prior to occupation. This condition has been agreed by the applicant and will be included as part of any recommendation for approval.

Highways

Deliveries and Servicing:

- 10.112 Policy DM8.6 of the Development Management Plan and Draft Local Plan Policy T5 require the provision for delivery and servicing to be provided off-street, particularly for commercial developments over 200sqm. The proposed commercial building would result in a unit/s over the stated threshold. It is proposed to service the building, off-street via the existing access from Middleton Grove. Considering part of the site is used to park vehicles and the existing use as a vehicle repair garage which would include, a number of vehicle movements, the principle of this arrangement is considered acceptable and complies with the aims of DM8.6 and Draft Local Plan Policy T5.
- 10.113 A Delivery and Servicing Plan has been submitted and this has been updated during the assessment stage to incorporate tracking diagrams to show a servicing vehicle being capable of entering and existing the site in forward gear, as well as navigating within the site (e.g. small delivery vans). The tracking diagrams were requested by the Council's highways officers prior to the application being determined, given the narrow nature of the access road from Middleton Grove. The Council's highway's officers have reviewed the updated delivery and servicing plan and are satisfied that the access road can accommodate vehicles for drop off and delivery, as well as navigation within the site itself. A condition will be included restricting delivery times. The proposal is therefore considered to be acceptable on these grounds.

Residential Parking:

10.114 Islington policy identifies that all new development shall be car free. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. The applicant planning statement confirms the application scheme is to be car free. No car parking is to be provided or the ability to obtain car parking permits by potential occupiers. Based on this agreement, car free development would need to be secured via either condition or legal agreement.

Commercial Parking:

10.115 London Plan (2021) Policy T6.5 (Non-Residential disabled person parking) identifies a requirement for a disabled parking space should be included for non-residential uses. Discussions have taken place with the Council's inclusive design officer during the assessment stage who has preference towards the space being located off-site (on-street) rather than within the site area. This is to be collected via a s106 contribution and is included in the associated heads of terms as set out in Appendix 1.

Cycle Parking:

10.116 Table 6.1 (Appendix 6) in the DM Policies (2013) and Policy T3 of Islington's SDMP set out the Council's cycle parking standards. One space per bedroom is required for residential units; there would be 14 bedrooms and 21 cycle spaces in the basement. As per comments from the Inclusive Design officer, 14 no. would be long stay and 2 no. short stay. In addition, one space per 80sqm is required for the B1 (a) office resulting in the requirement for 7.5 spaces.

10.117 As per the design logistics of the proposal, the residential and commercial cycle parking spaces would be kept in separate locations. The cycle parking for the residential units would be in an enclosure accessible from Beacon Hill, whilst the commercial cycle parking would be located in an enclosure to the south-west corner of the site, adjacent to the rear garden space for Unit 1. A dropped kerb has also now been included for the residential cycle parking, as per the inclusive design officer's request.

10.118 Officers are satisfied that both enclosures would be adequate to incorporate the required number of spaces for each use. It is also welcomed that the two locations would be secured, covered enclosures which are discreet in the public realm. Given this factor and those outlined above, the proposal is considered to be consistent with Policy DM8.4 and Policy T3 of the SDMP in this case.

Trees

10.119 In accordance with Development Management Policy DM6.5 and Draft Local Plan Policy G4 require all developments must protect, contribute to and enhance the landscape, biodiversity value and growing conditions of the development site and surrounding area, including protecting connectivity between habitats. Developments are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.

10.120 There are a number of large trees in the neighbouring property that may be adversely impacted upon by the proposal. These trees are protected within the Hilmarton Conservation Area and trees contribute materially to the amenities of the locality, playing an important part in providing a sense of scale, maturity and textural diversity to the immediate vicinity. Through design and arboricultural input the proposal has sought to address the arboricultural impacts that arise from the development in such close proximity to the surrounding neighbour's trees.

10.121 The tree officer's response initially highlighted the tree to the rear garden of No. 34 Hungerford Road as being a concern, given that part of its canopy was to cover a section of the residential block (Block A). Whilst it was accepted that pruning part of the tree could be a solution, concerns were raised towards the potential harmful degree of pruning, leading to long term damage to the tree's health. As a result, the footprint of Block A has now been altered to bring the building away from the tree's canopy. The tree officer is now satisfied with the re-positioning of the building in this case and now has no objection, subject to the inclusion of a relevant tree protection condition.

10.122 As discussed in the Refuse and Recycling section, further discussions have taken place with the tree officer regarding the removal of the existing crab apple tree on Beacon Hill. The tree officer has identified that this would obstruct the newly created entrance to the development. The tree officer has accepted that this tree could be reasonably removed and replaced by further mitigating tree planting and has confirmed the CAVAT value of the tree to have been £3,202 in 2021 when it was last surveyed. A recommended financial contribution of £3,600 (£1,200 x 3) will be included as part of the s106 agreement which requests the future planting of 3 no. new street trees to compensate for the tree's loss. This is included in the associated heads of terms as set out in Appendix 1.

Energy:

10.123 Islington Core Strategy Policy CS10 seeks to minimise Islington's contribution to climate change and ensure that the borough develops in a way which respects environmental limits and improves quality of life. This requires all development to achieve the highest feasible sustainable building standard, and to achieve this a sustainability statement was submitted which follows the structure suggested by the Mayor of London's Supplementary Planning Guidance (SPG) on Sustainable Design and Construction.

10.124 Policy DM7.2 of the Islington Development Plan Document (2013) require minor developments to achieve best practice energy efficiency standards, in terms of design and specification. Draft Local Plan Policy S4 (Part D) requires Minor new-build residential developments of one unit or more to achieve a minimum on-site reduction in regulated emissions of at least 19% beyond Part L of the Building Regulations, unless it can be demonstrated that such provision is not feasible.

10.125 An Energy & Sustainability statement has been prepared by eb7 ltd and has been included as part of the submission documentation. The statement confirms that the regulated use, i.e. considering emissions controlled under the Building Regulations Part L 2013, the reduction equates to over 28.78% which is considered acceptable in terms of onsite energy reduction and in line with the requirements of the DPD and Draft Local Plan.

10.126 In accordance with the Council's Zero Carbon Policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement." A carbon offset contribution of £7,000 would be required, based on the 7 new-build flats, in accordance with the Environmental Design SPD.

Sustainability:

10.127 Draft Local Plan policy S3 requires all non-residential and mixed-use developments proposing 500sqm or more net additional floorspace are required to achieve a final (post-construction stage) certified rating of Excellent as part of a fully fitted assessment within BREEAM New Construction 2018 (or equivalent scheme) and must make reasonable endeavours to achieve an Outstanding rating. A 'verification stage' certification at post occupancy stage must also be achieved, unless it can be demonstrated that this is not feasible.

10.128 Policy DM6.5 of the Islington DPD (2013) and Draft Local Plan Policy G5 state that developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. New-build developments should use all available roof space for green roofs, subject to other planning considerations. The proposed development would incorporate green roofs to both Blocks A and B.

10.129 The submission documents have not addressed whether the proposed residential dwellings would be classified as BREEAM "excellent" in accordance with the Draft Local Plan and thus, a condition will be included requiring a final code certificate to be submitted and approved prior to occupation of the units.

- 10.130 Amendments were sought during the assessment stage to ensure that both roof of the new blocks (residential and commercial) are to be green roofs. This has now been incorporated and is considered to be of benefit to the overall scheme in terms of sustainability. A condition will be included to ensure the green roofs are well maintained throughout the course of the development.
- 10.131 Sustainable Urban Drainage Systems (SuDS) have been incorporated into the design in the form of all hardstanding surfaces being formed of permeable paving, with all hard standing areas including the access road and parking court underlain by a hydrocarbon removing geotextile membrane, to also ensure there is no contamination of the receiving groundwater. All remaining surface water will then be conveyed into a 50 cubic metre below ground attenuation tank, with restricted flow leaving the site set to the existing site's greenfield rate. A mounted rainwater harvesting system has also been added. This approach has been reviewed by the Council's Energy officer who has not raised an objection, subject to the inclusion of relevant conditions and the proposal would be in accordance with the guidance within Draft Local Plan policies S8 and S9 and London plan policies SI 12 and SI 13 in this regard.

Ecology:

- 10.132 The NPPF (Ch 15), London Plan policy G6(B)(4) and Draft Local Plan policy G4 requires development to achieve bio-diversity net gain and seek opportunities to create new habitats. The Council's ecology officer has not raised an objection subject to the inclusion of a pre-commencement condition requesting bird box details and a bat survey. The potential for bats nesting within the existing buildings at the site is recognised, and thus a bat survey is considered necessary before the commencement of any development. These will be included as part of the list of conditions with the recommendation for approval of permission.

Conclusion:

- 10.133 Overall, the proposal is considered to comply with the aims of policies DM7.1 and DM7.2 of the Islington Development Management Policies 2013, Policy CS10 of the Core Strategy (2011) and Draft Local Plan policies S1, S2, S3 and G4 in terms of sustainability and biodiversity and if the proposal considered acceptable overall, the appropriate conditions recommended.

Circular Economy

- 10.134 Draft Local Plan Policy S10 (Part C) requires a minimum 10% of the total value of materials used in the construction of minor developments must derive from recycled and re-used content in the products and materials selected. With Draft Local Plan policies now being given significant weight in decision making, a condition is added requiring an Adaptive Design Strategy as part of an updated Sustainable Design and Construction Statement to ensure compliance with Draft Local Plan Policy S10.

Basement Development

- 10.135 The application includes the excavation of a basement to Block A. The basement is incorporate areas below the footprint of the ground floor and also courtyard areas to serve the basement accommodation which would extend to the side of the proposed building.
- 10.136 For all basement development a Structural Method Statement (SMS) must be submitted (in accordance with the SMS requirements in Appendix B) of the emerging Basement SPD in support of any such application, and this must be signed and endorsed by a Chartered Civil Engineer or Chartered Structural Engineer. It is confirmed a report by a qualified person has been submitted.
- 10.137 The Basement Development Supplementary Planning Document (SPD) was adopted on 14 January 2016. According to the SPD (paragraph 7.1.12), for infill residential development the scale and extent of basement within a site should respond to the site context and the prevailing scale of development in the area. Basements should be proportionate, subordinate to the above ground building element, and reflect the character of its surrounds. The area of excavation in relation to the site is relatively modest. Moreover, the sunken levels would likely only been seen from private views and therefore would not detract from the existing context.

10.138 The extent of site coverage and of basement and lowered ground level areas within the scheme does limit the opportunity for new soft landscaping. Most of this would be of a marginal hard landscaped or within raised planters. The scheme would thus not replicate an open garden setting with mature planting that might be associated with use of the site for its former purpose. The application scheme does include all green roofs, which would provide landscape and ecological benefits and the retention of adjacent trees. Overall, the extent of the proposed basement excavation would not amount to harm to the landscape or result in heritage harm.

Land Contamination

10.139 The site is noted on the councils contaminated land database due to the historic car garage and repairs usage. The application documents include a desk study and site investigation with elevated lead and mercury samples noted. A remediation strategy of removal of soil for the basements and importation of 300mm of clean cover for any areas of soft landscaping is proposed and this will be included via condition with the recommendation for approval, to ensure appropriate measures taken prevent a pollution linkage.

Small Site Housing Contributions and Carbon Offsetting

10.140 The Affordable Housing Small Site Contributions document was adopted on the 18th October 2012. This document provides information about the requirements for financial contributions from minor residential planning applications (below 10 units) towards the provision of affordable housing in Islington. As per the Core Strategy policy CS12, part G and the Affordable Housing Small Sites Contributions SPD the requirement for financial contributions towards affordable housing relates to residential schemes proposing between 1 – 9 units which do not provide social rented housing on site. Schemes below this threshold will be required to provide a financial contribution towards affordable housing elsewhere. The reasons for this approach are explained in the supporting text and in the Affordable Housing Small Site Contributions SPD which refers in turn to relevant aspects of policy found in the London Plan (2021). The SPD sets out a tested viability requirement for a contribution of £50,000 per new dwelling. In this instance based on the existence of two flats the net gain in units would be 5 flats totalling a sum of £250,000 in offsite affordable housing contributions. A signed agreement to pay the Small Sites contribution has been submitted as part of the application documentation.

10.141 The council adopted the Environmental Design Planning Guidance Supplementary Planning Document (SPD) on 25 October 2012. This document is supplementary to Islington's Core Strategy policy CS10 Part A, which requires minor new-build developments of one residential unit or more to offset all regulated CO2 emissions not dealt with by onsite measures through a financial contribution. The cost of the off-set contribution is a flat fee based on the development type as follows: Flats (£1,000 per flat), totalling a sum of £7,000. Carbon offsetting would also need to be secured via a s106 legal agreement.

Community Infrastructure Levy

10.142 The latest Mayor's CIL was adopted in April 2019. This introduced a charging system (within Islington) of £80/sqm of gross internal floor area created, to be paid to the GLA. This is a non-negotiable sum (that excludes schools, medical or health services).

10.143 The Islington CIL was adopted on 1 September 2014 and all applications determined after this date are liable for an Islington CIL payment. Therefore, any development of Class C3 uses on site would be liable for a payment of £ 250/sqm.

Other Matters

10.144 Public comments were received in relation to the development being profit motivated, issues with subsidence, damage to properties, loss of property value and disruption during the building works. These are, however, not examples of material planning considerations that be taken into account for assessment, and the proposal has been assessed upon its individual planning merits.

10.145 Concerns have been raised with regards to the impact upon local services. It is considered however that an uplift of 7 no. residential units would not be significant enough to cause undue disruption to the surrounding services. It is also considered that the introduction of 569sqm of office space would benefit the community by means of a new form of employment at the site.

10.146 Clarification has been sought on fire safety throughout the assessment. A Planning Fire Statement has since been submitted which outlines how the proposal complies with Policy D12 (Fire Safety) of the London Plan (2021). Given that the buildings would be below 18m in height, Part A of the Policy applies rather than Part B. Part A of the Policy reads:

“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 and ensure that they:

1) identify suitably positioned unobstructed outside space:

a) for fire appliances to be positioned on

b) appropriate for use as an evacuation assembly point

2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures

3) are constructed in an appropriate way to minimise the risk of fire spread

4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users

5) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in”

10.147 The submitted report adequately sets out the measures to meet the given Criteria in the policy. The applicant will need to obtain building regulations permission before commencing at the site but from a planning perspective, officers are satisfied that fire safety has been considered and incorporated into the design of the scheme.

11. SUMMARY AND CONCLUSION

Planning Balance and Summary

11.1 The revised design is considered to be an improvement on the previously refused scheme in terms of bulk, massing and appearance and is considered to better respect the character of the surrounding context and the wider Hillmarton Conservation Area.

11.2 The scheme would provide 7 no. well-designed residential units, alongside 569sqm of office space and is considered to improve the long-term vitality and viability of the site.

11.3 The proposal is considered not to result in any significant loss of amenity to occupiers of neighbouring properties, in terms of loss of daylight/sunlight including light pollution, outlook, or noise and disruption.

11.4 Objector's concerns with scheme have been noted and the issues raised have been fully addressed in the above assessment with no adverse concerns raised as a result of the development proposed, subject to conditions.

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

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That 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:

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

The Heads of Terms agreed by the applicant are:

- A financial contribution of £250,000 towards the provision of off-site affordable housing
- A financial contribution of £7,000 towards CO2 offsetting.
- A financial contribution of £3,600 towards the planting of 3 no. new street trees
- Agreement to provide 1 no. disabled parking space off site
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement

All payments are due on commencement of development and are to be index-linked from the date of committee. Index linking is calculated in accordance with the Retail Price Index. Further obligations necessary to address other issues may arise following consultation processes undertaken by the allocated s106 Officer.

RECOMMENDATION B

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

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>OS.01 – Site Location Plan, PP.01 (Rev. D) – Proposed Basement Plan, PP.02 (Rev. G) – Proposed Ground Floor Plan, PP.03 (Rev. D) – Proposed First Floor Plan, PP.04 (Rev. B) – Proposed Second Floor Plan, PP.05 (Rev. B) – Proposed Roof Plan, PP.06 (Rev. B) – Block A North East Elevation, PP.07 (Rev. C) – Block A South East Elevation, PP.08 (Rev. A) – Block A South West Elevation, PP.09 (Rev. C) – Block A North West Elevation, PP.10 – Block B North East Elevation, PP.11 – Block B South East Elevation, PP.12 – Block B South West Elevation, PP.13 – Block B North West Elevation, PP.14 (Rev. A) – Proposed Block A Section AA, PP.15 (Rev. A) – Proposed Block B Section BB, Design & Access Statement (Rev. B) prepared by Tasou Associates (dated April 2023), Energy & Sustainability Statement</p>

	<p>prepared by eb7 (dated 16/08/2021), Average Daylight Factor & Room Depth Assessment prepared by CPMC (dated March 2021), Daylight & Sunlight Report prepared by CPMC (dated February 2022), BRE Amenity Space Analysis prepared by CPMC (dated 10/06/2021), BRE LUX Letter prepared by CPMC (dated 03/01/2023), Basement Impact Assessment prepared by LBHGEO Ltd (dated 26/03/2021), Noise & Vibration Assessment (Rev. A) prepared by Philip Acoustics Ltd (dated March 2021), Land Contamination Risk Assessment prepared by LBHGEO Ltd (dated 26/03/2021), Sustainable Urban Drainage Report (Rev. A) prepared by Nimbus (dated March 2021), Heritage & Economic Regeneration Statement prepared by Michael Burroughs Associates (dated May 2021) Delivery and Servicing Plan prepared by Icenii (dated April 2023), Engineering Design & Construction Statement prepared by HowardCavanna (dated March 2021), Arboricultural Impact Assessment (Rev. A) prepared by Connick Tree Consultants (dated 27/09/2022), Fire Safety Statement (Rev. A) prepared by Tasou Associates (dated January 2023)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Details)</p>
	<p>MATERIALS (DETAILS): Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window and door treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) fencing, rails and gates g) refuse store material surround <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Construction Management Plan (Details)</p>
	<p>CONDITION: Prior to the commencement of the development a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority. The CEMP shall be prepared in accordance with Islington Council's Basement Development SPD (2016). The CEMP shall provide details in relation to:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting.

	<p>i) Details of measures taken to prevent noise disturbance to surrounding residents;</p> <p>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</p> <p>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)</p> <p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic using *** Road and *** Road at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Measures to protect the existing carriageway/footway</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	<p>Tree Protection (Compliance)</p>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including all preparatory work), details of treatment of all parts on the site not covered by buildings shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include:</p> <ul style="list-style-type: none"> a) a scaled plan showing any vegetation to be retained and trees and plants to be planted: b) proposed hardstanding and boundary treatment: c) a schedule detailing sizes and numbers of all new trees/plants d) Specification to ensure successful establishment and survival of new planting. <p>Any new tree(s) that die(s), are/is removed, become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Replacement planting shall be in accordance with the approved details (unless the Local Planning Authority gives its written consent to any variation).</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual and residential amenity is provided and maintained.</p>
6	<p>Cycle Parking Provision (Compliance)</p>
	<p>CONDITION: The bicycle storage area shown on the plan number PP.02 (Rev. G), hereby approved, shall be provided strictly in accordance with the details and provided prior to the first occupation of the development, and maintained as such thereafter into .</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>

7	Refuse and Recycling Storage (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosures shown on the plan number PP.02 (Rev. G), hereby approved, shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter into perpetuity.</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>
8	Parking Permits
	<p>CONDITION: All future occupiers of the residential unit hereby approved shall not be eligible to obtain an on street residents' parking permit except:</p> <p>i) In the case of disabled persons;</p> <p>ii) In the case of units designated in this planning permission as "non car free"; or</p> <p>iii) In the case of the resident who is an existing holder of a residents' parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year.</p> <p>REASON: To ensure that the development remains car free.</p>
9	Carbon Emissions
	<p>CONDITION: The dwellings hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013. The proposal should be carried out strictly in accordance to the submitted and approved Energy and Sustainability Statement and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
10	Restricted Residential Use
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2021 (or any order revoking and reenacting that Order with or without modifications), no change of use of the extended floorspace hereby approved from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without an express grant of planning permission.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met. Additionally, windfall sites are rare and a loss of opportunity to negotiate affordable housing within such proposals would significantly undermine the borough's ability to address critical housing need again due to the small and constrained nature of the borough.</p>
11	Restricted Office Use (Compliance)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Amendment)(England) Regulations 2020, the development hereby approved shall be used only as an Office (Class E(g)) (or the equivalent use within any amended/updated subsequent Order) hereby approved, shall be limited to those uses and for no other purpose (including any other use within Class E) of the Schedule to the Town and Country Planning (Amendment)(England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p>

	<p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in order to protect the supply of office floorspace and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met.</p>
12	<p>Accessible Dwellings</p> <p>CONDITION: Notwithstanding the drawings hereby approved, all residential units shall be constructed to Category 2 of the National Standard for Housing Design as set out in the Approved Document M 2015 'Accessible and adaptable dwellings' M4 (2).</p> <p>Evidence, confirming that the appointed Building Control body has assessed and confirmed that these requirements will be achieved shall be submitted to and approved in writing by the LPA prior to any superstructure works beginning on site.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To secure the provision of visitable and adaptable homes appropriate to meet diverse and changing needs.</p>
13	<p>Design out Crime (DETAILS)</p> <p>CONDITION: Details of site-wide general security measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The details shall relate to:</p> <p>a) CCTV; b) general lighting; and/or c) security lighting</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill; cameras (detailing view paths); lamps and support structures.</p> <p>The general security measures shall be carried out strictly in accordance with the details so approved, 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 that the any resulting general or security lighting and CCTV cameras are appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
14	<p>Secured by Design (Compliance)</p> <p>SECURED BY DESIGN: (A) Prior to works commencing of the development hereby approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority. (B) The development shall be carried out strictly in accordance with the details so approved and SBD accreditation must be achieved prior to first occupation.</p> <p>REASON: In the interests of safety and security.</p>
15	<p>Noise Control Details</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the 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 interest of protecting the amenities of future residential occupiers from undue levels of noise and disruption.</p>

<p>16</p>	<p>Plant Hours of Operation</p> <p>CONDITION: Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of the 4 x Daikin air conditioning units to between the hours of 07:00 to 19:00 Monday to Friday and 09:00 to 17:00 Weekends and Bank Holidays. The units shall not be operated outside of these hours. The timer shall be maintained as such thereafter.</p> <p>REASON: In the interest of protecting the amenities of future residential occupiers from undue levels of noise and disruption.</p>
<p>17</p>	<p>Remediation Strategy</p> <p>“Prior to the commencement of development the following assessment in response to the NPPF and in accordance with Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation. The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing.”</p> <p>REASON: To secure an appropriate future residential environment.</p>

18	Green Biodiversity Roofs (COMPLIANCE):
	<p>CONDITION: The biodiversity green roofs shall be:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) laid out in accordance with plan PP.05 (Rev. B) hereby approved; and c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
19	Bat Survey (DETAILS)
	<p>CONDITION: Prior to commencement of works hereby approved a bat survey of the site shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The agreed recommendations within the approved bat survey shall be carried out prior to commencement of works.</p> <p>REASON: To ensure that habitats are suitably protected during the construction process.</p>
20	Bird Boxes (DETAILS)
	<p>CONDITION: Prior to the commencement of the works, details of bird nesting boxes shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details shall include the exact location, specification, number and the design of the bird nesting boxes.</p> <p>The nesting boxes shall be provided strictly in accordance with the details approved and installed within three months of the completion of the Green Wall and/or Green Roof 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>
21	Landscaping (DETAILS)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul 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 and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;

	<p>g) enclosures: including types, dimensions and treatments of boundary walls, fences, screen walls, barriers, rails, retaining walls and hedges;</p> <p>h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</p> <p>i) 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 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>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
22	Circular Economy (DETAILS)
	<p>CONDITION: Prior to the commencement of works, details of an Adaptive Design Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted Adaptive Design Strategy shall demonstrate that the hereby approved development has been designed to</p> <p>a) last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development;</p> <p>b) avoid construction waste and the unnecessary demolition of structures;</p> <p>c) be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design;</p> <p>d) be adaptable – the plan form, layout and structure enables the building to be adapted to respond to change and/or adapted for various uses throughout its life;</p> <p>e) enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and</p> <p>f) maximise the re-use and/or recycling of all materials arising from demolition and remediation works.</p> <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
23	Sustainable Design and Construction Statement (DETAILS)
	<p>CONDITION: Prior to demolition and above ground works of the development hereby approved a Sustainable Design and Construction Statement shall be submitted and approved by the Local Planning Authority and shall demonstrate how the proposal meets the Councils Sustainable Design policies. The approved details shall be implemented in full and retained thereafter into perpetuity.</p> <p>The submitted details shall provide an Adaptive Design Strategy and demonstrate that a minimum 10% of the total value of materials used in the construction of the development has been derived from recycled and re-used content in the products and materials selected.</p> <p>REASON: In order to ensure a sustainable form of development.</p>
24	Sustainable Urban Drainage System (DETAILS)
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any demolition or above ground works commencing on site. The details shall be based on an assessment of the potential for</p>

	<p>disposing of surface water by means of sustainable drainage system The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water runoff at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To manage the water environment of the development and mitigate the impact on flood risk, water quality, habitat and amenity value</p>
25	BREEAM Excellent (COMPLIANCE)
	<p>CONDITION: Prior to occupation of any part of the approved development a final code certificate shall be obtained confirming the development hereby permitted has achieved a minimum BREEAM New Construction rating of 'Excellent'.</p> <p>REASON: To ensure that the development has an acceptable level of sustainability and in the interest of addressing climate change.</p>
26	Lighting to Office (DETAILS)
	<p>CONDITION: Details of measures to adequately mitigate light pollution from any areas of glazing within the office building hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the approved extensions. These measures are to include (but are not limited to):</p> <ul style="list-style-type: none"> - Lighting strategies that reduce the output of luminaires closer to the facades; - 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 into perpetuity.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
27	Removal of PD Rights
	<p>REMOVAL OF PERMITTED DEVELOPMENT RIGHTS (COMPLIANCE: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order 1995 (or any amended/updated subsequent Order) no additional windows, extensions or alterations to the dwellings hereby approved shall be carried out or constructed without express planning permission.</p> <p>REASON: To ensure that the Local Planning Authority has control over future extensions and alterations to the resulting dwellinghouse(s) in view of the limited space within the site available for such changes and the impact such changes may have on residential amenity and the overall good design of the scheme.</p>
28	Basement Development Monitoring (COMPLIANCE)
	<p>CONDITION: The Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) certifying the Structural Method Statement (SMS) dated 26/03/2021 submitted to support the hereby approved development shall be retained (or a replacement person holding equivalent qualifications shall be appointed and retained) for the duration of the development to monitor the safety of the construction stages and to ensure that the long term structural stability of the existing buildings and other nearby buildings are safeguarded, in line with the supporting Structural Method Statement. At no time shall any construction work take place unless a qualified engineer is appointed and retained in accordance with this condition.</p>

	REASON: To ensure that the construction work carried out is in accordance to the submitted Structural Method Statement for the duration of the construction and maintain compliance with the Islington Basement Development SPD (2016).
29	Water Efficiency Requirements (COMPLIANCE)
	CONDITION: The development hereby permitted shall be constructed to achieve the water efficiency requirements (95 litres/person/day) of Part G of Policy 7.4 of Development Management Policies (2013) and Draft Local Plan Policy S3. The measures shall be implemented in full and retained thereafter. REASON: To ensure the water efficiency of the development.
30	Hours of Operation - Office (COMPLIANCE):
	CONDITION: The office space as detailed on the approved plans shall not operate outside the following hours: Monday to Friday: 07:00hr - 19:00hr Weekends and Bank Holidays: 09:00hr – 17:00hr REASON: To ensure the use does not adversely impact on existing and future residential amenity.
31	Servicing Arrangements (COMPLIANCE)
	CONDITION: No deliveries shall be made to the premises outside the hours of: 08.00hr to 18.00hr Monday to Friday; 10.00hr to 18.00hr Saturday and 10.00hr to 15.00hr Sunday and Bank Holidays. REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.

List of Informatives:

Informatives

1	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>
2	Tree Protection
	<p>The following British Standards should be referred to:</p> <ul style="list-style-type: none"> a. BS: 3998:2010 Tree work – Recommendations b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations

3	Construction Works
	<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>
4	Highways Requirements
	<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. Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk</p>
5	Section 106 Agreement
	<p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

- National Planning Policy Framework 2021

2. Development Plan

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

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

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

- Policy D1 London's form, character and capacity for growth
- Policy D3 Optimising site capacity through the design-led approach
- Policy D4 Delivering good design
- Policy D6 Housing Quality and Standards
- Policy D12 Fire safety
- Policy D13 Agent of Change
- Policy D14 Noise
- Policy T3 Transport capacity, connectivity and safeguarding
- Policy T6.5 Non-Residential Disabled Parking
- Policy T7 Deliveries, servicing and construction
- Policy E1 Offices
- Policy HC1 Heritage conservation and growth
- Policy SI 12 Flood Risk Management
- Policy SI 13 Sustainable Drainage

B) Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's Character
- Policy CS9 Protecting and Enhancing Islington's Built and Historic Environment
- Policy CS10 Sustainable Design
- Policy CS11 Waste
- Policy CS12 Meeting the Housing Challenge
- Policy CS14 Retail and Services
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

- Policy DM2.1 Design
- Policy DM2.2 Inclusive Design
- Policy DM2.3 Heritage
- Policy DM3.1 Mix of housing sizes
- Policy DM3.4 Housing standards
- Policy DM3.5 Private outdoor space
- Policy DM6.5 Landscaping, trees and biodiversity
- Policy DM7.1 Sustainable Design and Construction

- Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
- Policy DM8.4 Walking and Cycling
- Policy DM8.5 Vehicle Parking
- Policy DM8.6 Service and Delivery
- Policy DM9.2 Planning Obligations

D) Islington Draft Local Plan ** to add in to main body of report at policy paras*****

- Policy PLAN1 Site appraisal, design principles and process
- Policy DH1 Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 Heritage assets
- Policy B1 Delivering Business Floorspace
- Policy B2 New Business Floorspace
- Policy B3 Existing Business Floorspace
- Policy G4 Biodiversity, Landscape Design and Trees
- Policy G5 Green Roofs
- Policy H1 Thriving Communities
- Policy H2 New and Existing Conventional Housing
- Policy H4 Delivering High Quality Housing
- Policy H5 Private Outdoor Space
- Policy S1 Delivering sustainable design
- Policy S2 Sustainable design and construction
- Policy S3 Sustainable design standards
- Policy S4 Minimising greenhouse gas emissions
- Policy S5 Energy Infrastructure
- Policy S8 Flood Risk Management
- Policy S9 Integrated Water Management and Sustainable Drainage
- Policy S10 Circular Economy and Adaptive Design
- Policy T1 Enhancing the public realm and sustainable transport
- Policy T3 Car Free Development Parking
- Policy T5 Delivery, servicing and construction
- Policy ST2 Waste

3. Designations

- iConservation Areas 170914 CA32 Hillmarton
- iCycle Routes (Major) 170914 Development Management Po Major Cycle Route
- iLocal Views LV4 170914 Local view from Archway Road
- iLocal Views LV5 170914 Local view from Archway Bridge
- iWithin 100m TLRN 170914 Site within 100m of a TLRN Road
- iArticle 4 Direction A1-A2 (Rest of Borough) 45 23623111

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

The following SPGs and/or SPDs are relevant:

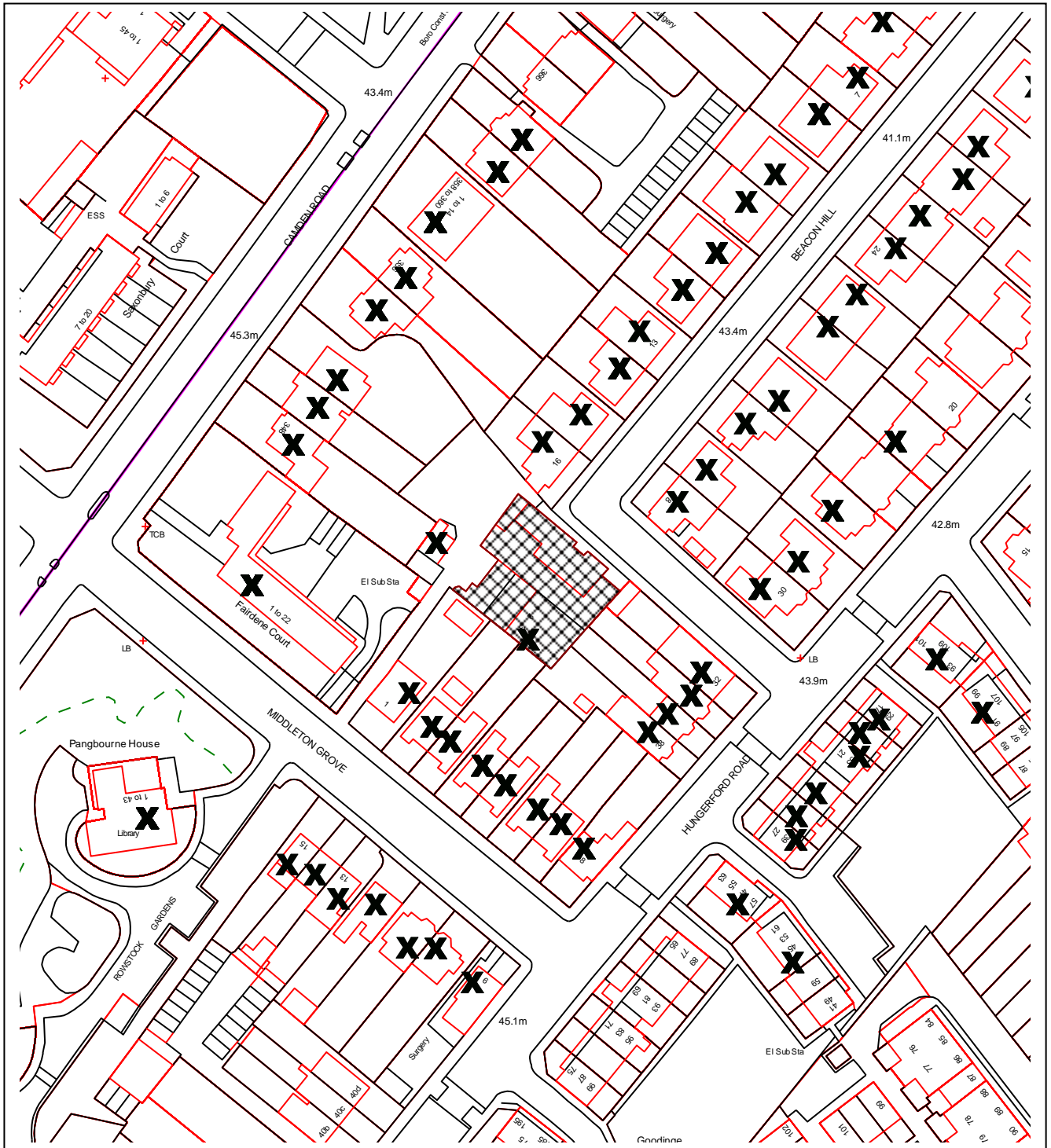
Islington Local Development Plan

- Affordable Housing Small Sites Contributions (2012)
- Basement Development (2016)
- Environmental Design (2012)
- Inclusive Design in Islington (2014)
- Islington Urban Design Guide (2017)

London Plan

- Housing
- Sustainable Design & Construction
- Planning for Equality and Diversity in London

ISLINGTON



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PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE B		AGENDA ITEM
Date:	19 th September 2023	

Application number	P2023/0562/FUL
Application type	Full Planning Application
Ward	Barnsbury
Listed building	N/A
Conservation area	Chapel Market/Penton Street
Development Plan Context	Central Activities Zone Core Strategy Key Area (Angel & Upper Street) Conservation Area (Chapel Market/Penton Street) Employment Growth Areas (Baron Street) Local Views LV4 (Local view from Archway Road) Local Views LV5 (Local view from Archway Bridge) Within 100m of a TRLN Road Article 4 Direction B1(c) to C3
Licensing Implications	N/A
Site Address	White Lion Youth Centre, 45 White Lion Street, N1 9PW
Proposal	Proposed erection of new standalone dance studio in south west corner of car park following demolition of vacant outbuildings and associated plant area. Plus the addition of a new accessible WC at third floor.

Case Officer	Jake Shiels
Applicant	Mr Damien Swan
Agent	Mr Brian Heron (Tidal Architects Ltd)

1. RECOMENDATION

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

- subject to the conditions set out in Appendix 1.

2. SITE PLAN (site highlighted in red)

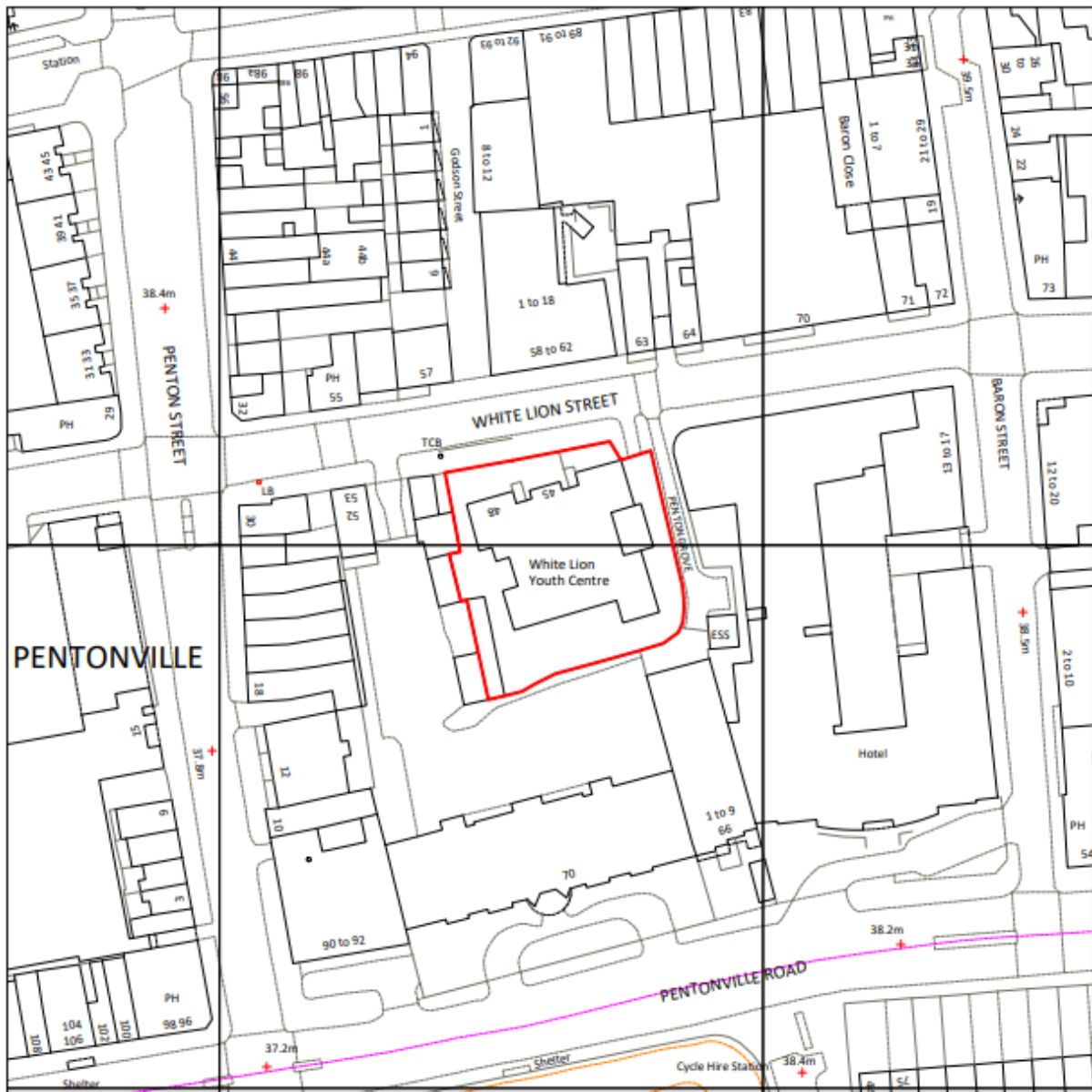


Image 1: Site Plan

3. PHOTOS OF SITE



Image 2: Aerial view



Image 3: Site access



Image 4: View of outbuildings to be demolished



Image 5: View of outbuilding and shared boundary to the south

4. SUMMARY

- 4.1 The proposal seeks planning permission for the erection of a new standalone dance studio in the south west corner of the car park following the demolition of the vacant outbuildings and associated plant area. The proposals also involves the addition of a new accessible WC at third floor.
- 4.2 The proposal would result in the removal and demolition of the existing single storey outbuildings on site and the erection of a new standalone dance studio building within the south west corner of the site. The proposal would also result in the addition of a accessible WC on the third floor.
- 4.3 The new studio would serve the White Lion Youth Centre and associated Lift Youth Hub (Use Class F1). The studio would support the functions of the centre and result in the re-location of dance activities from the 2nd floor studio which has issues with sound transmission externally. The studio would also be available for private hire and cater for local dance schools and societies.
- 4.4 The proposed building would consist of a larch cladding. At low level, the larch will be dark, charred larch. At the upper level, the finish becomes lighter with a tinted protective coating in a Mid Grey being used to achieve a uniform silver/grey finish.
- 4.5 The proposed building would support the local youth hub and provide a high quality space for locals and community groups which would be compliant with London Plan Policies S1 and S5 (2021), Islington's Development Management Policies Document (2013) Policy DM4.12 and Emerging Policy SC1 of the Draft Local Plan (2019).
- 4.6 The proposed dance studio is not considered to result in demonstrable harm to neighbour amenity subject to conditions in line with policy DM2.1 of the Development Management Policies (2013).
- 4.7 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character nor appearance of the Conservation Area, nor adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011, policies BC4, BC7 and also BC8 of the Finsbury Local Plan (2013) and the Clerkenwell Green Conservation Area Design Guidelines (2002) as well as the NPPF (2021).
- 4.8 The application is referred to the Planning Sub-committee due to the Council's interest in the proposal and the number of objections received during the application process.

5. SITE AND SURROUNDING

- 5.1 The application site including the land and building is relevant to 45 White Lion Street, which serves the White Lion Youth Centre and associated Lift Youth Hub (Use Class F1). The four storey building (2,300sq.m – including outbuildings) provides cooking schools, meeting areas for careers advice, dance studios and other rooms for workshops, classes, and associated activity. To help subsidise the youth services it provides, Lift runs a fully commercial room hire and catering business when the facilities are not in use by young people.
- 5.2 The building is neither statutorily listed or locally listed, but it is a charming and prominent Victorian building within the streetscene which was built by the School Board for London as Penton Grove School and dates from 1874. The school closed in 1971 with the pupils transferred to another school on Ritchie Street, Islington.

- 5.3 The building may appear to be a single, coherent whole, the White Lion Street school is two buildings merged into one. The earlier building at the rear of the site, Penton Grove School, was designed by E.R. Robson and dates from 1874-5. By the 1890s, this school was short of space and designs were drawn up by the architect T.J. Bailey to extend it both north and west. Built in 1899-1900, the new extension added two stacks of classrooms in the form of pyramidally capped towers and brought the school forward to White Lion Street. Between the new towers and the original school, a link-block housed an assembly hall on each floor and a rooftop playground for the girls. 3no. single storey brick-built outbuildings ancillary to the host building are located to the south-west corner of the site (57sqm) and to the east of this is a car parking area for 7no. spaces.
- 5.4 A new glazed stair and lift core was added to the east elevation in 2010, providing improved vertical circulation and stepfree access to all floors.
- 5.5 The site is located within the Chapel Market/Penton Street Conservation Area. The area has a mix of commercial and residential properties.
- 5.6 The former school is surrounded by a mix of uses, however those closest and to the rear and west flank of the site are residential properties. The closest residential property is the former Caretaker's House at No.48, this is due north west of the proposed development. This property can be seen over the boundary wall with trellis above. Further to the west are properties which front Penton Street which are separated from the site from a car park area. Directly to the rear is large scale residential development serving flats on 70 Pentonville Road.

6. PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the erection of a new standalone dance studio in the south west corner of the car park following the demolition of the vacant outbuildings and associated plant area. The proposals also involve the addition of a new accessible WC at third floor.
- 6.2 The proposal would involve the removal of the existing connected outbuildings in the southwest corner of the site. The buildings connected measure 18.5m in length for a width of 3.4m and height of 3m, running vertically against the western boundary wall adjacent to car parking area serving No.70 Pentonville Road.
- 6.3 The new dance studio would wrap around the southwest corner of the building save for a setback of 1.75m-1.85m to allow maintenance space, measuring 15.0m in length and 7.5m in width at a height of 5.7m (total floorspace approx. 150sq.m). 5no. rooflights support the dance studio. An entrance hall with plant area above is located to the northwest section of the studio measuring 5.3m x 5.3m. The main entrance which includes double doors are proposed facing the west courtyard. A second set of double doors are proposed to the east flank facing the south courtyard allowing exit via this route. An access door is proposed to the south elevation to allow maintenance area. All doors and windows to be finished in aluminium.
- 6.4 Larch cladding is proposed for the exterior of the dance studio. At low level, the larch will be dark, charred larch. At the upper level, the finish becomes lighter with a tinted protective coating in a Mid Grey being used to achieve a uniform silver/grey finish.
- 6.5 The new dance studio will replace an existing facility on the 2nd floor of the building that challenges the viability and use of the floors directly below due to sound transmission from the dance activities.
- 6.6 Landscaping is also proposed to the west courtyard which would greet visitors and users of the studio with access made from the ground floor of the main building. To improve access

replacement double doors are proposed to this location, with existing double doors blocked up to allow continuous access westwards from the entrance hall of the host building. A wall and gates are also provided for the bin store area located within the south east corner of the site.

- 6.7 To the third floor, an accessible WC is proposed to be added. This would be located to the northern part of the roof in between the 2no. staircases up towards the private amenity space access.

Amendments during the application

- 6.8 During the application process an amendment to the scheme was submitted, including:

- Further setback of dance studio from the host building walls
- addition of landscaping to the courtyard adjacent the entrance area
- bin store enclosure
- Replacement access doors from host building
- draft timetable of the dance studio.

7. RELEVANT HISTORY:

- 7.1 P121035: The creation of a new opening and gate within the existing brick boundary wall. **Approved with conditions** on 02/07/2012.
- 7.2 P120576: The creation of a new opening and gate within the existing brick boundary wall adjacent to the caretaker's house and the blocking up of the existing double gates into the youth centre yard. **Approved with conditions** on 04/05/2012.
- 7.3 P092091: Glazed atrium extension to front elevation and installation of rear service lift. **Approved with conditions** on 03/12/2009.

Pre-application

- 7.4 Q2022/3541/MIN: Pre-application: New standalone Dance Studio in SW corner of car park following demolition of disused Outbuildings and associated plant area. Proposal also includes the addition of a new accessible WC at Third Floor. **Completed** on 19/12/22.
- 7.5 Officers response:

The proposed development in principle is considered to be acceptable, however the detailed design needs to be developed further and a follow-up pre-application may be advised to develop this further.

The impacts on neighbouring amenity will need to be closely considered given the close proximity of some properties, and this will need to be addressed by a detailed draft Operational Management Plan on submission.

The use is supported as there would be a public benefit, however an agreement for Community Use should be agreed at application stage to ensure the use provides opportunities for local residents.

CONSULTATION

Public Consultation

- 7.6 Letters were sent to occupants of **195** adjoining and nearby properties on White Lion Street, Penton Street, Pentonville Road, Baron Street and Godson Street on 09/04/2023.
- 7.7 A total of **4** objections and **1** comment were received from the public with regard to the application. The issues raised are summarised below:

OBJECTIONS

Design

- The proposed studio when viewed around the local surroundings and context is a hugely bulky singular volume being very noticeable especially when seen from 1st floor level or above of the households adjacent (*paras 9.51-9.52*)
- For the larch battens cladding this would appear temporary from adjacent windows when weathered and at odds with neighbouring brick buildings and light colours. Perhaps a lighter appearance could be pursued (*paras 9.58-9.64*).

Neighbouring Amenity

- New studio box dark in appearance would be very imposing (*para 9.75*)
- During summer months there is noise pollution from youth club with loud music being played with windows open (*para 9.79*)
- Concern with noise from building close to neighbouring building and car park (*para 9.78-9.80*)
- Noise from studio will exacerbate existing noise issues from main building (*paras 9.81-9.87*)
- Concern with lease hours for 24 hours use (*para 9.80*)
- Further acoustic treatment should be required on elevations facing residential properties (*para 9.77*)
- Windows open for current dance classes in the summer (*paras 9.78-9.79*)
- Car park creates a reverberation impact on sound and will do the same with studio (*paras 9.78-9.89*)
- Potential risk of ASB and late night evening noise (*paras 9.84-9.86*)
- Although HVAC units will be installed, users may still open doors and windows (*para 9.78*)
- Concern with total amount of activities taking place within both building and studio at same time that would raise noise levels (*paras 9.80-9.87*)
- Plant noise would with other local plant equipment create a sound reverberation valley (*para 9.88-9.89*)

COMMENTS

- Request that daily time of use restrictions are put in place up to 21:00pm daily (*para 9.78*)
- Residents at 12 Penton Street not invited to consultations meeting that had taken place prior to submission (*Not a material planning consideration*)
- Islington Swifts: This development is close to areas where swifts (on the RSPB amber list due to rapidly declining numbers) are currently nesting and will potentially nest (recorded on the national RSPB swifts survey database). We therefore request that swift nestboxes are installed near roof level which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and improve the local biodiversity, in line with Islington Council's guidance on this issue (Biodiversity Action Plan, and new Local Plan) (*Condition 11*).

Internal Consultees

- 7.8 **Acoustics Officer**: No objection subject to conditions for plant noise level compliance.

- 7.9 **Building Control:** Comments made on the fire report submitted.
- 7.10 **Design and Conservation Officer:** Recommendation – Approve subject to conditions. Full comments included within assessment.

External Consultees

- 7.11 **Crossrail 2:** No comment on the application.
- 7.12 **London Fire Brigade:** No further observations to make.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 8.1 Islington Council (Planning Sub Committee), in determining the planning application has the following main statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990).
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance).
- 8.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 8.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with

a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

- 8.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 8.9 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.
- 8.10 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2.

Emerging Policies

Draft Local Development Plan

- 8.11 The council received the Inspectors report for the new Local Plan on 5th July 2023. The receipt of the Inspectors' final report has significant implications for determining planning applications. The National Planning Policy Framework (NPPF) allows Councils to give weight to emerging Local Plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the national policy. On the basis that the Council has received the Inspectors' final report, all objections have been considered and resolved and the Plan has been confirmed as sound and therefore compliant with national policy, almost full weight can be afforded to the new Local Plan, with policies given very significant weight in decision making.
- 8.12 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Given the advanced stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that the policies can be afforded moderate to significant weight depending on the significance of objections to main modifications.

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

Policy PLAN1 Site appraisal, design principles and process
Policy DH1 Fostering innovation and conserving and enhancing the historic environment
Policy R1 Retail, leisure and services, culture and visitor accommodation

Policy R6 Maintaining and enhancing Islington's unique retail character
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy S4 Minimising greenhouse gas emissions
Policy T2 Sustainable Transport Choices
Policy T3 Car Free Development Parking
Policy T5 Delivery, Servicing and Construction
Policy ST2 Waste

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Impact on the amenity of neighbouring residents
- Accessibility
- Highways
- Sustainability
- Fire Safety.

Land Use

Policy

- 9.2 The application site is located within the Islington Core Strategy (2011) Angel & Upper Street Key Area, the Central Activities Zone, Employment Growth Area and the Chapel Market/ Penton Street Conservation Area.
- 9.3 The host building serves the White Lion Youth Centre and associated Lift Youth Hub (Use Class F1).
- 9.4 London Plan Policy S1 (Developing London's social infrastructure) part C states that development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported.
- 9.5 Part D also states that development proposals that seek to make best use of land, including the public-sector estate, should be encouraged and supported. This includes the co-location of different forms of social infrastructure and the rationalisation or sharing of facilities.
- 9.6 Part E also states that new facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres.
- 9.7 London Plan Policy S5 (Sports and recreation facilities) states at part B that development proposals for sports and recreation facilities should:
- 1) increase or enhance the provision of facilities in accessible locations, well-connected to public transport and link to networks for walking and cycling and
 - 2) maximise the multiple use of facilities, and encourage the co-location of services between sports providers, schools, colleges, universities and other community facilities.
- 9.8 Islington's Development Management Policies Document (2013) Policy DM4.12 (New social infrastructure and cultural facilities) states that including extensions to existing infrastructure and facilities, must:

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

9.9 In regard to the Council's Emerging Policies, Policy SC1 (Social and Community Infrastructure) of the Emerging Local Plan, Part A states that the Council will support proposals to provide new and/or extended social and community infrastructure facilities and their co-location with other social and community uses, subject to an assessment of need by the Council and against all relevant Local Plan policies. Part F requires development that is not generally accessible to the public to enter into Community Use agreement to allow and promote access to the facility by local communities.

9.10 Part D states that where new and/or extended social and community infrastructure is provided on-site it must be designed in line with criteria in part H.

9.11 Part H also states that new social and community infrastructure and, where applicable, extensions to existing infrastructure must:

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

Proposed Use

9.12 As noted on site at pre-application stage and within the submission details there are understandable noise issues within the building when dance classes/activities occur within the dance studio at 2nd floor for the youth programme and existing external clients. This is impacting the viability of the 1st floor and has on occasions had impacts on local residential amenity when windows are open within the summer.

9.13 As detailed within the design and access statement, the aim of the proposal is to design a purpose-built dance studio for Islington's young people, that overcomes the challenges of the current studio concerning sound transmission and air flow. The studio will also be available for private hire on booking, with the money generated from the hire of the dance studio contributing to the cost of running delivering youth services and the building upkeep. Pg.7 of the Design & Access Statement (June 2023) states that the Key Project Aims:

1. *New standalone dance studio in south west corner of site.*
2. *Footprint to be comparable in size to existing dance studio, or larger if possible.*

3. *Floor-to-ceiling height to be at least 3.5m but more if possible.*

4. *Space will be used for external hires by dance groups so it needs to perform on a functional level but also be uplifting.*

5. *Natural daylight and good ventilation are key requirements.*

6. *Improve facilities on third floor with new accessible WC.*

- 9.14 From a land use perspective, adopted and emerging Local Plan policy is supportive of new social and community infrastructure, and the proposal to co-locate the new dance studio with existing community facilities complies with London Plan and Local Plan policies as noted within the paragraphs above by providing an accessible, conveniently located facility in support and as ancillary to the host building serving the community, young people and also external providers to ensure the long term viability of the LIFT service.
- 9.15 During the application process, further details were required on the use of the building taking into consideration the need to provide a service for LIFT and also private hire, ensuring the studio provides local community access.
- 9.16 The applicant 'Isledon Arts CIC' is contracted by Islington Council to deliver universal, open access youth services from Lift youth hub. The service specification sits within the Councils Young Islington objectives. The Lease for Lift, as detailed in the Heads of Terms, is for 15 years.
- 9.17 The youth work services, delivered as part of the contract at Lift, are for all young people aged 13+ who live or study in Islington. Young people are able to participate in activities in a safe space including dance, cooking, exercise classes, podcasting, archery. These activities are co-planned with youth work professionals, who support young people through the adolescent phase of their lives. Additionally, Lift provides young people access to support services including the Emotional Wellbeing Team, employment support, sexual health services as well as advice from trusted youth workers. The services and activities that young people access are free of charge. In 2022, nearly 2000 Islington young people accessed services and activities at Lift.
- 9.18 The new dance studio will follow the main buildings programme. It will be for the sole use of young people every Monday, Wednesday, and Friday evenings with additional bespoke ad hoc sessions. The applicant has provided this information within the LIFT Youth Hub timetable. It is noted that the typical usage on the days stated above are from the hours of 15:00pm-21:00pm but would be from 17:00pm should the studio be hired externally. The typical youth night programme is detailed upon pg.2 of the timetable document.
- 9.19 In addition to the above, Isledon run and operate a commercial arm through Lift to help generate revenue that goes back into the service to support young people. The studio is expected to cater for private hires all day on Tuesday, Thursday, Saturday and Sunday from 09:00am-21:00pm. In addition to the above, daytime use only is available on LIFT activity days should this be required.
- 9.20 Existing clients and users of the dance studio hires include:
- *Urdang Higher education performing arts*
 - *Gay Men's Dance Company Singing and dance for male group*
 - *Diddi Dance Toddler movement and dance*
 - *City Academy Singing and dance courses*

- *London Youth Training courses for young people*
- *Scotto Dance Dance classes for the elderly*
- *Regal Ballet ballet classes for children*
- *Bodyology Local independent massage business*
- *Islington parents/residents Children's parties*

9.21 It is acknowledged that the studio can provide private sport and recreation facilities but the money generated from the hire of the dance studio will contribute to the cost of running delivering youth services and the building upkeep. It also does at it's core support activities for local people and the local community. As noted above, the applicant Iseldon Arts CIC is contracted to deliver universal, open access youth services from Lift youth hub and the service specification sits within the Councils Young Islington objectives. It's considered that the aims and ethos of the proposal based on the information provided would be compliant with the above policies.

Operational Management Plan

9.22 In regard to the management of activities and delineation between various classes and groups, a draft operational management plan has been provided at pg.56 of the design and access statement. Notably, Clients or young people wishing to gain access to the new dance studio will have to report to the reception desk within the existing building. With access made through the host building to the west courtyard as per existing arrangements. This ensures the building is safely accessed and persons visiting are registered and/or acknowledged.

9.23 Additionally, it is not intended that the new dance studio is used independently of the main building. For example, the new dance studio will not be open and used while the main building is closed. Duty managers will include the new dance studio as part of their daily facility inspections, including daily email shift reports and fault management process.

9.24 In regard to bookings, as per existing bookings for the existing building, bookings for the new dance studio will be managed through the applicants' in-house bookings team. Enquires will reach the bookings team through email or phone and all enquires are vetted for their suitability.

9.25 The plan also considers the core hours of use, dealing with complaints and managing noise breakout on entrance and exit from the building. These matters will be addressed within the neighbouring amenity section of the report but the details submitted do provide adequate information in relation to the proposed land use and how it will be managed.

Proposed Studio Space

9.26 As noted within the submission, the Sport England design guidelines recommend the following minimum dimensions for new dance studios:

- *Standard dance studio 12-15m x 15m x 4.5m(h) (30-35 person)*
- *Small practice studio 9m x 9m x 3.5-4.5m(h)*

9.27 A studio space of 15x15m would be sufficient to accommodate a range of classes for most uses, including dance. However, given the site constraints, the applicant is not able to accommodate a 15x15m space without demolishing large parts of the existing building first. The applicant sought to test 2no. positions around the host building in order to achieve the standard

dimension guidelines. This was not considered to provide a good relationship with the site as noted on pg.36 of the design and access statement submission.

- 9.28 Nevertheless, the layout agreed as most practical includes a studio of 15m x 7.5m which is between a standard and small size in regard to Sports England Requirement that is confirmed within the D&A Statement. From the details provided, the studio would seek to provide a high-quality recreational environment with a height of 4.5m to allow jumps and lifts for dancers. Internally, the interior of the dance studio is proposed to be a visually cool, calm and light-filled space. The flooring of the studio is proposed as a light grey, semi-sprung rubber floor, specially designed for dance. Timber benches provide seating along the north edge of the dance studio, with storage space for footwear and personal belongings underneath. Storage for audio-visual and dance equipment is provided on the west wall, concealed behind flush doors within the plywood wall panelling. The 5no. rooflights will allow for natural light along with the various glazed doors provided for access to the building. For ventilation, mechanical ventilation (above the entrance hall) is proposed when required to be used during summer periods. Natural ventilation has been considered but given the proximity of windows to adjoining residential properties this has not been proposed.
- 9.29 It's considered that the studio for the purposes required for local community, youth use and private hire is considered satisfactory.
- 9.30 It should be noted that given the location of the site, the land it's situated within and the scale and scope of the building, the proposal would not constitute formal consultation of Sports England based on the Government's Planning Practice Guidance.
- 9.31 Overall, it's considered that the proposal would be compliant with London Plan Policies S1 and S5 (2021), Islington's Development Management Policies Document (2013) Policy DM4.12 and Emerging Policy SC1 of the Draft Local Plan (2019).

Design and Conservation

Policy

- 9.32 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that in determining applications, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 9.33 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area. The businesses and shops which provide the mixed-use character of Islington will be maintained through employment, retail and design policies.
- 9.34 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.
- 9.35 Development Management Policies DM2.1 requires all forms of development to be of high quality, incorporate inclusive design principles and make a positive contribution to the local

character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.

- 9.36 Development Management Policies DM2.3 states that non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance. The council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.
- 9.37 Policy PLAN1 of Islington's Strategic and Development Management Policies, amongst other objectives, aims to achieve development that represents a high quality of design that is sustainable and inclusive and that positively contributes to local character, legibility and distinctiveness
- 9.38 Part A of Policy DH1 supports innovative approaches to development while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. Part E of the policy states that the Council will conserve or enhance Islington's heritage assets and their setting in a manner appropriate to the significance.
- 9.39 Policy DH2 requires development within conservation areas and their settings to conserve or enhance the significance of the area and be of a high quality contextual design. Proposals Policy DH2 requires development within conservation areas and their settings to conserve or enhance the significance of the area and be of a high quality contextual design.

Site Significance

- 9.40 The site is located within the Chapel Market/Penton Street Conservation Area. The area has a mix of commercial and residential properties.
- 9.41 The host building which supports LIFT is neither grade listed or locally listed, but it is a charming and prominent Victorian building within the streetscene which was built by the School Board for London as Penton Grove School and dates from 1874. The school closed in 1971 with the pupils transferred to another school on Ritchie Street, Islington.
- 9.42 The building may appear to be a single, coherent whole, the White Lion Street school is two buildings merged into one. The earlier building at the rear of the site, Penton Grove School, was designed by E.R. Robson and dates from 1874-5. By the 1890s, this school was short of space and designs were drawn up by the architect T.J. Bailey to extend it both north and west. Built in 1899-1900, the new extension added two stacks of classrooms in the form of pyramidally capped towers and brought the school forward to White Lion Street. Between the new towers and the original school, a link-block housed an assembly hall on each floor and a rooftop playground for the girls.
- 9.43 3no. single storey brick-built outbuildings ancillary to the host building are located to the south-west corner of the site (57sq.m) and to the east of this is a car parking area for 7no. spaces. These would be removed as part of the development proposals.
- 9.44 A new glazed stair and lift core was added to the east elevation in 2010, providing improved vertical circulation and stepfree access to all floors.
- 9.45 The context of the site in relation to heritage assets is shown below.



Images 6 and 7: Conservation Area (left) and Listed Buildings (right) in proximity to the site

Massing and Location

- 9.46 The proposal would involve the removal of the existing connected outbuildings in the southwest corner of the site. The buildings connected measure 18.5m in length for a width of 3.4m and height of 3m, running vertically against the western boundary wall adjacent to car parking area serving No.70 Pentonville Road.
- 9.47 Officers do not oppose the demolition of the outbuildings. It has no architectural value and has limited scope for refurbishment. The applicants have advised that the brickwork would be recycled and put to use for the bin store enclosure area which is supported by new gates and walls. This would satisfy Emerging Policy S1 Delivering Sustainable Design promotes keeping materials in use for as long as possible.
- 9.48 The new dance studio would wrap around the southwest corner of the building save for a setback of 1.75m-1.85m to allow maintenance space, measuring 15.0m in length and 7.5m in width at a height of 5.7m (total floorspace approx. 150sq.m). 5no. rooflights support the dance studio. An entrance hall with plant area above is located to the northwest section of the studio measuring 5.3m x 5.3m.



Image 8: Location of development in context of surrounding area

9.49 The site has high boundary walls owing to the former use as a school, the rear of the site consists of a brick wall with black meshing fence enclosure above (4.5m high). The boundary to the western boundary (4.5m high) is also of brick wall, with no mesh above but is higher in brickwork than the boundary to the rear.



Image 9: Location of development including boundary walls (outbuildings in background)

9.50 As per officer's pre-application assessment officers consider the location to be reasonable, as it would be at the rear of the site and in a 'back land' location and minimally visible from streets and public areas. The proposal is taller than a regular single storey (5.7m as is required for the

proposed use) but officers consider that it would still be suitably subordinate and 'low profile'. The building would also be enclosed for much of its massing by the tall existing boundary walls around the site which are at a height of 4.5m, therefore mitigating many of the views of the building from ground level.



Image 10: Studio building with dashed line showing boundary enclosures

- 9.51 In addition to the above, due to the orientation of the building with its length running west to east it would be masked significantly by the host building due to its own massing and scale. The applicant to further this point has provided 2x wireframe CGIS have been provided from the opposite side of White Lion Street. These show that the proposals would be barely visible. It will retain the setting of the school as the primary building on this site, conserving the historic building hierarchy and responding well to the scale of the surrounding area.
- 9.52 From the development to the rear of the school, the building will be visible from buildings backing on to the site from surrounding streets. The new studio will be taller and larger than the existing structure and will be visible from private spaces on upper floors. However, it would still be read as subservient in the context of the four storey building. Any views of part of the roof and cladding wall would not harm the character of the host building and Conservation Area and also in context of large parking areas which surround the site.



Image 11 and 12: Wireline views of studio from street level

Layout

- 9.53 There is a slightly contrived relationship with the existing building due to massing of the building and orientation. However, as noted in paragraph 9.26 this layout is the most practical siting and orientation that would best serve the applicant. At pre-application stage officers acknowledged that the wrap around the corner would obscure the original form and cover up some of the main windows on the rear façade. It is not physically connected but would be very close, and the plans as originally submitted created a narrow ally between the buildings with no obvious use.

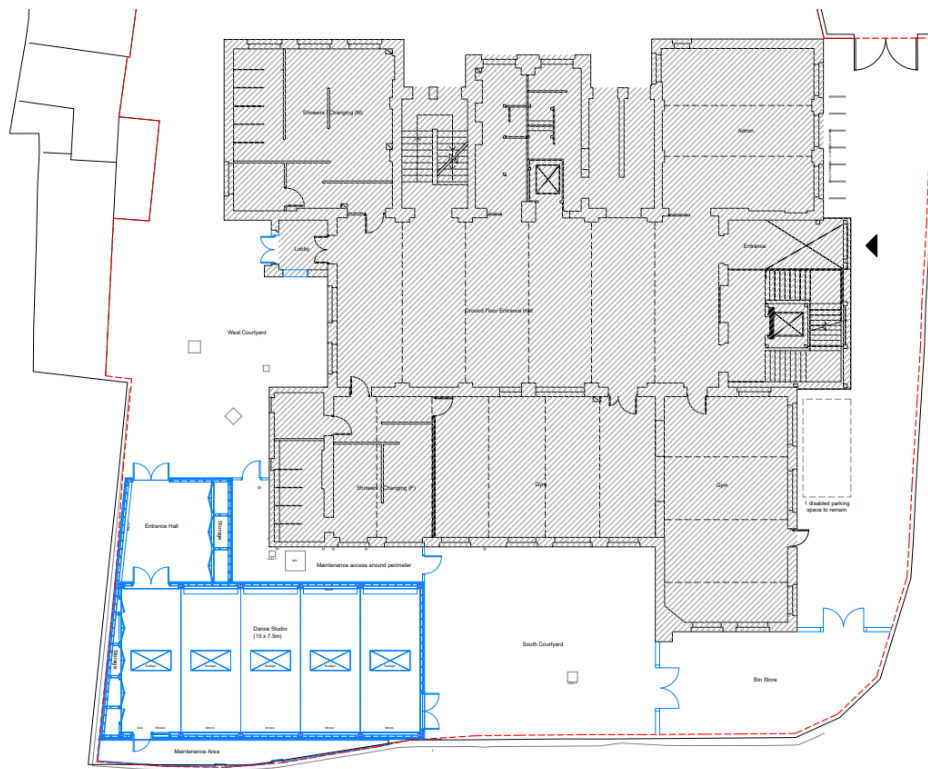


Image 13: Proposed studio (in blue)

- 9.54 Amended plans were received during the application process to create a clear break from the former building with a setback from the rear façade by 1.75m and a setback from the side façade by 1.85m (shown in image 13 below). With this space being utilised for maintenance access. The amendment also resulted in the building being pushed back to be flush with the western wall and also pushed to the south-west corner in order create a more meaningful space between the buildings. A small slither of wildflower was omitted against the southern boundary, but in place of this is a plan for a newly landscaped courtyard area to the west courtyard as part of the amended plans and proposals to provide a more conventional and useful alteration to improve the hard landscaping around the site.
- 9.55 It is acknowledged that a more suitable arrangement would be for the studio and host building to be interlinked as discussed during pre-application and at application stage with the applicants. However, feasibility studies for the delivery of the scheme make this difficult to achieve at this stage. Whilst this is unfortunate, there is some scope to improve the arrangement in the future. The applicant has presented Phase 2A for a new landscaped courtyard to the east flank of the building for greater amenity space for the use and a glazed atrium (Phase 2B) between the buildings that could connect them in the future if additional funding was available.

9.56 In regard to access, there are no objections to the layout of the building itself. It is in line with the best practice design guidelines for dance studios and will provide a high-quality space. Although the dance studio is a separate structure, it can only be accessed by users by passing through the existing building. Users will be required to check into the building at the main reception at the eastern edge of the site and circulate through the ground floor and out the other side to reach the studio. This is to ensure the studio is safely managed and those attending are registered as per all other activities within the site. The existing 90-degree turn within the existing building by switching the position of the existing door and window provides much improved legibility and access.



Image 14: Proposed studio (in blue)

9.57 Overall, officers including the Design and Conservation Officer consider the approach acceptable from a thorough review of all options and as discussed in the assessment above would not adversely impact the character of the host building and Conservation Area nor any other heritage assets.

Detailed design and materials

9.58 While not widely visible, the building will be seen from adjacent sites and will have a visible impact within the site itself, so officers consider delivering a well-designed building as pivotal. on minimising visibility. The guidance in paragraph 33.7 the CADG (2022) is that 'a high standard of design will be expected which reflects the scale and character of the area'. In this case the focus should be on delivering a high-quality design that responds to site context contributes positively (rather than on replicating the form, character or architectural language of existing buildings).

9.59 The new studio is very different in appearance from the school. It is a subservient ancillary timber building. Officers consider that this juxtaposition is acceptable as it does not detract from the grandeur of the Victorian architecture and reads clearly as a subordinate element on the site. This is amplified by its restrained palette of charred timber cladding and aluminium framed

doors and windows. This protects and enhances the setting of the conservation area in line with Emerging Policy DH2 Heritage Assets and existing local plan policy DM2.3 B. The contrast between old and new is generally supported by Core Strategy Policy CS9 which states that contemporary design can help protect and enhance the Borough's built and historic environment as well as traditional design.

9.60 The larch cladding will come in two different finishes helping to animate the facades and break up the volume of the dance studio. At low level, the larch will be dark, charred larch. This will help to ground the proposal. The surface of the charred larch cladding has a tactile quality to it and as it will be at low level, it can be enjoyed up close.

9.61 At the upper level, the finish becomes lighter with a tinted protective coating (SiOO:XMid Grey) being used to achieve uniform silver/grey finish.



Image 15: Proposed appearances



Image 16: Proposed sample materials

9.62 The use of protective coating and charred timber has addressed officers' concerns at pre-application stage regarding ageing and maintenance of timber cladding included in section 5 the 2017 Urban Design Guide.

9.63 Above the entrance lobby, the timber panelling will continue above roof level as a 'screen' to conceal rooftop plant. The screen will not be solid and the area above the lobby will not read as a solid mass. This will help reduce the bulk of the building. Whilst the details in principle are

considered acceptable, samples will be required to be received prior to superstructure works taking place as part of a condition.

- 9.64 The main entrance which includes double doors are proposed facing the west courtyard. A second set of double doors are proposed to the east flank facing the south courtyard allowing exit via this route. An access door is proposed to the south elevation to allow maintenance area. All doors and windows to be finished in aluminium which are considered appropriate for the host building. 5no. rooflights serve the dance studio and are considered acceptable flush to the roof.

Accessible WC at roof level

- 9.65 As reviewed on site, the new accessible WC at roof level would be sited behind the front parapet which is extremely tall and in between the existing staircase which contains some plant. This alteration is unlikely to be visually prominent, taking into account the massing on page 20 of the design and access statement. Elevations provided show the WC would not be visible above the parapet and would be well screened from street level as per the existing roof level. It's not considered to be visible or prominent either from short or long views.

Conclusion

- 9.66 Overall, the proposed single storey dance studio would not cause harm to the visual amenity or the setting of heritage assets. As such the proposed works would not adversely affect the special architectural or historic interest of the character and appearance of the conservation area and the host building nor the Grade II listed building which is set due north and a considerable distance from the proposed development. The proposal is therefore considered to satisfy 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.
- 9.67 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is not considered to cause harm to the character or appearance of the host building, or the wider conservation area.

Neighbouring Amenity

- 9.68 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy D6 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 9.69 The former school is surrounded by a mix of uses, however those closest and to the rear and west flank of the adjacent the new building are residential properties. The closest residential property is the former Caretaker's House at No.48, this is due north west of the proposed development. This property can be seen over the boundary wall with trellis above. Further to the west are properties which front Penton Street which are separated from the site from a car

park area. Directly to the rear is large scale residential development serving flats on 70 Pentonville Road.

9.70 The proposed studio is set off the closest facades of the following residential properties:

- **13m** from 48 White Lion Street (Caretakers House)
- **23m** from 18-30 Penton Street
- **28m** from 12 Penton Street
- **22m** from 70 Pentonville Street

Overlooking and Loss of Privacy

9.71 Paragraph 2.14 of the Development Management Policies 2013 states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*'

9.72 In regard to overlooking, the openings proposed are low within the facades in relation to the total height of the building to provide access to the studio from the north elevation and for emergency exit from the east and for maintenance access to the rear. The proposed use would not be residential and would be used during allocated times during the day and evening when the building is in use. The purpose of the glazing within the building is for natural daylight and not for outlook as per a residential use and is therefore not likely to conflict with the privacy of adjacent properties. It would therefore not fail to comply with the DM policies.

Outlook and Enclosure

9.73 In regard to outlook, the building's front elevation would at its closest be 13m from the Caretakers House. Visually the front façade with pitched roof extending down towards the flank boundary would be visible. However, the building would be setback from the current outbuildings and when viewed from its flank or front elevation would in the context of the host four storey building appear subservient and as so not entirely dominant to this neighbour.

9.74 In regard to the impact towards the properties to the west flank on Penton Street, there is distances of 23m-28m between the rear facades and the west flank of the studio as detailed above. In between this distance includes a car park and a 4.5m high boundary brick wall. When considering this distance it's not considered that the building would adversely impact outlook. Whilst the building may well be visible from upper floors it would not result in such adverse enclosure taking into account the distances and the fact that the building would be much smaller than the host building and surrounding residential buildings.

9.75 A comment from the public consultation has been raised on the dark appearance of the studio appearing imposing to properties to the rear. Whilst the colour proposed is a juxtaposition from the existing building from the southern flank, there is a distance of 22m from the rear façade of 70 Pentonville Road. As per the impact to properties on Penton Street, the building is separated by a large car parking area and as such would not adversely impact on the properties outlook which will be retained over the open space of the car park and the setting of the former school. It is noted that the rear boundary consists of a brick wall with black meshing fence and wisteria enclosure above (4.5m high). It is acknowledged that more of the massing would be visible from the car parking area at ground floor level, however this would not impede outlook from the habitable rooms and windows serving them. It is acknowledged that from the upper levels the

studio would be much more visible as per from properties on Penton Street, but it's visibility would in no way create an unacceptable level of enclosure.

Daylight and Sunlight

- 9.76 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 9.77 The proposal is for a single storey studio building at a height of 5.7m, and as noted from the above distances would not impede on the outlook of adjacent properties. Given its single storey stature it would not impede the daylight or sunlight of the adjacent properties that are well setback. Any minor overshadowing of car parking space would not be at the detriment of neighbouring properties.

Noise (from studio)

- 9.78 A number of objections have been received regarding noise from the dance studio owing to the activities taking place and the location of the building adjacent to residential properties. The application details provided note that the building will be ventilated mechanically, and therefore there will be no requirement for doors, windows or any openings to be open when the studio is in use. A condition will be applied to require all openings to be closed when the studio is in use ensuring there is no adverse noise outbreak from the openings. The Operational Management plan also stresses that one set of doors either from the lobby space or from the studio will remain closed at all times when coming and going in order to reduce noise outbreak to a minimum.
- 9.79 It should be noted that this change of location within the new building will overcome the issues raised around existing noise emitting from the dance studio on the 2nd floor and as such reduce noise pollution from the site. The noise assessment provided at Appendix B.4 states that the proposed windows for the studio will be double glazed with the mechanical system proposed which will allow windows to be sealed. Notwithstanding the above, full particulars and details of a scheme for sound insulation for the dance studio shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.
- 9.80 In regard to the operational hours, the submission notes that the core hours of use will be from 09:00am-21:00pm. This would be in line with opening and closing times for the host building (which closes 30 minutes later). Whilst the building and use has a 24-hour lease, it's considered that the studio shall only run between the hours of 09:00am-21:00pm to meet the needs of the activities that are proposed to take place. It's considered that the times proposed are neither too early in the morning to cause disruption nor too late at night and a condition shall be attached to ensure this is complied with to protect residential amenity.

Noise (from activities associated to studio and existing building)

- 9.81 A number of objections have been received regarding noise associated to the use and comments on anti-social behaviour which could be increased due to the proposed studio being in situ. The applicant has provided an Operational Management Plan on pg.56 of the submission.
- 9.82 Notably, Clients or young people wishing to gain access to the new dance studio will have to report to the reception desk within the existing building. With access made through the host building to the west courtyard as per existing arrangements. This ensures the building is safely accessed and persons visiting are registered and/or acknowledged.

- 9.83 Additionally, it is not intended that the new dance studio is used independently of the main building. For example, the new dance studio will not be open and used while the main building is closed. Duty managers will include the new dance studio as part of their daily facility inspections, including daily email shift reports and fault management process.
- 9.84 In regard to bookings, as per existing bookings for the existing building, bookings for the new dance studio will be managed through the applicants' in-house bookings team. Enquires will reach the bookings team through email or phone and all enquires are vetted for their suitability.
- 9.85 In order to prevent anti-social behaviour and prevent persons or groups loitering, for security, gates are provided in two locations to close off the space between the new dance studio and the existing building. The new bin store prevents unauthorised access to the new dance studio as it will no longer be possible for visitors to walk around the full perimeter of the existing building.
- 9.86 The submission details that the applicant Isledon has a well-established complaints policy, details of which can be found on the Lift website: <https://www.liftislington.org.uk/contact>. The applicant states that there have not been many complaints, but evidence of this being used and managed successfully in the past via a dedicated email which is monitored.
- 9.87 Overall, when considering the proposed management details provided and the conditions imposed the studio is expected to be adequately managed in order to prevent adverse noise and disturbance.

Noise (from plant)

- 9.88 The studio will be supported by a single mechanical ventilation system for ventilation, with heating or cooling provided as required. An air handling unit is proposed along with 2no. condenser units. The application is supported by a noise report by Arup (February 2023).
- 9.89 Two heat pumps are proposed along with a Mechanical Ventilation with Heat Recovery system. This is located at a noticeable difference from plant machinery at No.68 Pentonville Road. The submission includes a noise report with background sound survey and noise criteria for the plant with noise sensitive receptors to the closest residential properties considered. The submission has been reviewed by the Councils Acoustic Officer who raises no objection subject to 1no. condition to minimise the plant noise impacts for nearby receptors so that the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level L_{AF90 Tbg}.

Conclusion

- 9.90 Overall, the proposal would not have a detrimental impact, outlook, privacy, overlooking, daylight and sunlight and noise and disturbance subject to conditions and would therefore be in compliance with policies DM2.1 of the Development Management Policies (2013), Emerging Plan Policy PLAN1 (2019) and the guidance set out in the Urban Design Guide (2017).

Accessibility

- 9.91 Development Management Polices Document policy DM2.2 and the Inclusive Design SPD remains a material consideration to any development.
- 9.92 Policy DM2.2 states that A. All developments shall demonstrate that they:

- i) provide for ease of and versatility in use;*
- ii) deliver safe, legible and logical environments;*

*iii) produce places and spaces that are convenient and enjoyable to use for everyone, and
iv) bring together the design and management of a development from the outset and over its lifetime.*

- 9.93 The proposal would be accessed through the main building and accessed out towards the west courtyard as per the existing arrangement. The host building would also be improved in its accessibility by providing an accessible WC on the third floor, the closest as existing is on the 2nd floor.
- 9.94 The access to the courtyard has been noticeably improved by the replacement of the double doors resulting in there being no requirement for a 90 degree turn from the main building out to the courtyard. This is shown in image 14.
- 9.95 The access to the accessible WC on the third floor is accessed via 2no. lifts as shown within the submission.
- 9.96 Overall, the access from the courtyard into the studio and WC at third floor would be step free in accordance with Development Management Policy DM2.2 (2013) and Emerging Plan Policy PLAN1 (2019).

Highways

Car Free Development

- 9.97 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. This is echoed in Emerging Draft Local Plan policy T3. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
- 9.98 Parking spaces would be lost due to the studio space, although 1 disabled parking space would remain which is considered acceptable. There would be no staff parking. This would be in compliant with current and emerging policies and the proposal will continue to be car free so as far as reasonably practicable.

Construction Management Deliveries

- 9.99 It is noted that there is vehicular access for refuse and for some parking to the rear of the site. It is therefore expected that this access would be utilised for construction. Nevertheless, Due to the proposed works, a Construction Management and Environmental Plan will be required to demonstrate how the development would not result in congestion on the highway.

Cycle storage

- 9.100 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013. Appendix 4 of the Emerging Draft Local Plan is also considered relevant and Policy T2.
- 9.101 For new community centres, 1 space for 3 staff members is required under Appendix 6, of which is similar under emerging policies.

- 9.102 The site currently contains 14 cycle spaces close to the access to the site. The uplift to the building would be just shy of 100sq.m taking into account the demolition of the outbuildings and replacement with new studio. There are 10 full time staff on site and considering the 14 spaces in situ this would comply with the requirements as set out. Notwithstanding the above, 7no. additional spaces are proposed to the rear of the property, to the north of the new bin store. Detailed plans and drawings are required to show the spaces prior to occupation of the building.

Refuse and recycling

- 9.103 Waste storage facilities are required to be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with Islington's Core Strategy CS11. Development Management Policy DM8.6 seeks that details of refuse and recycling collection be submitted indicating locations for collection vehicles to wait and locations of refuse and recycling bin stores. The design and access statement on pg.13 details that the existing refuse strategy will be retained with refuse access being made down the side of the building. The addition of a walled and gate enclosure for the bin stores mitigates anti-social behaviour and adds to the security of the site which is considered a benefit to the proposal.

Sustainability and Landscaping

- 9.104 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 9 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.105 It is the council's and the Mayor's objective that all developments meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in CO2 emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise CO2 emissions.
- 9.106 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. The proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.107 Policy S1 of the Emerging Draft Local Plan (2019) states that the council will seek to ensure the borough develops in a way that maximises positive effects on the environment and improves quality of life, whilst minimising or avoiding negative impacts. The policy also states that the Council will promote zero carbon development, with the aim that all buildings in Islington will be net zero carbon by 2050 and will work with partners and local communities to improve the energy efficiency of the existing building stock and wider public realm. Part F requires development proposals to adopt an integrated approach to water management which considers flood risk, sustainable drainage, water efficiency, water quality and biodiversity. Part G requires the promotion of a circular economy approach to design and construction to keep products and materials in use for as long as possible and to minimise construction waste.
- 9.108 Policy S2 of the Emerging Draft Local Plan (2019) requires development proposals to submit a Sustainable Design and Construction Statement which must demonstrate that the proposal meets all relevant sustainable design policies. Part C states that the Sustainable Design and Construction Statement submitted by smaller minor extensions and minor changes of use must

demonstrate that all relevant sustainable design requirements have been considered. The level of information provided in the statement must be proportionate to these requirements.

- 9.109 Policy S3, part G requires all minor non-residential new build developments and minor non-residential extensions of between 100sqm and 500sqm are required to demonstrate how all credits for Water consumption (Wat 01) would be achieved under the relevant BREEAM scheme. A minimum of 3 credits must be achieved where rainwater and/or greywater recycling is demonstrated not to be feasible, in order to achieve water credits equivalent to an Excellent standard.
- 9.110 The proposed erection of the studio building would include a range of sustainable initiatives as noted within the Sustainable Design & Construction Statement details (Pg.60 of Design & Access Statement Rev 02 (July 2023) which will help reduce both the embedded and ongoing carbon emissions including:
- *Glulam or steel-framed construction with timber infill offers a low embodied carbon solution compared to reinforced concrete and masonry construction.*
 - *Highly insulated external walls and roof with few openings in external envelope help to minimise heat losses.*
 - *Timber cladding using UK-grown larch reduces the carbon footprint of the building as a whole when compared to other possible cladding materials.*
 - *Low volatile organic compound (VOC) paints and finishes*
 - *Landscaping design includes a series of planters which will be built using the reclaimed bricks from the demolition of the outbuildings. The walls forming the new bin store will also use these reclaimed bricks.*
- 9.111 The details also noted that the flat roof could accommodate PV panels and a green roof with wildflower planting, encouraging pollinators and further improving biodiversity but this is subject to funding. The building could in future be retrofitted to accommodate this in the future.
- 9.112 A new landscaped entrance courtyard will connect the existing building to the new dance studio. The existing tarmac will be replaced with permeable gravel and wildflower planting will improve biodiversity as well as helping to frame the space. A Japanese maple (*Acer palmatum* 'Osakazuki') is proposed to 'animate' the courtyard and offer changing colours throughout the year which would provide more biodiversity than existing.

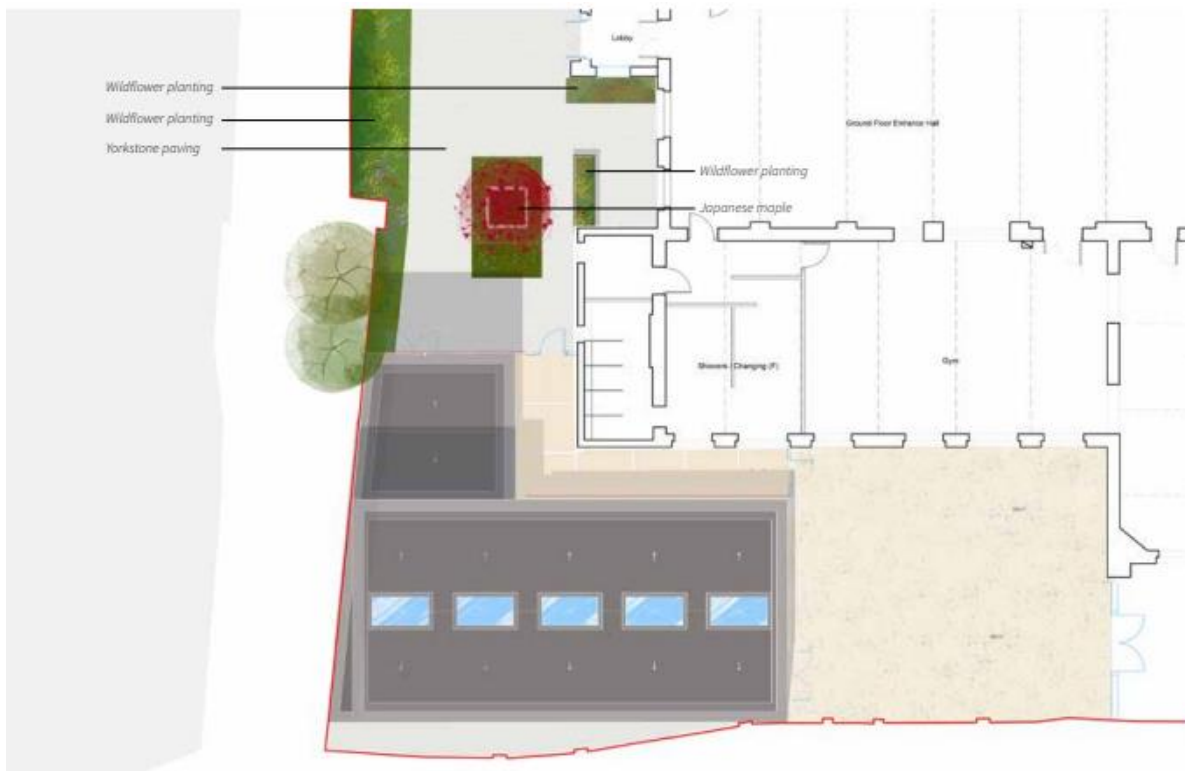


Image 17: Landscaping plan

9.113 It's considered relevant to condition details for a Circular Economy approach for materials, for a Sustainable Urban Drainage and to demonstrate how all credits for Water consumption (Wat 01) would be achieved under the relevant BREEAM scheme in line with the current and emerging policies.

9.114 Overall, the details are considered satisfactory for the minor development proposed.

Fire Safety

9.115 Policy D12(A) of the London Plan (2021) requires new developments to achieve the highest standards of fire safety, embedding these at the earliest possible stage.

9.116 The application proposes a studio of 150sq.m of floorspace ancillary to the existing four storey building serving a youth centre. The building is not considered a relevant building as set out by Planning Gateway One.

9.117 Nevertheless, a RIBA Stage 2 Fire Report by *Marshall* (February and updated in July 2023) has been submitted in support of this application. The calculated hose length for fire service access provision to the new structure appears to exceed the maximum 45m length required from 2no. locations and as assessed by Building Control. The report was revised to address other comments made by the BC department.

9.118 The submitted fire report makes multiple references back to the Building Regulations and the applicant is reminded that the Building Regulations 2010 legislation covers the construction and extension of buildings and these regulations are supported by Approved Documents. Approved Document B addresses fire safety precautions which must be adhered to, to ensure the safety of occupants, firefighters and those close to the building in the event of fire.

10. SUMMARY AND CONCLUSION

Summary

10.1 The proposed building would support the local youth hub and provide a high quality space for locals and community groups which would be compliant with London Plan Policies S1 and S5

(2021), Islington's Development Management Policies Document (2013) Policy DM2.1, DM2.3 and Policy DM4.12 and Emerging Policy SC1 of the Draft Local Plan (2019).

- 10.2 The proposed dance studio is not considered to result in demonstrable harm to neighbour amenity subject to conditions in line with policy DM2.1 of the Development Management Policies (2013).
- 10.3 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the local area and Conservation Area. The proposed studio building is considered acceptable in design terms, raises no transport issues and provides a sustainable form of development subject to conditions and would comply with Policies CS8 and CS9 of Islington's Core Strategy (CS) (2011), Policies DM2.1 and DM2.3 of Islington's Development Management Policies (2013), Policies PLAN1, DH1, DH2, T2, T3, S1, S2 and S3 of the Emerging Plan (2019), London Plan (2021) policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) (2021).
- 10.4 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATION.

APPENDIX 1

RECOMENDATION A

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

List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	APPROVED PLANS LIST (COMPLIANCE)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>TAL-11-0001 Rev P02, TAL-21-0001 Rev P02, TAL-21-0002 Rev P02, TAL-21-0003 Rev P02, TAL-21-0004 Rev P02, TAL-11-1001 Rev 00, TAL-11-2001 Rev 00, TAL-11-3001 Rev 00, TAL-11-4001 Rev 00, LIFT Youth Hub Timetable (undated), Design & Access Statement Rev 02 (July 2023) and Appendices B-F.</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

3	MATERIALS (DETAILS)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Cladding panels (including both from lower and higher sections of wall); b) Roofing; c) Window and door treatment (including elevation, sections and reveals) of the studio and also of replacement door to the main building; d) All landscaping and e) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the surrounding area.</p>
4	CONSTRUCTION MANAGEMENT PLAN (DETAILS)
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</p> <ul style="list-style-type: none"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period; d) Details regarding the planned demolition and construction vehicle routes and access to the site; e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance; f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works; g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site; k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception)

	<p>l) Details as to how safe and convenient vehicle access will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <p>n) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
5	FIXED PLANT NOISE LEVELS (COMPLIANCE)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019</p> <p>REASON: To protect the amenity of adjoining properties.</p>
6	SOUND INSULATION (DETAILS)
	<p>CONDITION: Full particulars and details of a scheme for sound insulation for the dance studio 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 protect the amenity of adjoining properties.</p>
7	CLOSED OPENINGS WHEN IN USE (COMPLIANCE)
	<p>CONDITION: Notwithstanding the details hereby approved, all openings (including doors, windows, rooflights) shall be closed at all times as reasonably practicable when the dance studio is in use.</p> <p>REASON: To protect the amenity of the adjoining residential properties.</p>

8	HOURS OF USE (COMPLIANCE)
	<p>CONDITION: The single storey dance studio hereby approved shall not unless otherwise agreed in writing operate outside the hours of:</p> <p>09:00am-21:00pm (All days).</p> <p>REASON: To protect the amenity of adjacent properties.</p>
9	BIKE SPACES (DETAILS)
	<p>CONDITION: Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) for the site shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby approved dance studio. The storage area(s) shall be secure and provide for no less than 7 (including 1no. accessible space).</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the dance studio, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport</p>
10	BIO-DIVERSITY (COMPLIANCE)
	<p>CONDITION: A minimum of 2no. bat and/or bird nesting boxes shall be installed prior to the first occupation of the dance studio and shall be retained into perpetuity.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and biodiversity enhancements.</p>
11	WALL AND GATE (DETAILS)
	<p>CONDITION: Prior to superstructure works commencing on site, details of all new walls and gating along shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of safety and security, securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and preserves the character and appearance of the Conservation Area.</p>
12	SUSTAINABLE URBAN DRAINAGE SYSTEM (DETAILS)
	<p>CONDITION: Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	<p>REASON: To manage the water environment of the development and mitigate the impact on flood risk, water quality, habitat and amenity value</p>
13	<p>CIRCULAR ECONOMY (DETAILS)</p> <p>CONDITION: Prior to the commencement of works, details of an Adaptive Design Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted Adaptive Design Strategy shall demonstrate that the hereby approved development has been designed to</p> <ul style="list-style-type: none"> a) last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development; b) avoid construction waste and the unnecessary demolition of structures; c) be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design; d) be adaptable – the plan form, layout and structure enables the building to be adapted to respond to change and/or adapted for various uses throughout its life; e) enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and f) maximise the re-use and/or recycling of all materials arising from demolition and remediation works. <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
15	<p>BREEAM (DETAILS)</p> <p>CONDITION: Prior to superstructure works taking place, details are required to demonstrate how all credits for Water consumption (Wat 01) would be achieved under the relevant BREEAM scheme. A minimum of 3 credits must be achieved where rainwater and/or greywater recycling is demonstrated not to be feasible, in order to achieve water credits equivalent to an Excellent standard.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	<p>SUSTAINABLE DESIGN AND CONSTRUCTION (COMPLIANCE)</p> <p>CONDITION: The hereby approved development shall be carried out in accordance with the Sustainable Design & Construction Statement details (Pg.60 of Design & Access Statement Rev 02 (July 2023) and Appendices B-F).</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure a sustainable standard of design interest of addressing climate change and to secure sustainable development.</p>

List of Informatives:

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

APPENDIX 2 - RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional Guidance

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

- NPPF (2021)

2. Development Plan

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

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

- Policy D4** Delivering good design
- Policy D5** Inclusive design
- Policy D13** Agent of change
- Policy D14** Noise
- Policy E1** Offices
- Policy HC1** Heritage conservation and growth
- Policy SI 1** Improving air quality

Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy S1 Developing London's social infrastructure
Policy S5 Sports and recreation facilities
Policy T1 Strategic approach to transport
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling

B) Islington Core Strategy 2011

Policy CS5 Angel and Upper Street
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 CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Policy DM2.1 Design
Policy DM2.2 Inclusive Design
Policy DM2.3 Heritage
Policy DM6.1 Healthy development
Policy DM6.4 Sport and recreation
Policy DM7.1 Sustainable Design and Construction
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
Policy DM8.4 Walking and Cycling
Policy DM8.5 Vehicle Parking
Policy DM8.6 Delivery and servicing for new developments
Policy DM4.12 New social infrastructure and cultural facilities

3. Designations

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

- Central Activities Zone
- Core Strategy Key Area (Angel & Upper Street)
- Conservation Area (Chapel Market/Penton Street)
- Employment Growth Areas (Baron Street)
- Local Views LV4 (Local view from Archway Road)
- Local Views LV5 (Local view from Archway Bridge)
- Within 100m of a TRLN Road
- Article 4 Direction B1(c) to C3

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

The following SPGs and/or SPDs are relevant:

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

5. Emerging Policies

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy PLAN1 Site appraisal, design principles and process

Policy DH1 Fostering innovation and conserving and enhancing the historic environment

Policy DH2 Heritage assets

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy S4 Minimising greenhouse gas emissions

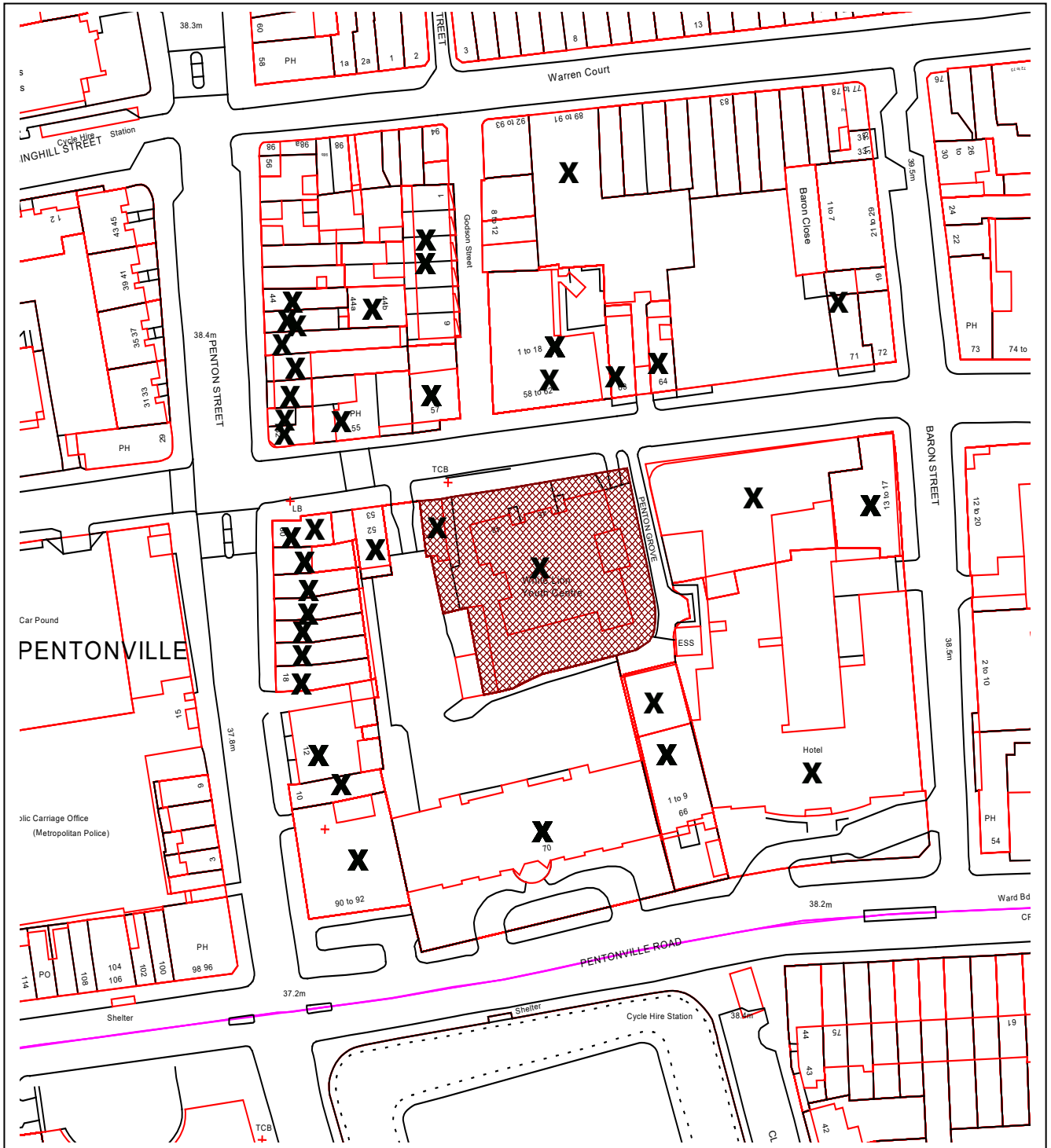
Policy T3 Car Free Development Parking

Policy T2 Sustainable Transport Choices

Policy T5 Delivery, Servicing and Construction

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