



**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, **12 December 2023 at 7.30 pm.**

Enquiries to : Emma Taylor
Tel : democracy@islington.gov.uk
E-mail : democracy@islington.gov.uk
Despatched : 4 December 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
Councillor Jackson
Councillor Ogunro

Wards

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

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.	50-56 Great Sutton Street, EC1V 0DF & 9-11 Northburgh Street, EC1V	9 - 70
2.	Land & Access Ways Rear of 13-27 Cowcross Street, EC1M 6DR	71 - 94

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, 5 March 2024

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

WEBCASTING NOTICE

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

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 - 19 September 2023

Minutes of the meeting of the Planning Sub Committee B held at Council Chamber, Town Hall, Upper Street, N1 2UD on 19 September 2023 at 7.30 pm.

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

Councillor Dave Poyser in the Chair

1 **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.

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

None.

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

None.

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

None.

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

The Chair outlined the order of business. This had changed so that item B1 was presented last.

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

RESOLVED:

That the minutes of the previous meeting be signed by the Chair as a correct record.

7 **3 MIDDLETON MEWS, N7 9LT (Item B2)**

Planning Officers explained there was an error in the report, and they needed further time to speak to the applicant and assess this.

Councillor Poyser proposed a motion to defer the item. Councillor Klute Seconded.

RESOLVED:

That the item be deferred.

8 WHITE LION YOUTH CENTRE, 45 WHITE LION STREET, N1 9PW (Item B3)

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

(Planning Application Number: P2023/0562/FUL)

Jake Sheils, planning officer, introduced the report. They explained an updated version of the NPPF was published on 5th September 2023. The changes relate to an update regarding a Written Ministerial Statement to update policy on planning for onshore wind development in England. After assessment of this updated policy and its impact on the applications presented tonight – officers consider that this does not materially alter our assessments.

In response to questions from the committee the Planning Officer explained that the outbuilding has been vacant for several years and is to be demolished, with the bricks repurposed for a bin enclosure wall and gate at the rear.

Concerns were raised about noise, particularly from the plant equipment on the northern section of the roof. The applicant had conducted a noise assessment and explained all windows and openings will be closed when the studio is in use, and trained staff will be on-site to ensure there was no adverse noise. This approach is expected to reduce noise for all neighbours.

The proposed studio would be mechanically ventilated to prevent the need for open windows when the building was in use. The CGI in the presentation may have shown a glass ceiling, but there will only be roof lights, not a full glass ceiling.

Objectors had raised concerns primarily related to noise. They had pointed out that the windows at the studio were often left open, which allowed sound to easily travel, making it possible to hear everything happening inside. Additionally, there were concerns about the then-current use of the existing facilities. They were worried that the usage of the new facility might exacerbate the issue, particularly when it came to enforcing the closing of doors and controlling activities. They also expressed apprehension regarding the private hire of the space. They were seeking more information about what activities would be permitted during private hires and how they would be regulated. Furthermore, they sought a restriction on the timing of such activities, suggesting a preference for no activities beyond 8 or 9 PM to minimize disruptions.

The applicant explained that the management strategy had been to relocate noisy activities to a new dance studio with a sealed façade and implement mechanical ventilation to eliminate the need to open windows. A status monitoring point had been established.

It had been planned that the new dance studio would not be in use while the existing building was not in use. This strategy was expected to benefit both the residents and young people in Islington. While some exercise and movement had continued in the existing dance studio, the majority of its use had been for conferences and meetings.

Planning Sub Committee B - 19 September 2023

The sub-committee sought further explanation from the applicant. They wanted assurance that there would be less noise compared to the current levels. The response indicated that sealed windows that couldn't be opened would significantly reduce noise breakout, with calculations based on various levels of amplified music and receptors situated 20 meters away.

Regarding the usage of the second floor, the plan was for exercise and movement to continue at a lower volume, with most activities being conferences and meetings. The old dance studio was not going to continue as a dance studio as the new one would be.

Private functions and hires were part of the consideration, with plans for longer-term solutions incorporated into the design to reduce instrument noise. The windows were operable as per the conditions applied, but there was no reason not to condition them to be fixed shut. The space was designed to manage rising temperatures with a design planned to cool the space for 30 people dancing even in extreme heat and the system would also providing heating in the winter.

Concerns were raised about continuing exercise in the existing space and whether a condition disallowing recorded music would be effective. The applicant explained the primary aim was to serve young people, and they aimed to work with residents to address noise complaints. They took these very seriously explaining there had been minimal complaints while having been in operation from 1970s. Private hires were also facilitated through a designated route to access the space and were closely monitored for security and safety.

The facility typically closed at 10 PM, with activities ceasing at 9 PM. The existing space was to be used for less noisy movement. The management was also committed to addressing anti-social behaviour in the area with well-trained staff, procedures, and good management processes.

The Councillors discussed the application and stated they were supportive of work with the youth centre, but noise has been problematic and there were concerns over a sealed space to rely on mechanical ventilation with the extreme heat the UK has been having over the last few summers.

Councillor Klute proposed a condition that the roof lights be fixed shut. Councillor Poyser seconded.

Councillor Klute proposed a condition that the plant fully ventilated the space to room temperature when external temp is 30 degrees or higher. Councillor Poyser 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 136-141 of the Agenda) of the officer report and an addition of the further condition set out above.

9 **29 CLERKENWELL ROAD, EC1M 5RN (Item B1)**

Proposed 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.

(Planning Application Number: P2022/2987/FUL)

Mark Heaney, Planning Officer, introduced this report. They explained an updated version of the NPPF was published on 5th September 2023. The changes relate to an update regarding a Written Ministerial Statement to update policy on planning for onshore wind development in England. After assessment of this updated policy and its impact on the applications presented tonight – officers consider that this does not materially alter our assessments.

In response to a question from the sub-committee the planning officer explained the new building is architecturally sympathetic to the surrounding structures as much as is possible. It replicates a traditional mansard design, showing a considerate approach to its architectural compatibility with the area. Additionally, the front roof terrace is planned to be set back by a meter, further indicating a thoughtful design that blends with the existing surroundings.

The objectors expressed concerns. The main concern was that they felt strongly overlooked during the planning process. Noise assessments were conducted elsewhere, leaving them impacted by construction work and other disturbances. Loss of daylight is a pressing issue, and the terrace is now overlooked by concrete parts of the extension, with no mention of this in the planning process. This led to a feeling of being ignored and misled throughout the planning process, with no communication even after raising complaints and objections. The increase in noise due to the extension does not seem significant enough to justify the 12 to 18 months of work it entails. They requested a review of the terrace's usage times, possibly considering the use of plants to address some of the concerns. It's suggested that these disruptions be confined to Monday to Friday, given the significant amount of construction work in the vicinity.

The Applicant was not present at the meeting. Planning officers answered questions arising from the sub-committee. They explained the planning processes were duly followed, and all assessments were considered correct. There was a planning construction plan in place. The hours of use of the terrace are documented in the application papers. The applicant resisted and did not wish to submit amended plans at this stage but was open to making necessary changes under specific conditions. Concerning the hours of operation for the terrace, it was suggested that limiting its use on weekends, particularly in the evening, could help address noise concerns.

Councillor Poyser proposed a condition to reduce hours of use of terrace to 18:00hrs during week and nothing on weekends. Councillor Klute seconded.

Councillor Poyser proposed a condition that air conditioning condensers be at the same level as previous applications. 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 38-46 of the Agenda) of the officer report and an addition of the further condition set out above.

The meeting ended at 9.10 pm

CHAIR

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COMMITTEE AGENDA

1 50-56 Great Sutton Street EC1V 0DF & 9-11 Northburgh Street London EC1V

**2 Land & Access Ways Rear of 13-27 Cowcross Street
Cowcross Street
London
EC1M 6DR**

1 50-56 Great Sutton Street EC1V 0DF & 9-11 Northburgh Street London EC1V

Application Number: P2023/2609/FUL

Ward: Bunhill

Proposed Development: Alterations to existing building comprising the construction of a new fifth floor extension for office floorspace at 9 - 11 Northburgh Street, new external cladding and facades facing Great Sutton Street and Northburgh Street, replacement of roof coverings and all windows with double glazed units, [removal of two stair cores and replacement of passenger lifts; relocation of M&E central plant to the basement; comprehensive refurbishment of reception space,] improvements to external courtyard and amenity spaces, and associated refuse and cycle storage.

Application Type: Full Planning Application

Case Officer: Nicholas Linford

Name of Applicant: c/o Agent

Recommendation:

**2 Land & Access Ways Rear of 13-27 Cowcross Street
Cowcross Street
London
EC1M 6DR**

Application Number: P2023/2365/FUL

Ward: Clerkenwell

Proposed Development: Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week (Temporary Planning permission previously granted P2020/1687/FUL and amended under P2022/4267/S73). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only.

Application Type: Full Planning Application

Case Officer: Ross Harvey

Name of Applicant: DTZ Investors

Recommendation:

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PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 3333
 222 Upper Street
 LONDON N1 1YA

PLANNING SUB - COMMITTEE B		AGENDA ITEM NO:
Date:	12 December 2023	NON-EXEMPT

Application number	P2023/2609/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	n/a
Conservation area	Hat and Feathers Conservation Area
Development Plan Context	Central Activities Zone (CAZ) Employment Priority Area (General) Bunhill and Clerkenwell
Licensing Implications	None
Site Address	50-56 Great Sutton Street EC1V 0DF & 9-11 Northburgh Street London EC1V,
Proposal	Alterations to existing building comprising the construction of a new fifth floor extension for office floorspace at 9 - 11 Northburgh Street, new external cladding and facades facing Great Sutton Street and Northburgh Street, replacement of roof coverings and all windows with double glazed units, removal of two stair cores and replacement of passenger lifts; relocation of M&E central plant to the basement; comprehensive refurbishment of reception space, improvements to external courtyard and amenity spaces, and associated refuse and cycle storage.

Case Officer	Nicholas Linford
Applicant	c/o Agent
Agent	DP9

1. RECOMMENDATION

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

1. for the reasons for approval;
2. subject to the conditions set out in Appendix 1;
3. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1;
4. where applicable, subject to any direction by the Secretary of State (SoS) to call in the application for determination by the SoS; and/or
5. where applicable, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)

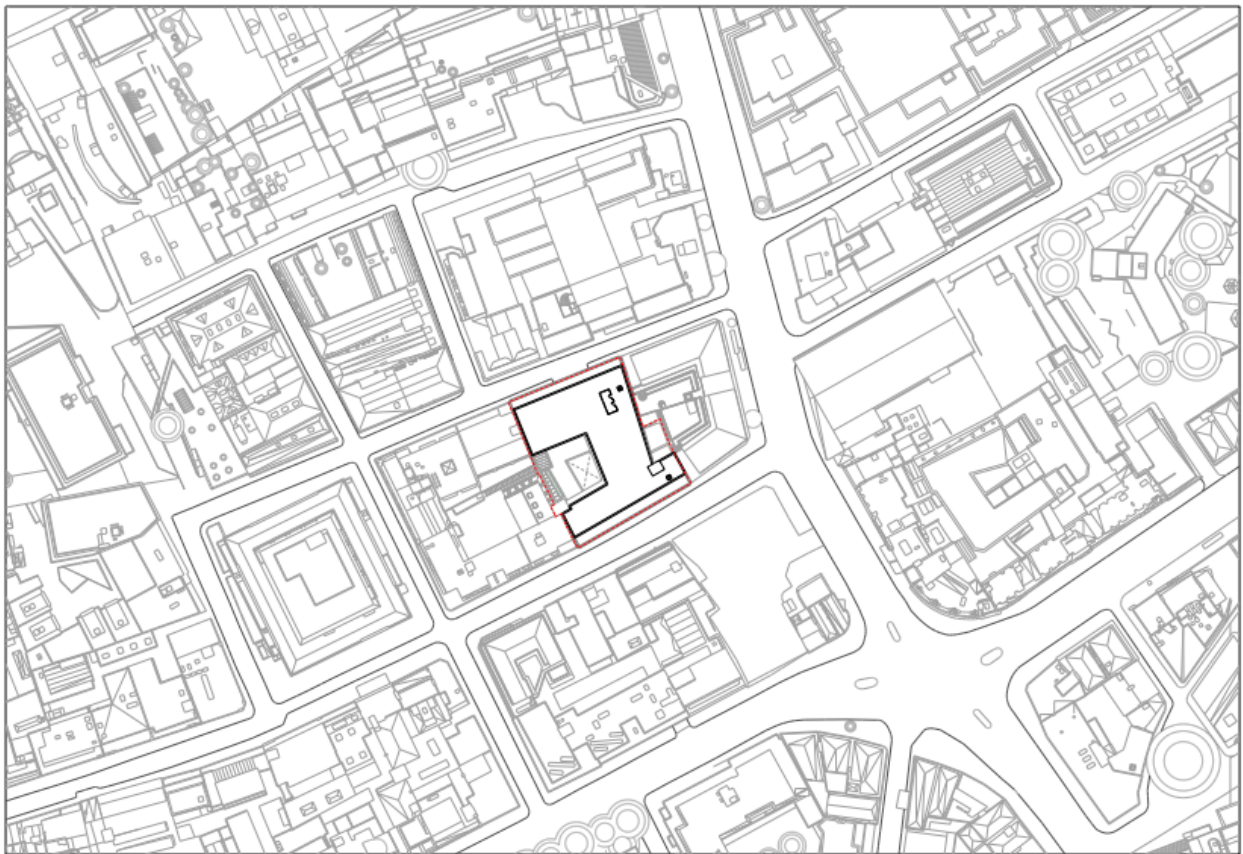


Figure 1: Site location plan

3. PHOTOS OF SITE/STREET



Figure 2: Aerial view of the site, Goswell Road and Clerkenwell Road.



Figure 3: Aerial view of the site from the southwest.



Figure 4: view of internal courtyards.

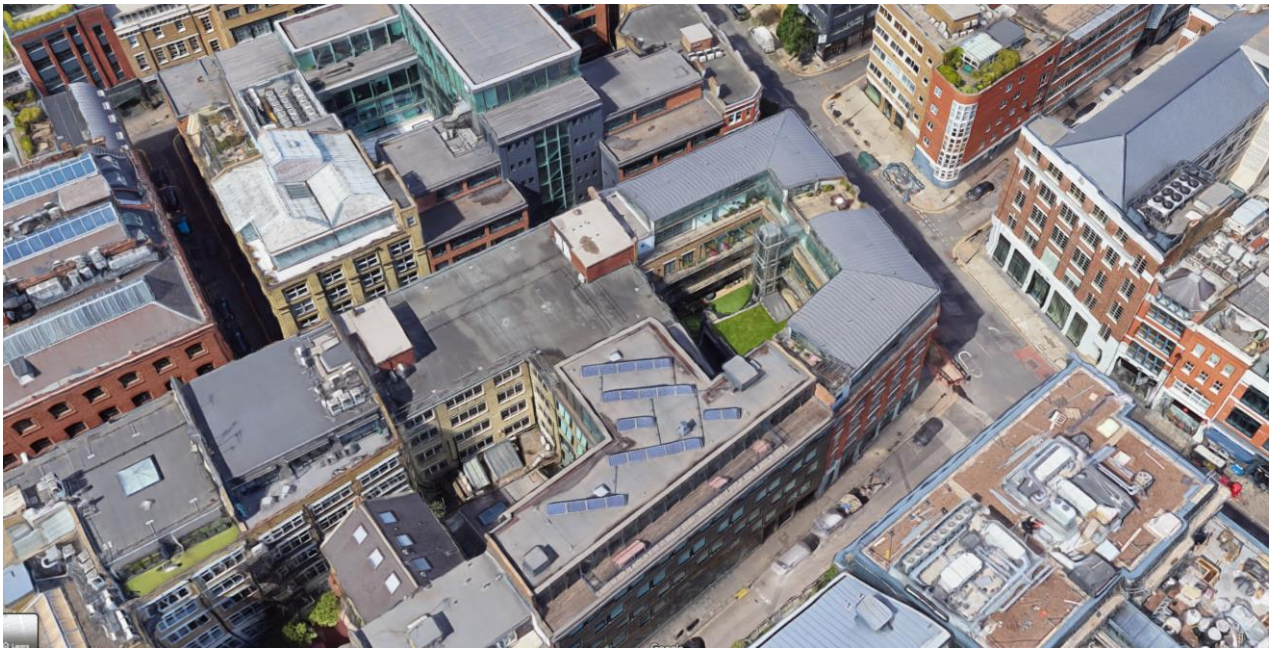


Figure 5: View of internal courtyards



Figure 6: Front elevation of 50-56 Great Sutton Street

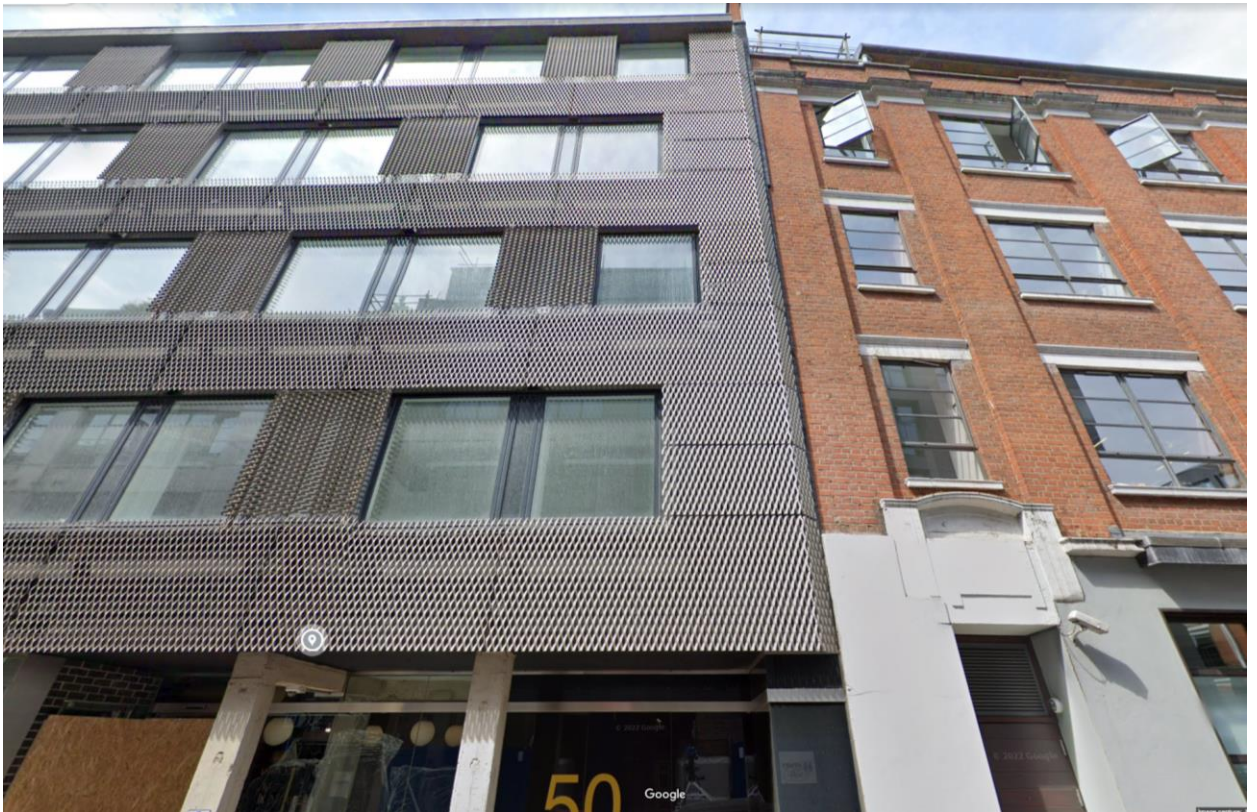


Figure 7: Connection between 50-56 Great Sutton Street and 41-53 Goswell Road



Figure 8: 9 – 11 Northburgh Street



Figure 9: Entrance to basement car park

4. SUMMARY

- 4.1 Planning permission is sought for an extension at roof level across both 50-56 Great Sutton Street and 9-11 Northburgh Street. The proposed development would provide an additional 430sq.m of office floorspace over and above the existing lawful use of both buildings which are in both under the same ownership. The proposed development forms an accumulation of two previous planning permissions which consist of an extension over each building. 50-56 Great Sutton Street has been partially extended at roof level, however this application seeks to extend over virtually all the remaining available roofspace at both properties.
- 4.2 The existing buildings are in use as both retail and office. The existing floorspace within the building is 6,379sq.m comprising of 693sq.m of retail and 5,686sq.m of office. The retail is arranged over ground floor and basement with the retail located entirely in 50-56 Great Sutton Street. Office floorspace within the ground and basement is located entirely at 9-11 Northburgh Street. At 1st to 4th floor, the office is arranged over both buildings, with the fifth floor located at 50-56 Great Sutton Street. The retail unit – now vacant – has a frontage to Great Sutton Street. Access to the office floorspace is gained through an access in Great Sutton Street or through the basement car park accessed in Northburgh Street.
- 4.3 The proposed development proposes an internal alteration to the ground floor layout so that the retail is located entirely within 50-56 Great Sutton Street, occupying the left hand half of the frontage of this building, with the office floorspace occupying the right hand half of the frontage and the rear portion of the ground floor facing on to Northburgh Street.
- 4.4 A single storey low rise set back roof extension would occupy most of the unextended roof plan area and would be used entirely as an extension to the existing office floorspace. The floor area of the proposed extension would be 430sq.m. Overall, the existing building would have an increase in floor area of 433sq.m and the balance between uses would change slightly. The balance between uses would also change with a 411sq.m uplift in office floorspace and 22sq.m uplift in retail floorspace.
- 4.5 The proposed floorspace changes remain within policy compliant levels.
- 4.6 The proposed development also involves substantial change to the Great Sutton Street elevation which has previously been harmed by the application of a metal mesh cladding to the building in the past. The proposed development would re-expose an existing green terrazzo and concrete clad elevation which would constitute a positive contribution to the appearance of the conservation area. Furthermore, on the rear elevation, the scheme would propose the removal of existing paintwork to again expose green terrazzo cladding.
- 4.7 Alterations to the interior of the development at basement level would remove the existing car parking facilities entirely and replace with new cycle parking, new building facilities, storage, showers, WCs and lockers.
- 4.8 The proposed development would introduce height and built form within the interior parts of the roofscape. This will introduce therefore new massing that would be perceptible from the courtyards that are present either side of the building within the streetblock. Some of the facades that face into the courtyard have windows that serve residential units and habitable rooms. A daylight and sunlight assessment has been carried out. It identifies four buildings that are currently in residential use within close proximity to the site. When assessed against the proposed development, 102 out of 103 windows would remain within BRE guidance for Vertical Sky Component (VSC), 63 out of 67 rooms would remain within guidelines for No Skyline (NSL) and 35 out of 36 qualifying windows would remain within guidelines for the Annual Probable Sunlight Hours (APSH).

- 4.9 The proposed development would only generate an additional 10 two way trips across all mods, with the majority being made through either underground or train. A construction logistics plan has been submitted with the planning application. This appraises the constrained access routing expressed through the street network, but also sets out three principal access and egress routes for construction traffic that mainly use Clerkenwell Road, Goswell Road and Old Street.
- 4.10 The proposed development constitutes the retention of the existing building, and involves very limited demolition. The submitted Sustainable Design and Construction Statement envisages an energy use reduction of 58% and an estimated emissions reduction of 75%. It is proposed to achieve an EPC level of A and a BREEAM Refurbishment and fit out rating of Excellent for the office floorspace.
- 4.11 A short legal agreement is proposed that seeks alterations to the local highway network (Section 278 agreement) and that the development should be car-free, be supported by a Travel Plan and Construction Practice monitoring.

5. SITE AND SURROUNDING

- 5.1 The site consists of two buildings (two addresses) situated between Northburgh Street and Great Sutton Street in Clerkenwell, a short distance from both streets' junctions with Goswell Road to the east. 50 – 56 Great Sutton Street is situated to the south of this street block while Northburgh Street is situated to the north. Both buildings have a basement, five storeys above to a flat roof which has a single storey roof extension above 50-56 Great Sutton Street while the roof level of 9 – 11 Northburgh Street features two stair/lift overruns which pop-up above roof level.
- 5.2 The area is predominantly commercial, in mixed use and incorporates office/employment land use with town centre uses such as retail, food and drink occurring frequently at ground floor level around Great Sutton Street, Goswell Road and Northburgh Street. There are occurrences in the immediate surrounding area of residential development. The adjoining properties at 48 – 49 Great Sutton Street and 8 Northburgh Street are in residential use, while 41 – 53 Goswell Road (adjoining to the east) and enclosing the internal courtyard has been partially converted into residential. 46-47 Great Sutton Street has also been partially converted into residential.
- 5.3 The currently building is predominantly office in employment use arranged in part on ground floor and occupying the entire first to fourth floor level and the fifth floor level at 50-56 Great Sutton Street. The remainder of the ground floor – the southern half of the floor plan (50-56 Great Sutton Street) – is utilised for retail. The existing office floorspace at the ground floor and basement floor level is located at the rear of the floorplan and has a frontage towards Northburgh Street. The rest of the current basement is occupied as parking, building plant and facilities management, staircase and circulation.
- 5.4 Prevailing building heights in the area are generally five storey above ground and there is a strong consistency for this height widely in the street blocks enclosed by Farringdon Road, Goswell Road, Clerkenwell Road and Compton Street/Seward Street. The local highway network is tightly organised with narrow (one-way) streets. Generally, the material palette consists of brick warehouses or concrete and/or stone clad blocks.
- 5.5 50-56 Great Sutton Street has a predominantly glazed retail frontage across its full width. At the left hand side of the frontage are the primary office entrance from the street. At the right hand side of the frontage, there is a wheelchair ramp from street level that mediates between street level and the raised internal floor level of the retail unit. The basement level has no visual manifestation within Great Sutton Street. The retail unit has no fascia for

advertising and from what would have been fascia level to the top of the building and for its full frontage extent is clad in an applied metal mesh (for which planning permission was granted). Behind the cladding is a layer of Terrazzo cladding which has been painted black and to which the mesh cladding is bolted on.

- 5.6 The upper floor terrace at 50-56 Great Sutton Street is a lightweight glazed structure within a powder paint coated metal frame with some brickwork to the elevations at each end to the rear.
- 5.7 On the northern side of the site at Northburgh Street, the property is predominantly stone clad although the building sits on a brick plinth with brick columns on either side of the façade. A vehicular entrance from Northburgh Street with a down-ramp to the basement is present at the centre of the façade. The northern elevation is less active and gives the impression of forming the rear elevation of the site as a whole. The ground floor is punctuated with small windows, door and louvres at the street level and there is no active frontage present at this point.
- 5.8 Northburgh Street is wide enough to allow two way traffic to pass through and includes CPZ parking bays close to the application site. Great Sutton Street is oneway from east to west and also includes on street parking bays, although both streets are predominantly controlled through double yellow lines.
- 5.9 Cycle parking is provided within the curtilage of the site and there is no undeveloped area of curtilage to otherwise located cycle parking. The site is located very close to north and southbound bus services on Goswell Road. Barbican and Farringdon underground stations are the closest underground station connections. Bus stops are located close by on Goswell Road.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought principally for an extension at roof level to create a net increase of 433sq.m of additional floorspace at fifth floor level for office use combined with a range of alterations to the external elevations of the building and changes to the internal layout and building facilities.

Extension

- 6.2 The existing roof level extension which is a predominantly glazed and metal framed structure would be reglazed where it aligns in parallel with Great Sutton Street. Where the structure projects rearward over the connection between Great Sutton Street and Northburgh Street this would be subsumed into the new larger structure. In its place would be constructed a larger more substantial rooftop extension with a net floor area uplift of 433sq.m. The proposed extension would be set back 3m from the frontage in Great Sutton Street and 2m from the frontage in Northburgh Street. It would also be set 1.4m back from the edge of the roof on the rear of Great Sutton Street frontage block. Otherwise the proposed extension would project to the edge of the roof plan across 50-56 Great Sutton Street and 9-11 Northburgh Street. The extension would be 33m wide across the roof of 50-56 Great Sutton Street. It would be 35.1m deep at its longest part from front to rear across the whole roof plan. The front section would have a depth of 7.6m. The central section would have a depth of 14.6m and a median width of 14.1m. The rear portion over 9-11 Northburgh Street would have a width of 30.1m and a depth of 12.5m.
- 6.3 The layout indicates access onto a narrow roof terrace at the south (overlooking Great Sutton Street) and access onto a terrace at the rear of the Great Sutton Street frontage block. There is also a narrow roof terrace overlooking the Northburgh Street frontage.

- 6.4 The extension would have a height of 3.05m to a flat roof with a lift overrun providing additional height by an extra 1.3m. The elevations would be constructed from a combination of aluminium cladding and glazing that would be partially obscure/frosted and partially clear glazed.

Internal layout changes

- 6.5 The current building at ground floor is divided into two halves, with retail located with a frontage to Great Sutton Street and the office situated to the rear, although pedestrian access can be gained from Great Sutton Street. At basement level, retail floorspace is present at the left hand side of the floorplan at 50-56 Great Sutton Street. At the rear of the basement at 9-11 Northburgh Street is further office floorspace. The rest of the basement consists of circulation space, building management facilities, cycle storage and car parking.
- 6.6 The application proposes a re-arrangement of the layout at the ground floor and basement driven by the desire to create two active frontages in both Northburgh Street and Great Sutton Street and to make for a more effective use of the building with the removal of the car parking.
- 6.7 The proposal divides the Great Sutton Street frontage into two sections with a retail unit occupying the left hand side of the frontage and a larger, bigger office reception occupying the right hand side of the frontage, leading on to an area of office floorspace at the rear. At basement level, the access ramp remains in situ, with the existing car parking area now occupied by enhanced and improved cycle parking, showers, lockers, yoga studio to the front of the basement area; retail floorspace to the left hand side of the basement and bins, plant and other building operation facilities to the right hand side of the ramp.
- 6.8 The basement access ramp rises to street level which is approximately 1.5m above basement level. Either side of the ramp, the basement level continues to back of pavement in Northburgh Street with the 'ground floor' level being approximately 1.5m above street level in Northburgh Street. The ground floor level slab adjacent to the basement access will be dropped down to street level and the space enclosed so that it is separated from the rest of the development. There is currently no substation on the site.

Façade changes – Great Sutton Street

- 6.9 At the ground floor, the existing full width shopfront is replaced with new glazed areas demarcated by a central pier to separate the retail use to the left and office foyer to the right. Also removed from the floor plan and therefore from the frontage is the separate office entrance and staircase at the left hand side of the frontage. The secondary entrance to the upper floors situated at the right hand side of the ground floor frontage will be retained and the existing wheelchair ramp from street level will be enclosed within the frontage.
- 6.10 At the upper floors (from ground floor fascia level) to the fourth floor, the existing metal mesh cladding that has been retrospectively added, will be removed in its entirety, to expose the original green terrazzo panel cladding system and vertical concrete piers.
- 6.11 At the parapet level, the existing mansafe railing will be replaced with a new architecturally decorative railing system rising to approximately 1.15m above the finished floor level.

Façade changes – Northburgh Street

- 6.12 Because of the removal of vehicular access and parking in the basement, the angled edges of the building which serve as visibility splays are being squared off and as such, there is

a minor build out at this point. The existing basement level fenestration (generally set up from pavement level) is proposed to be filled in with the exception of the doors into the staircores for the office.

- 6.13 A new edge of pavement full height gate will be installed across the ramped access. The new enclosure for the substation will be of similar design, although it is likely that it will be designed as per UKPN specification. Both the gates and the new 'shopfront' windows will have a height of approximately 4.1m. The ground floor slab level from Great Sutton Street would be visible within the shopfront glazing. Above the openings, is a horizontal GRC perforated terrazzo strip and forms the top of the plinth. The existing façade at first floor level and above would be cleaned, with the paint removed from the concrete panels to reveal terrazzo green and new windows installed. A continuation of the railing will be installed.

Building facilities

- 6.14 92 long stay cycle facilities will be provided in the basement level and 13 short stay cycle parking facilities will be provided at the basement level.

7. RELEVANT HISTORY:

- 7.1 The following is a summary of planning applications received at the site:

50 – 56 Great Sutton Street

- 7.2 85/0473 – Conditional planning permission granted for alterations to ground floor entrance (15/05/1985).
- 7.3 91/0323 – Conditional planning permission granted for the part change in use in order that the whole premises can be used for Business Use (Use Class B1) of the Town and Country Planning Use Classes Order (02/051991).
- 7.4 91/0832 – Conditional advertisement consent granted for the display of a banner with dimensions of 4ft x 38ft from first to fourth floors (at 53-56 Great Sutton Street) (07/08/1991).
- 7.5 97/0514 – Conditional planning permission granted for the change of use of ground floor from B1 office use to A1 retail including alterations to form new entrance (21/07/1997).
- 7.6 P030301 – Conditional planning permission granted for the erection of a small single storey extension in part of external courtyard/lightwell. Self containment of ground floor to form Class A1 retail unit. Alterations to ground floor front elevation to form new shopfront and entrance door to ground floor unit and replacement entrance door to serve remainder of building (07/04/2003).
- 7.7 P100761 – Conditional planning permission granted for the upgrading of windows and finishes to existing elevations, new street access also including a previously consented roof top extension (29/06/2010).

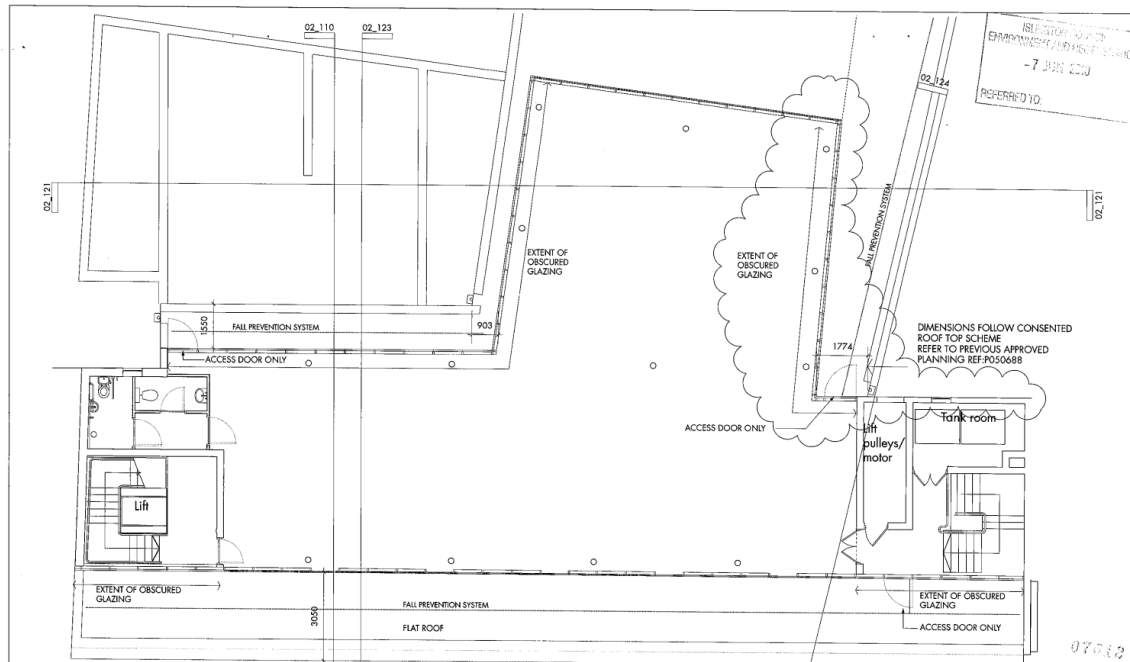


Figure 10: Floor plan at roof level for P072996.

- 7.8 The planning application (P072996) granted consent for the roof extension currently in existence at the fifth floor level of this building and which this application proposes to modify and extend.
 - 7.9 P100761 – Agreement of non-material minor amendment of planning permission P100761 for alterations to the proposed street level access, ground floor and fifth floor fenestration and aluminium rainscreen cladding (17/01/2011)
 - 7.10 P100762 – Planning permission granted for the variation of condition 2 (plans) and removal of condition 4 (green roof) of planning permission reference P100761 (17/01/2011).
 - 7.11 P2014/0411/FUL – Conditional planning permission granted for the installation of a balustrade on the existing fifth floor deck to form a new roof terrace (10/04/2014).
- 9 – 11 Northburgh Street
- 7.12 P050688 – Conditional planning permission granted for a roof extension to existing office building at 5th floor level to provide additional office space (13/10/2005).
 - 7.13 P070200 – Refusal of planning permission and instruction to take enforcement action against the installation of one air conditioning unit and retention of 3 air conditioning units at roof top level (28/03/2007).
 - 7.14 P0702996 – Conditional planning permission granted for the retrospective application for the installation of air conditioning units at roof level (07/03/2008).
 - 7.15 P2013/1955/COL – Certificate of Lawfulness refused for an existing use of the building as a B1 office used as accounts and admin centre with call centre (30/07/2013).
 - 7.16 P2016/3455/FUL – Conditional planning permission granted for the erection of a single storey roof extension to create additional 350 square metres of office floorspace (B1), and over-cladding of the building facades. Associated external alterations to the building's facade; and the removal and replacement of the existing ramp together with the installation of plant equipment at lower ground and fifth floor level. Removal of

existing two cores, replacing with a more compact and efficient single core. Removal of car access way and installation of new ground floor glazed shopfront (13/09/2017)

- 7.17 P2017/5021/FUL – Conditional planning permission for the erection of a fifth floor extension between existing roof extension at 50-56 Great Sutton Street and a consented extension at 9 Northburgh Street (06/03/2018)
- 7.18 P2020/1515/FUL – Conditional planning permission for the erection of a single storey roof extension to provide 350sq.m of additional office floorspace, alterations to elevations to include re-cladding, window replacement removal of vehicle access, and new ground floor shopfront; installation of mechanical plant at lower ground and fifth floor level and the removal and replacement of the existing ramp together with associated alterations of the building (16/11/2020).
- 7.19 This application sought and secured planning permission for the principle of a roof level extension (at fifth floor) above 9-11 Northburgh Street for use as office floorspace. This application was presented to Committee on 10 November 2020. The floor plan of the consented extension is shown below. The hatched area either side of the floorspace (yellow and blue colour) is external roof terrace. The dark area in grey at the bottom of the image is the extent of the roof extension above 50-56 Great Sutton Street (approved under P050688)

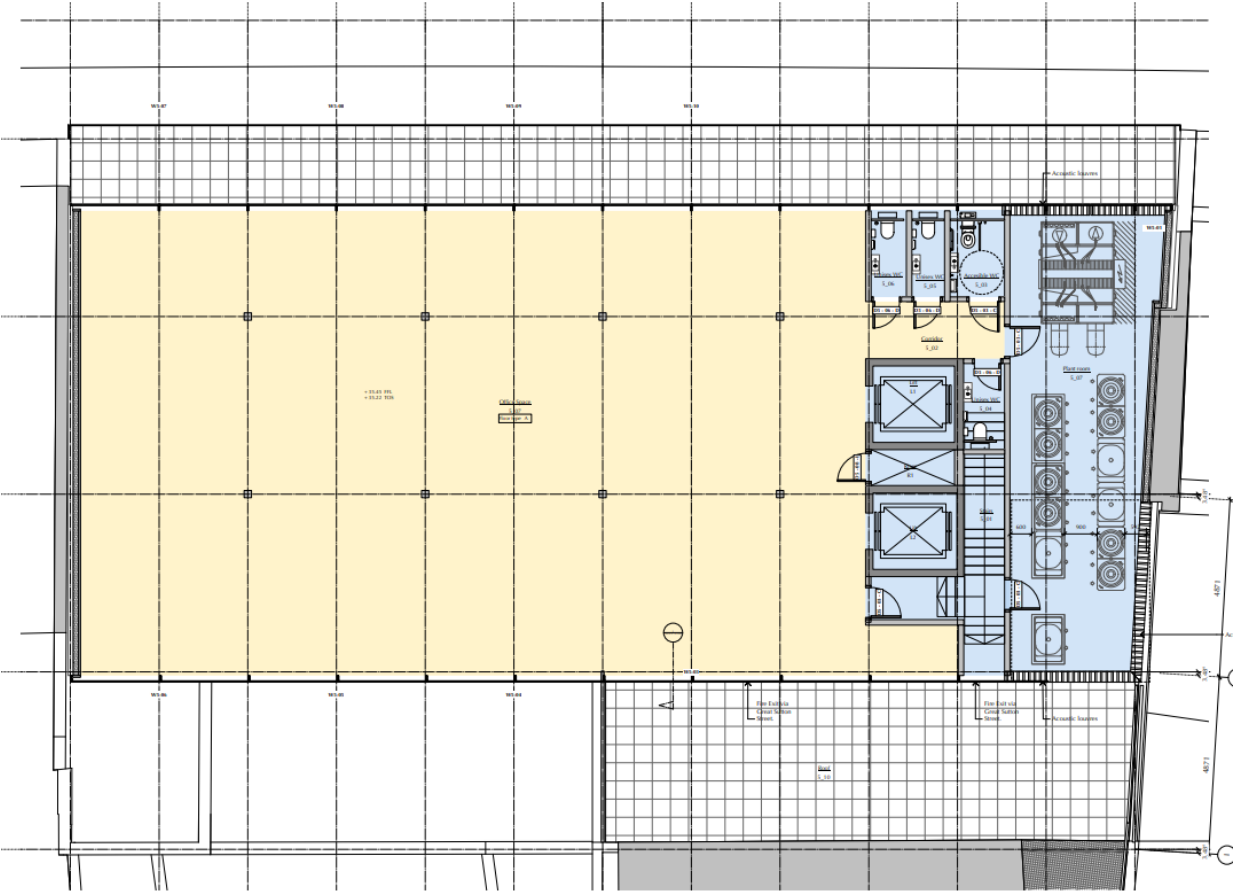


Figure 11: Consented roof level plan for P2020/1515/FUL

- 7.20 P2020/1542/FUL – Conditional planning permission granted for the erection of a fifth floor infill extension to link a separately proposed roof extension (P2020/1515/FUL) and adjoining roof extension at 50-56 Great Sutton Street (16/11/2020).

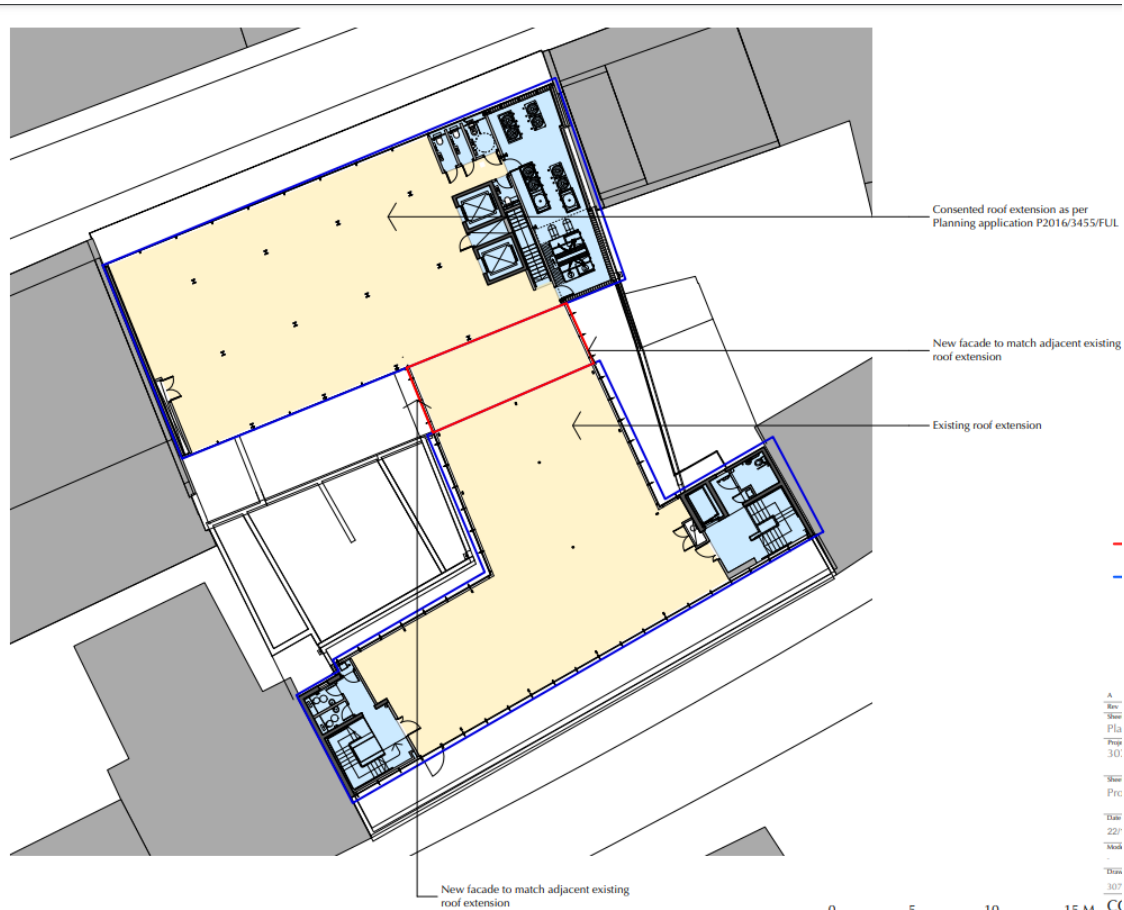


Figure 12: Consented roof level plan for P2020/1542/FUL

- 7.21 This application sought and secured permission for the completion of an infill extension that occupies the remainder of the space between the existing extension above 50-56 Great Sutton Street and the consented extension (P2020/1515/FUL) that is illustrated above as well as occupy the floorspace along the side of the existing extension at 50-56 Great Sutton Street.

PRE-APPLICATION ADVICE:

- 7.22 Pre-application advice was sought from the Council during the course of June – August 2023 in relation to the proposal for which planning permission has now been sought. Officers provided advice in relation to land use, design and access. The scheme was largely supported in principle, welcoming the improvements in relation to the facades, particularly on Great Sutton Street. However, it was noted that while the scheme proposed only a modest uplift in floorspace, the overwhelming proportion of this uplift was actually for retail floorspace which would be contrary to policy AAP1 which states that extensions of less than 500sq.m should be primarily office led. The scheme has been amended to reconfigure the retail layout and consolidate it in such a way that it remains a significant functional land use within the development without it constituting a significant floorspace increase. Some alterations were suggested in relation to access into and around the building, particularly to the new basement area which would improve circulation and access in this space.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 260 adjoining and nearby properties at Berry Street, Northburgh Street, Great Sutton Street, Dallington Street and Goswell Road (amongst others) on 22 September 2023. A site notice and press advert were displayed on 28 September 2023. The public consultation of the application therefore expired on 22 October 2023, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 Two letters of objection from residents within the local area adjoining the site have been received. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- The proposed development would harm the residential amenity enjoyed by residents in an adjoining fifth floor flat.
 - There would be likely impacts through overlooking, light pollution, noise and disturbance.
 - There would be specific harm from the fifth floor extension through direct access to a roof terrace above Northburgh Street and light spill.
 - The first objector also points out that a similar application submitted in 2020 was made acceptable through the use of planning conditions protecting amenity and privacy and these should be re-imposed.
 - The first objector also advises that a further condition should be imposed to secure the areas of perforated screen to mitigate overlooking at the fifth floor by requiring its installation prior to occupation and maintained in perpetuity.
 - The second objector speaks from a Great Sutton Street perspective. The massing of extensions at the fifth-floor level affects views and receipt of light to their dwellinghouse.
 - There are too many extensions being granted planning consent here.
 - It would appear that the massing of the building at the fifth floor level in Great Sutton Street would move closer to the road and therefore would cause more problems to amenity such as a loss of privacy that would be caused by people accessing an external terrace or the lack of unfrosted glazing.
 - There would be a potential noise nuisance from people eating outside often into the evening.
 - Object to the change in the current façade.
 - The works are prejudicial to the neighbourhood in relation to noise, lack of parking and the need to potentially have a crane parked in the street.
 - Objection to the noise and disturbance arising from the likely construction works that would take place.
- 8.3 The objector is correct to make reference to (a) previous planning application(s). Consent was granted previously and implemented for an extension above 50-56 Great Sutton Street and also the extant planning permission for an extension above 9 – 11 Northburgh

Street. The latter permission was bound by a range of planning conditions pertaining to the protection of residential amenity, imposed by the Planning Committee. These included condition 4 (Construction Method Statement), Condition 5 (Background noise), Condition 6 (Timers controlling the operational duration of condenser units), Condition 8 (no use of the roof terrace as an amenity space) and Condition 12 (Internal lighting spill mitigation measures). The objector has requested that these conditions are re-imposed on the recommendation for planning permission. These conditions are indeed proposed to be added.

External Consultees

- 8.4 Metropolitan Police (Crime Prevention); The consultee provides overall support for the scheme and makes particular comments about the security around the refuse areas, the importance of surveillance through an active frontage including the use of strengthened glazing; a recommendation that the fire strategy should not compromise on building security, and the scheme should incorporate and adopt Secure by Design principles. It is noted that the scheme architects have met with the Metropolitan Police to discuss key principles.
- 8.5 Thames Water: The consultee has no objections to the scheme subject to the scheme following the requirements of policy SI 13 of the London Plan in relation to surface water drainage and there are no objections in relation to waste water and sewerage. Thames Water recommend the imposition of an informative in relation to water pressure
- 8.6 United Kingdom Power Networks (UKPN): This consultee was notified however, no comments were received.

Internal Consultees

- 8.7 Access Officer: A range of comments and objections were raised by this officer in relation to transport, site wide circulation, building facilities and other miscellaneous points. The plans were updated to ensure that wherever possible the proposed layout facilitates inclusive design and accessibility requirements. Where feasible the concerns have been responded to positively, although a planning condition is proposed to address outstanding points around fit out specification which are yet not known.
- 8.8 Conservation and Design Officer: Raises no objection to the application. From a design perspective, the proposed development would maintain a subservient element at the top and its footprint does not impinge on the courtyard. The provision of new external building user amenity space (at lower level) is supported. The proposed ground floor offers a more varied approach to activation that would enhance the street scene. The reception lobby and retail space, paired with the new elevational improvements, would result in a high-quality frontage at Great Sutton Street. At Northburgh Street, the layout changes are neutral, but with the improved elevational treatment, would result in a higher quality frontage. There is limited landscaping potential and provision although more is encouraged. The changes to the elevations on both Great Sutton Street and Northburgh Street are supported. The alterations to the façade of the Great Sutton Street fifth floor extension are also supported. Overall, the proposal's scale and massing would not harm the setting of the Conservation Area. The proposed elevational treatment would enhance the setting. The scheme overall is an elegant proposal that would enhance the setting of the Hats & Feathers Conservation Area and quality of the streetscene.
- 8.9 Energy Conservation Officer: None received (see sustainability officer).

- 8.10 Tree Preservation / Landscape Officer: None received.
- 8.11 Planning policy: No objections received. The proposed additional office accommodation would result in an intensification of the employment floorspace at the site and is supported in principle by policies B1, B2 and AAP8 of the Bunhill and Clerkenwell AAP. The proposed increase in retail use, from 693m² to 715m² (22m²) is not a significant uplift (3.17%) and would not involve creation of a new retail unit. The existing unit would continue to be able to cater for a large retail occupier in the CAZ, thereby continuing to complement the business focus of the area in accordance with Policy R3D.
- 8.12 Public Protection Division (Air Quality): None received
- 8.13 Public Protection Division (Noise Team): No objections are received subject to the imposition of a background noise condition for plant and compliance with a subsequent verification condition.
- 8.14 Public Protection Division (Land Contamination): None received, not applicable.
- 8.15 Spatial Planning and Transport (Transport Officer): None received.
- 8.16 Street Environment Division: None received.
- 8.17 Sustainability Officer: The scheme is deficient in the sense that the scheme as submitted does not yet contain appropriate responses to the requirements for demonstrating water management credits under the related BREEAM scheme, detailed energy assessments of carbon reductions against both the 2013 and 2021 building regulations, provide a cooling strategy, an air quality neutral assessment, a landscape strategy, drainage strategy or an appropriate demonstration that the scheme optimises the use of a green roof. The applicant has sought to advise that a landscape strategy and a green roof optimisation strategy will be submitted in response to co

9. RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2023 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

- 9.2 The Development Plan is comprised of the London Plan 2021, the Islington Local Plan 2023 and the Bunhill and Clerkenwell Area Action Plan 2023. The policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 9.3 The site has the following designations under the London Plan 2021, the Islington Local Plan 2023 and the Bunhill and Clerkenwell Area Action Plan

- Central Activities Zone

Page 25 Archaeological Priority Area

- Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle
- Design
- Residential Amenity

Land-use

- 10.2 Policy GG5 of the London Plan states that to conserve and enhance London's global economic competitiveness, development should plan for sufficient employment and industrial space in the right locations to support economic development and regeneration. Policy SD4 (The Central Activities Zone) states that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental value. Policy E1 (Offices) states that improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed use development. Part B of the same policy states that increase in the current stock of offices should be supported. Policy E9 (retail, markets and hot food takeaways) states that proposals should bring forward capacity for additional comparison goods retailing particularly in the international, metropolitan and major town centres.
- 10.3 Policy B2 of the Islington Local Plan states that new business floorspace will be directed to prescribed locations. Proposals must maximise the provision of business floorspace in line with the priorities for each location. Proposals involving existing business floorspace must prioritise the intensification, renewal and modernisation of this business floorspace throughout the Borough. Within the CAZ, office uses are the clear priority in this area to support the strategic business role. Policy R3 (Islington's retail hierarchy) states that the Council will seek to maintain and enhance the retail, service and leisure function of Islington's Town Centres. Part D of the same policy states that the CAZ is the primary office function location and offices will be supported and secured here. Proposals for retail will be accepted where the scale of development will not have an impact on the wider function of the area or the town centres and does not have an impact on amenity or cause the loss of existing employment floorspace.
- 10.4 Policy AAP1 of the Bunhill and Clerkenwell Area Action Plan (Prioritising office use) states that due to the significant evidenced need to provide office floorspace to cater for projected jobs increases and secure inclusive economic growth, office floorspace is the clear priority land use across the AAP area. Development proposals under the threshold of 500sq.m additional floorspace, the proposal must be office led meaning that the majority of the floorspace as a proportion of the net additional floorspace proposed should be office floorspace. Policy AAP8 (Historic Clerkenwell) which includes the spatial location for this site, states that the Council will protect existing employment uses. In addition, a range of business activities including smaller workspaces for creative and

specialist industries are encouraged. Active ground floor uses fronting major roads and key streets are encouraged.

- 10.5 The site is not a site allocation.
- 10.6 Planning permission is sought for an extension to the existing building, primarily through an extension at roof level to 9 – 11 Northburgh Street. The existing building is currently being internally gutted and refurbished having previously functioned as part retail (on ground and basement floors) and office (on basement to fourth floor at 9 – 11 Northburgh Street and first to fifth floor at 50-56 Great Sutton Street). The internal configuration prior to the commencement of works was such that the basement parking area and associated building facilities were shared between 9-11 Northburgh Street and 50-56 Great Sutton Street, there was a clear division between the functional floorspace at Great Sutton Street and the functional floorspace at Northburgh Street. The proposals ultimately result in an amalgamation of the floorspace within the two buildings so that both office and retail floorspace extend over Northburgh Street and Great Sutton Street and result in both uses have frontages to both streets.
- 10.7 The existing employment floorspace within the building has been divided into separately occupied and accessed portions across various floors as demonstrated by the four existing staircase cores within the building. The proposed reconfiguration – based on the submitted floor plans – show an open plan office floor layout across the building with two stair cores from ground floor to fifth floor. This would permit flexibility of use across the building either as sub-divided smaller occupancies or larger occupiers.
- 10.8 Policy B2 (F) of the Islington Local Plan (2023) states that business floorspace should allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation and provide a range of unit types and sizes. It is considered that the proposal will support this objective and that there are no material planning objections to the amalgamation of the floorspace within both buildings.
- 10.9 As the table below shows, the proposed extension brings about an increase in the GIA of the building of 433sq.m from 6,379sq.m to 6,812sq.m. This comprises an increase in retail floorspace of 22sq.m from 693sq.m to 715sq.m and an increase in office floorspace of 411sq.m from 5,686sq.m to 6,097sq.m.

Use	Existing (GIA)	Proposed (GIA)	Change
Office	5,686m ²	6,097m ²	+411m ²
Retail	693m ²	715m ²	+22m ²
Total	6,379m²	6,812m²	+433m²

- 10.10 At basement level, retail floorspace increases by 234sq.m from 226sq.m to 460sq.m and office floorspace decreases by 201sq.m from 955sq.m to 754sq.m. At first floor, retail floorspace decreases by 212sq.m from 467sq.m to 255sq.m while office floorspace increases by 186sq.m from 595sq.m to 771sq.m. At the fifth floor level, the proposed office floorspace increases by 430sq.m from 323sq.m to 753sq.m.

Level	Existing Office (GIA)	Proposed Office (GIA)	Existing Retail (GIA)	Proposed Retail (GIA)
Ground	595m ²	771m ²	467m ²	255m ²

Basement	955m ²	754m ²	226m ²	460m ²
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10.11 It is demonstrated that that the proposed development has optimised employment floorspace within the site and subject to other material considerations would be acceptable. Furthermore, the proposed development has satisfied policy AAP2 of the adopted Bunhill and Clerkenwell Area Action Plan which requires all extensions of less than 500sq.m in size to be predominantly employment floorspace lead.

10.12 Given the small and incremental increase in office floorspace provided by way of the proposed extension at fifth floor level, the proposed development cannot sustain and is not required to sustain a proportion of the office floorspace as affordable workspace.



Figure 13: Proposed ground floor layout.
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10.13 In respect of the proposed retail use within the building, it is considered that the proposed development would be acceptable. The existing building comprises an area of retail floorspace that, prior to the commencement of internal reconfiguration was situated at the front of the property on to Great Sutton Street and occupied the breadth of the frontage. The proposed development seeks to retain the existing retail floorspace, subject to a small increase in the overall area. The proposed reconfiguration results in a reduction in the existing active frontage to Great Sutton Street, the provision of retail floorspace at the basement and the creation of an active frontage (at basement level) for the first time on Northburgh Street and greater retail activity within Northburgh Street, taking into account the fact that the frontage to Northburgh Street currently has a rear elevation appearance to it with a gated vehicular access ramp to basement, insignificant fenestration at the street level and no glazed frontage. Given the previous consents for retail at the site and the non-material increase of retail floorspace (5% of the floorspace uplift) it is considered that the retail function would not harm existing designated town centres or other local shopping areas, the nearest of which are either at Exmouth Street or Whitecross Street. Given the presence of the retail floorspace and the minor uplift it is considered that there is no need to subject the scheme to sequential testing to determine its appropriate location within the retail hierarchy. It is noted that Northburgh Street, Great Sutton Street, Goswell Road, Berry Street and others accommodate specialist design office and domestic furniture at ground floor with office and/or residential above. The proposal is consistent with local retail activity and previous planning permissions.



Figure 14: Proposed basement layout

10.14 While it is regrettable that the retail floorspace will be completed with a narrower and smaller shopfront and that the property will have to share this shopfront with the reconsolidated office floorspace, it is considered a positive change that the proposed office development will benefit from a more coherent, modern and expansive reception space combined with ground floor meeting space. The revamped shopfront will not include a fascia panel strip but will be able to accommodate signage to solid panels at shopfront level.

10.15 The amalgamation of the two buildings' floorspace will facilitate a larger more comprehensive albeit flexible development whereby the office floorspace can be occupied by a diverse range of different occupiers and the retail floorspace can benefit from two different frontages in two different streets thereby improving its visual presence. The uplift of 411sq.m of office floorspace is supported by policy within the CAZ and Bunhill and Clerkenwell Area Action Plan spatial policy area which supports the predominantly office led elements of any floorspace uplift. Retail floorspace is consistent with the mixed

use character of the area and is compliant with the policies listed above. Given the limited floor area within the proposed extension there is no requirement to make provision for affordable workspace, nevertheless, the proposed workspace is suitable for SMEs and other low cost employment enterprises.

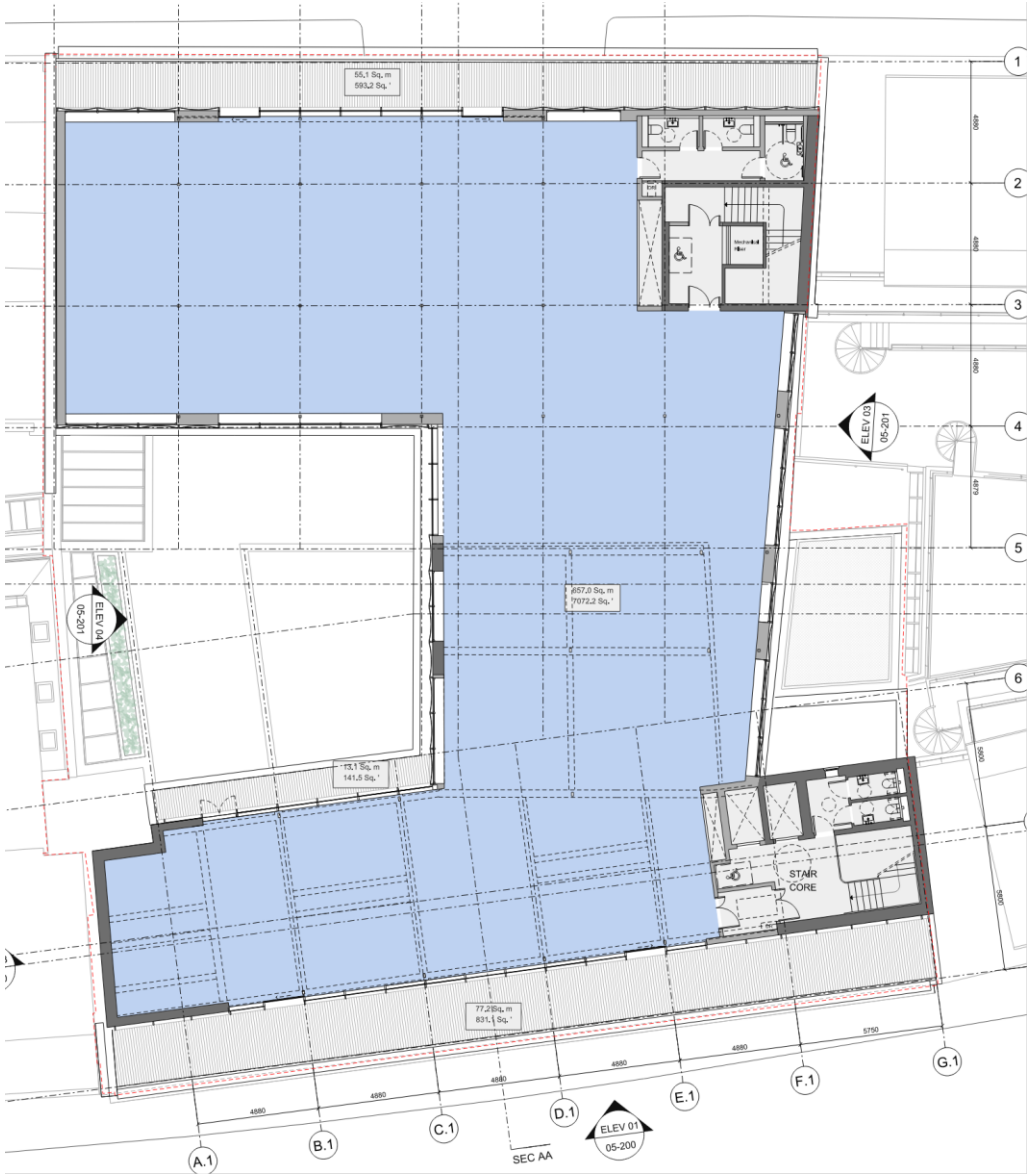


Figure 15: Proposed roof level layout

10.16 The proposed additional office accommodation would result in an intensification of the employment floorspace at the site and is supported in principle by policies B1, B2 and AAP8 of the Bunhill and Clerkenwell AAP. The proposed increase in retail use, from 693m² to 715m² (22m²) is not a significant uplift (3.17%) and would not involve creation of a new retail unit. The existing unit would continue to be able to cater for a large retail occupier in the CAZ, thereby continuing to complement the business focus of the area in accordance with Policy R3D.

10.17 From a land use policy perspective the proposed development is considered to be acceptable.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.18 Paragraph 126 of the NPPF 2021 highlights that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.19 Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot. Paragraph 133 goes on further to state that in assessing application, local planning authorities should have regard to the outcome of tools and processes for assessing and improving the design of development, including any recommendations made by design review panels.
- 10.20 Paragraph 134 states that Permission should be refused for development that is not well designed, especially where it fails to reflect local design policies and government guidance, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 10.21 The London Plan Policy D3 (Optimising site capacity through the design-led approach) states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.
- 10.22 London Plan Policy D4 (Delivering good design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 10.23 London Plan Policy HC1 (Heritage conservation and growth) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Further, development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage asset...
- 10.24 At the local level, Local Plan Policy PLAN1 states that all forms of development are required to be of a high quality and make a positive contribution to local character, legibility, and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. This policy outlines the high-quality design expectations which proposals need to meet.

- 10.25 Local Plan Policy DH1 supports innovative approaches to development as a means to increasing development capacity to meet identified needs, while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. In this context, an innovative approach is one that contributes to the delivery of the Local Plan objectives, including making the borough an inclusive and resilient place by ensuring the design of buildings meets contemporary standards, the needs of all users and mitigates against the impacts of climate change.
- 10.26 The site is located within the Hat and Feathers Conservation Area, however it is not located within the setting of a listed or locally listed building.
- 10.27 Planning permission is sought for several external elements to the existing buildings, including alterations to the external facades, the erection of a new rooftop extension and alterations to the ground floor frontages on both Northburgh Street and Great Sutton Street.



Figure 16: Proposed Great Sutton Street elevation

- 10.28 The existing roof level extension which is a predominantly glazed and metal framed structure would be reglazed where it aligns in parallel with Great Sutton Street. Where the structure projects rearward over the connection between Great Sutton Street and Northburgh Street this would be subsumed into the new larger structure. In its place would be constructed a larger more substantial rooftop extension with a net floor area uplift of 433sq.m. The proposed extension would be set back 3m from the frontage in Great Sutton Street and 2m from the frontage in Northburgh Street. It would also be set 1.4m back from the edge of the roof on the rear of Great Sutton Street frontage block. Otherwise the proposed extension would project to the edge of the roof plan across 50-56 Great Sutton Street and 9-11 Northburgh Street. The extension would be 33m wide across the roof of 50-56 Great Sutton Street. It would be 35.1m deep at its longest part from front to rear across the whole roof plan. The front section would have a depth of 7.6m. The central section would have a depth of 14.6m and a median width of 14.1m. The rear portion over 9-11 Northburgh Street would have a width of 30.1m and a depth of 12.5m.
- 10.29 The layout indicates access onto a narrow roof terrace at the south (overlooking Great Sutton Street) and access onto a terrace at the rear of the Great Sutton Street frontage block. There is also a narrow roof terrace overlooking the Northburgh Street frontage.



Figure 17: Proposed Northburgh Street elevation

- 10.30 The extension would have a height of 3.05m to a flat roof with a lift overrun providing additional height by an extra 1.3m. The elevations would be constructed from a combination of aluminium cladding and glazing that would be partially obscure/frosted and partially clear glazed.
- 10.31 The proposed extension largely replicates that approved under P2020/1515/FUL in terms of extent of footprint at roof level and is 0.5m shorter in height insofar as the overall building height is 19.90m above street level rather than 20.37m on the consented height. It is considered that there is no significant difference between the dimensions of the consented and proposed extensions. The principal differences relate to the design of the proposed extension's elevations and the fact that it also absorbs the extension that was consented under P2020/1542/FUL as well as a remaining sliver of roof along the eastern side of the interior roof plan.
- 10.32 There are limited view points of the proposed extension in the public realm due to the height of the existing building, the narrowness of the street to afford a view and the set back from the parapet by way of providing roof terrace. The proposed extension would therefore present as a subordinate and complimentary built form within the streetscene context. Furthermore, the proposed extension would be consistent with wider prevailing building heights across this part of the Clerkenwell area.
- 10.33 With respect to non – public views of the proposed extension, the urban grain of the street block incorporates two courtyards on both the west side and eastern side of the development. Within the courtyard to the west, occupiers of buildings at 13 – 15 Northburgh Street, 12 – 14 Berry Street and 44 – 49 Great Sutton Street have windows in the courtyard facing elevations. Of these properties, 48 – 49 Great Sutton Street is residential while 46-47 Great Sutton Street is mixed use. Within the courtyard to the east, 5 – 7 Northburgh Street and 41 – 53 Goswell Road all have windows in the courtyard facing elevations with the properties at 41-53 Goswell Road in mixed use with residential uses on the upper floors.

10.34 As stated above, a proposed roof extension has already been constructed at the frontage to Great Sutton Street and consented on the frontage to Northburgh Street and the central linking section between the buildings. The impact in massing, scale and design terms has already been assessed and found to be acceptable in this context and given the similarities would not be a material change in the direct impact on the visual amenities as enjoyed within these more private spaces.

The materiality of the proposed extension has also changed. Where previously the extension was principally a glazed box framed by a metal PPC cladding panel, the revised extension features different proportions of materiality with an aluminium cladding section together with a much smaller glazed area. Much of the eastern elevation facing towards Goswell Road would become aluminium clad panels which would be openable at the fifth floor level. There would be a similar treatment for the western elevation. No ventilation louvres are proposed to function as plant screens at the fifth floor level. It is considered that the revised elevation treatment would be acceptable, but the materials contained therein would be reserved by condition for future approval prior to the commencement of construction.

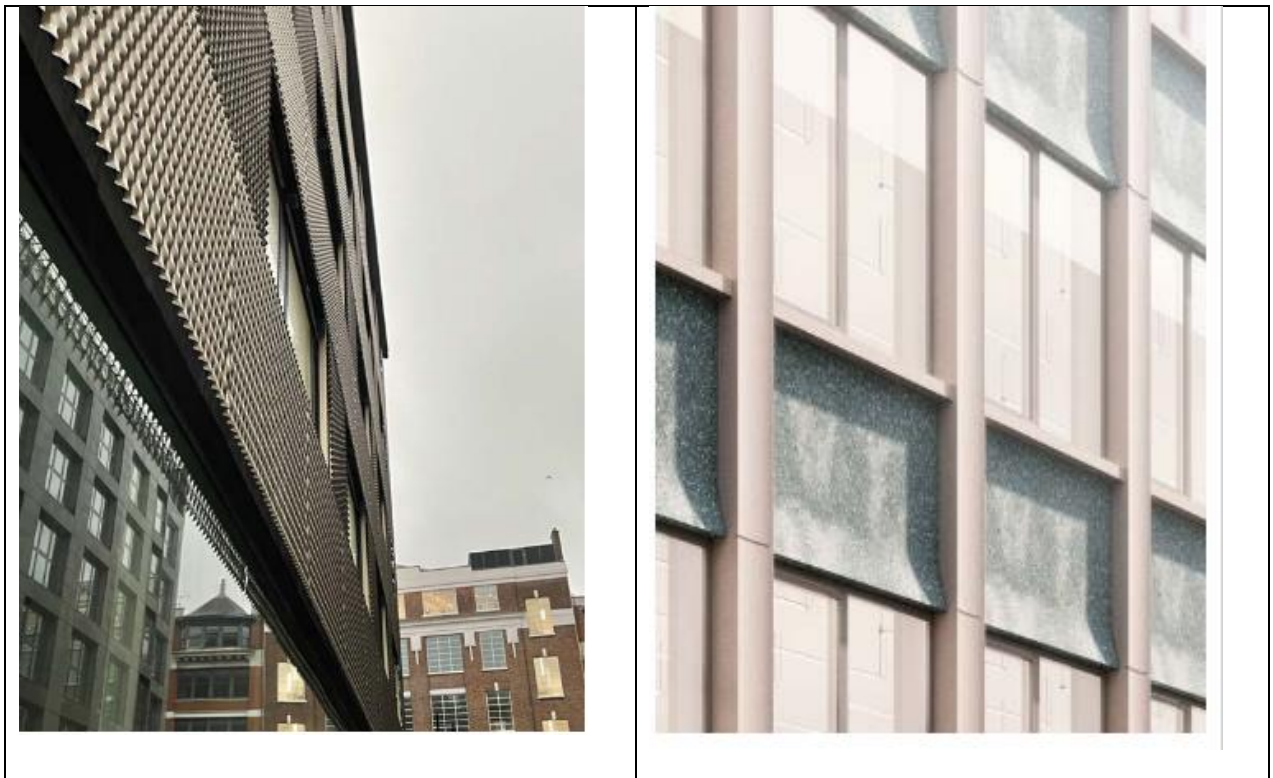


Figure 18: Existing Great Sutton Street mesh removed to expose existing terrazzo

10.35 The southern façade is currently covered by a metal mesh cladding that has been applied to the external elevation. This is considered to be alien and incongruous within the streetscene and detracts from the character and appearance of the conservation area. The application proposes to remove this cladding in its entirety and expose the original concrete panelled façade. The façade has also been treated with paint to obscure the original terrazzo green façade. It is proposed to remove the paint and reveal the terrazzo across the façade. On the northern façade to Northburgh Street, the original terrazzo has been painted over and it is proposed to remove the contemporary paint layer. These measures combined would significantly improve the appearance of the building and a supported.

10.36 Finally, at the street level, the scheme proposes an alteration to the ground floor level facades. To Great Sutton Street, the application proposes what would appear to be a re-

glazing to the shopfront, largely dictated by the proposed reconfiguration of the internal layout. The staircore on the left hand side of the frontage is removed and the door and framed panels removed with new glazing installed. The existing door to the retail area is retained, however the seven bay width of the retail frontage is reduced to 4 and a solid wall divider to separate the retail from the office floorspace. A new frontage is created for the office element which is part solid and part glazed and is of a different style to demarcate between the uses. On the right hand side of the frontage, the existing wheelchair ramp access is enclosed into the building rather than being open beneath an oversailing part of the building. The staircase core at this location will also be retained. The wheelchair entrance arrangements will also be enclosed by a clear glazed screen.

10.37 These changes to the elevation on Great Sutton Street do result in an decrease in the extent of shopfront glazing as directed by the reduction in the layout and location of the retail floorspace. Nevertheless, the proposal does give rise to a more modern and sophisticated shopfront at the ground floor level that relates to the upper floors of the building and the extension at roof level following the removal of the incongruous metal façade mesh cladding.



Figure 19 (left): Northburgh Street refreshed façade at street level

Figure 20 (right): Great Sutton Street refreshed façade at street level.

10.38 At the northern elevation, the key change is the removal of the vehicular access ramp to the basement and the formation of a cohesive shopfront with new full height (over one and a half storeys) glazing to the retail on the right hand side of the façade. This will elevate and activate the building and provide it with a connection to the street although access to the retail will only be from the front for customers and staff. There are currently a variety of fenestration forms on the northern elevation and the proposal tidies up the elevation and creates very clear functionality with an access for the cycle storage and refuse at basement, the access to the new substation at the ground floor level and the creation of a new plinth or base to the building that is an attractive feature at street level.

10.39 Ultimately, the changes to the scheme deliver an attractive restored building that allow the original façade features to become part of the new design while promoting activity at the street level to

support the vitality and viability of isolated retail within the building. The scheme permits visual permeability through and into the building and removes clutter and poor design. The proposed extensions are largely similar to developments within extant consents and there are no material differences between consented and proposed in respect of design detail, bulk, scale and massing. The minor incremental changes between schemes constitute an improvement and do not give rise to a departure from the approved scheme other than improvements to materiality.

Accessibility

- 10.40 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 PLAN1 of the Local Plan, 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.
- 10.41 Local Plan policy B2 outlines how new business floorspace must incorporate the highest inclusive design standards achievable in context, and meet the travel and transport needs of those for whom public transport remains inaccessible.
- 10.42 The proposal allows for level access from the street to the retail although there is a switchback wheelchair ramp to the wider shop floor. There is an internal staircase to the basement level in the centre of the shopfloor and there is a location for an internal platform lift indicated on the floorplan. Access to the basement level retail is available from the street via a lift as well as from the basement level ramped down from street level. Level access to the office is gained from the street in Great Sutton Street. However, the ground floor office areas have four different levels from front to rear and from east to west internally and these changes are mediated internally through ramps or a lift.
- 10.43 Policy D5 of the London Plan requires a minimum of at least one lift per core to be a suitably sized fire safety lift so that all people can evacuate in the event of a fire.
- 10.44 At pre-application stage, the accessibility officer provided commentary on the scheme relating principally to the number of platform lifts that were proposed to mediate between different internal levels. Some further requests were made about providing improved access for cyclists using accessible showers and accessible bike stores, ensuring the provision is equitable and functional.
- 10.45 The building is provided with two protected stair cores which serve all floors in the building. A third escape stair core is provided to serve the spaces between ground and basement levels. Policy D5(B5) asks that development proposals to be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 10.46 In line with guidance, an evacuation lift will be provided to stair core 1 for use for escape. The evacuation lift will be designed in accordance with the requirements of BS 9999, which includes:
- Back up power supplies to ensure the lift is available if the main power fails,
 - Controls to allow staff to drive the lift to pick up occupants from other levels during evacuation,

- Enclosure with 60 minute fire rated construction,
- The evacuation lift serves every floor it passes through,
- Lobby protection at all floors to protect the lift from the effects of fire and smoke.

10.47 In addition to the evacuation lift serving stair 1 it is proposed that a platform lift be provided within stair 3 to serve the basement level E1 unit and ground floor office areas. Whilst a platform lift is not typically considered to be compliant for evacuation it will be provided with all the precautions as noted above so that it can be safely used to evacuate mobility impaired occupants from the two floors served.

10.48 It is not possible within the scope of the refurbishment to provide an evacuation lift serving the existing stair 2 core, which also has stepped access from the ground floor down to final exit level on Northburgh Street which would further limit the usefulness of any such installation. Therefore, the need for manual evacuation can not be completely removed from the building, however, all occupants will have access to the stair 1 lift as their primary means of escape so that lift evacuation is available from all floors and areas of the building.

10.49 In accordance with BS 9999:2017 guidance, disabled refuges will be provided in each escape stair / stair lobby at each level. Disabled refuges will be 900 mm x 1400 mm in area and provided with an Emergency Voice Communication (EVC) system to BS5839-9 (2011). The proposed design and provision of evacuation lifts is in compliance with the principles of London Plan Policy D5(B5).

10.50 On the Northburgh Steet side, the Proposed Development seeks to provide pavement improvements through s278 agreement to allow for a proposed ramp area external to the two stepped entrances. As such, level access across the site to all entrances at ground floor level is secured. There are two lifts allowing for level access to all floors, including the basement.

10.51 The application has been appraised by the Inclusive Design officer. Several aspects of the proposed layout and access are supported, however some elements required further development, particularly around internal circulation and the placement of specific building facilities such storage and showers in the basement. Updated plans were provided to the Council which demonstrate improvements to aspects of transport, layout, circulation, building facilities and other aspects. Planning condition(s) proposed to be imposed on the recommendation seek to secure further amendments that would introduce the required improvements in compliance with the Council's Inclusive Design SPD (2014), notwithstanding the approved plans.

Landscaping and Trees

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

10.53 Islington's Local Plan policy G1 states that development proposals must preserve and enhance existing green infrastructure and explore opportunities to provide new green infrastructure. Local Plan policy G4 states that development should protect, contribute to and enhance the landscape, biodiversity and growing conditions of the development site and surrounding areas. Development proposals are required to maximise provision of soft

landscaping, including trees, shrubs and other vegetation. Furthermore, developments are required to minimise any impacts on trees, shrubs and other significant vegetation. At the same time any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits.

- 10.54 The site occupies almost its entire footprint and there is no opportunity to optimise landscaping, ecology or biodiversity at the ground floor level. The proposed development does however generate an opportunity for planting on the roof terraces to the front and rear of the property. There is a sunken courtyard within the lower levels of the development that may be able to provide an element of planting. The proposed roof plan does not indicate the proposed likely roof covering or whether it is able to optimise green/brown roofs with PV array installation or whether it would be able to accommodate a blue roof.
- 10.55 It should be noted that a scheme of this limited scope is not required to provide for an urban greening factor score of 0.3 nor is it required to achieve a biodiversity net gain of 10%. Nevertheless, a planning condition is proposed requiring details from the applicant of a landscape strategy how it intends to optimise green roofs to make a contribution to biodiversity as well as a wider urban greening approach wherever possible.

Neighbouring Amenity

- 10.56 Chapter 12 of the NPPF details that new development should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. With specific regard to daylight and sunlight, the NPPF states that ‘when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site (as long as the resulting scheme would provide acceptable living standards)’.
- 10.57 London Plan Policy D1 states that development design should deliver appropriate outlook, privacy and amenity. London Plan Policy D6 states that the design of development should provide sufficient daylight and sunlight for new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outdoor space. London Plan Policy D13 seeks to reduce, manage and mitigate noise to improve health and quality of life.
- 10.58 Part B (i) of Local Plan policy PLAN1 requires that developments provide a good level of amenity must, 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.
- 10.59 The eastern elevation of the building faces towards the courtyard at the rear of the residential properties on the upper floors of 41 to 45 Goswell Road. These residential properties are accessed via an external access deck on three sides of a courtyard. The southern elevation of the building overlooks the rear boundaries of the commercial properties at 50-56 Great Sutton Street. The northern (front) elevation of the building faces No. 8 Northburgh Street located on the opposite side of the street with a separation distance of approximately 8m.
- 10.60 The closest residential properties identified that have the potential to have amenity impacted as a result of the development are No. 8 Northburgh Street and No. 41-45 Goswell Road. The residential uses are on the upper floors within both building

Daylight, sunlight and overshadowing

- 10.61 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, overdominance, 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.
- 10.62 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
- 10.63 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".
- 10.64 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.
- 10.65 The site is a 5-storey building, located on the south side of Northburgh Street ("the site"). There is an extant permission for refurbishment and single-storey extensions under applications ref. P2020/1515/FUL and P2020/1542/FUL, both granted on 16th November 2020.

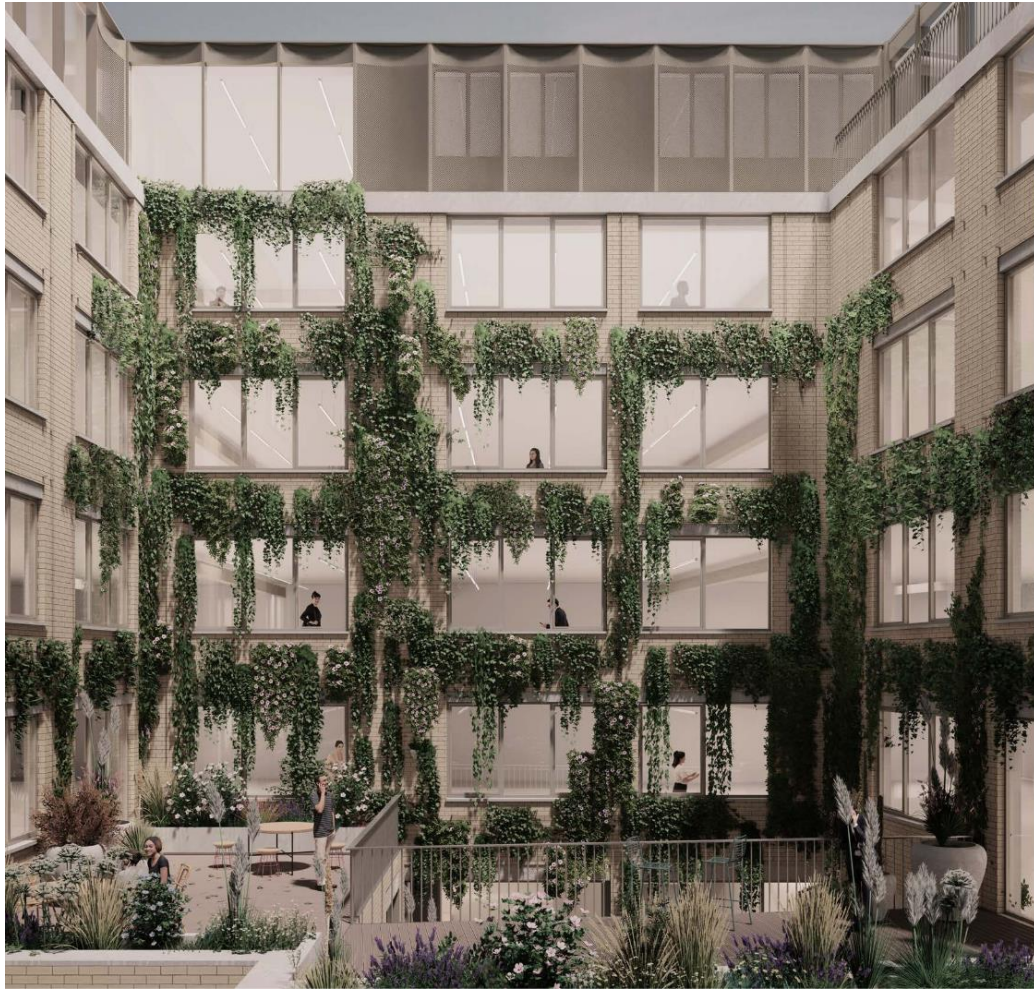


Figure 20: Internal elevations viewed looking east.

- 10.66 Having been built in the 1960s, the appearance of the building is indicative of a typical mid-20th century architecture. There are two pedestrian entrances, stepped and set back slightly from the street, either side of a large ramp, leading down to the basement, which dominates the ground-level frontage of the Site. The roof scape currently consists of two lift overrun rooms, and stair access. To the south is the existing extension on the roof of 50-56 Great Sutton Street.
- 10.67 The Site is bounded by Northburgh Street to the north, 7 Northburgh Street to the east, 53-56 Great Sutton Street to the south, and 13 Northburgh Street to the west. Half of the site, on the eastern side, abuts 53-56 Great Sutton Street. In terms of land use, most of the surrounding buildings are offices, with flats at 8 Northburgh Street opposite the Site and adjacent at 41-53 Goswell Road. There are also residential buildings on Berry Street, Dallington Street, Goswell Road, and Great Sutton Street, including 5-8 Great Sutton Street, 46-47 Great Sutton Street, and Enclave Court and 2 Dallington Street. At street level, there is a mix of commercial offices and retail showrooms.
- 10.68 The applicant has submitted a Daylight and Sunlight Report and Appendices by GIA dated August 2023. Unlike the previous application(s) P2020/1515/FUL and P2020/1542/FUL, the assessors have considered the likely impact not just on 8 Northburgh Street, but also on 46-47 Great Sutton Street, 5 – 8 Great Sutton Street and 41 – 53 Goswell Road. However, GIA have advised that the impact of the development on 5 – 8 Great Sutton Street and 46 – 47 Great Sutton Street would be compliant with respect to the BRE guidelines



Figure 21: Development profile in amenity context (west elevation)



Figure 22: Development profile in amenity context (east elevation)

8 Northburgh Street

10.69 8 Northburgh Street is a mixed use property, with commercial occupying the lower ground and ground floors and residential on the upper remaining floors. This property is located on a narrow street (circa 7m apart) with windows on the southern facade oriented towards the Site. The close proximity of facing elevations causes lower levels of daylight and sunlight in the existing condition, specifically on the first to third floors. GIA have had access to the floorplans of the proposed development and were therefore able to make a detailed assessment of the impact to this property.

10.70 GIA have concluded that two rooms within this building would fail the daylight distribution test. A Lounge/Kitchen/Diner combination (LKD) at third floor level would experience a reduction of 24% and a fourth floor Lounge would experience a loss of 40%, while the former

is a minor adverse, the latter is a more significant fail. However, when the results of the Vertical Sky Component (VSC) test are applied, none of the windows fail and as such, the proposed development at 9 -11 Northburgh Street has no harmful impact on the daylight amenity for this property at 8 Northburgh Street.

41 – 53 Goswell Road

- 10.71 41-53 Goswell Road is a mixed use property located to the east of the Proposed Development, occupying the eastern end of the internal courtyard. Windows are generally more distanced from the proposed development than those at 8 Northburgh Street. GIA have had access to the floorplans of the proposed development and were therefore able to make a detailed assessment of the impact to this property.
- 10.72 35 of the 36 windows tested for Vertical Sky Component will remain BRE compliant in that they will see a change of 20% or less. The remaining window is a first floor bedroom which would see a very marginal fail of 20.4%. Of the 27 rooms which have been assessed for Daylight Distribution, 25 would experience no noticeable alteration in the quality of daylight. However, two rooms which are bedrooms would see a reduction of between 31% and 34% which are moderately adverse. There is a correlation insofar as that it is the window failing the VSC which also fails the daylight distribution test.
- 10.73 It is considered that these are sporadic fails to rooms which are not dependent on daylight to function effectively. Consent has already been granted and remains extant for an extension of similar scale, extent and massing and it is considered that on balance, given the tight urban grain of Central London and Clerkenwell in particular, that the impact of the proposed development is not unacceptable.

Sunlight

- 10.74 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
- 10.75 As such, habitable 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:
- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and
 - Receives less than 0.8 times its former sunlight hours during either period and
 - Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.” At paragraph 3.2.3 of the guidelines ‘it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun’.
- 10.76 Given their orientation, the buildings at 8 Northburgh Street and 41 – 53 Goswell Road are relevant for assessment.

8 Northburgh Street

10.77 Of the 36 windows tested for APSH, 35 (97%) remain BRE compliant. The remaining window serves a third floor LKD (R4/F03). This room will remain compliant for APSH to the room but experience a minor reduction in winter sunlight. The reduction is 25% from a former value of 4 to a new value of 3.

41 – 53 Goswell Road

10.78 The proposed development results in reductions in APSH of greater than 20% for four bedrooms in this development. The loss ranges from 23.5% to 33.3% which range from minor adverse to moderate adverse. There are reductions for two windows in relation to winter sunlight hours. Again these are bedrooms which are of lesser importance for winter sun in particular and reflect their position in an inner courtyard location in Central London.

Overshadowing

10.79 With regards to overshadowing, there are two external communal areas within the courtyards which belong to 8 Northburgh Street and 41 – 53 Goswell Road. The assessment carried out by GIA established that at least 50% of the amenity spaces benefitted from two hours of direct sunlight on 21st March.

Other amenity considerations

Outlook

10.80 Consideration has been given to the increase in depth, scale, bulk and massing of the proposed works which extend no higher than the existing structures; the oblique angle of view and separation distance from the nearest windows of the residential properties at No. 41-45 Goswell Road; and the nature of the dense urban and central location of the site. The proposed increase in bulk and massing and footprint of the existing structures at fifth floor level is considered to be relatively minor, and would not result in an unacceptably overbearing impact, loss of outlook or unacceptable increase in sense of enclosure to the rear elevations of the residential properties at No. 41- 45 Goswell Road.

10.81 The site faces towards the residential properties on the upper floors of 8 Northburgh Street which sit on the opposite side of Northburgh Street. It is noted that the road is narrow and the front elevations of the buildings are only approximately 8 metres apart. Consideration has been given to the small scale of the increase in height of the proposed roof extension at 3m, the buildings are separated by a public highway, and the set back of the extension from the front elevation. The dense central location, and existing relationship between the buildings is also noted. When all of the above are considered, the impact on the existing outlook and enclosure of the residential properties on the opposite side of Northburgh Street is considered to be negligible.

Privacy

10.82 Given that there are no windows proposed on the eastern elevation of the extension, the proposed development would not cause any new opportunities of overlooking into No. 41- 45 Goswell Road. Despite the small separation distance, given the building is separated from No. 8 Northburgh Road by a street and the roof extension is set back, it is considered there would not be an adverse loss of privacy towards these residential occupiers. Nevertheless, given the concerns raised through the application determination process associated with P2020/1515/FUL, there are no materially different circumstances to suggest that this condition should no longer disapply and it is proposed that the obscured glazing condition is utilised.

10.83 The previous planning application was also subject to a planning condition preventing the use of the flat roof as an amenity terrace in order to prevent harmful impacts on noise and privacy. The applicant has sought to retain a terrace for this purpose as a means to attract a Category A office occupier and has pointed towards other buildings locally where a roof terrace has been proposed. One of these examples is 25 Worship Street (approved through P2023/0606/FUL). However, the roof terrace is located at the rear of the roof plan away from Worship Street and closer to Bonhill Street properties. Both streets are considerably wider than either Great Sutton Street and Northburgh Street and do not have the adjoining residential context.

Noise

10.84 Local Plan policy DH5 states that all development proposals which have the potential to cause or exacerbate unacceptable noise and vibration impacts on land uses and occupiers in the locality must fully assess such impacts. Where noise and/or vibration impacts are identified suitable mitigation measures must be put in place to reduce these impacts to acceptable levels.

10.85 The previous application P2020/1515/FUL proposed to relocate plant to an enclosure in the northeastern side of the roofplan area, adjoining 7 Northburgh Street. This would have been enclosed with ventilation louvres and would have resulted in some noise escaping from the plant enclosure, although not to a harmful extent that warranted the refusal of planning permission. The rationalisation of the basement and the removal of the 14 car parking spaces means that space is now available at basement level and it is proposed to locate all building plant at the basement level and therefore below street level.

10.86 A noise survey report was carried out by AECOM (dated August 2023) which provides an assessment and commentary of noise surveying which took place in September 2022 and October 2022. The survey points were at the front of the site at roof top level orientated towards Great Sutton Street and a second rooftop survey point orientated towards the centre of the roofplan area. A street level survey point was also placed at Northburgh Street.

10.87 The report concludes that the noise emitted from the proposed plant would not result in an adverse impact to nearby residential properties. The noise assessment has been reviewed by the Council's Public Protection Officer and considered to be acceptable subject to conditions to limit the noise emitted from the plant to at least 5dB(A) below the background noise levels and to restrict the hours of operation of the plant with timers.

10.88 A Construction Logistics Plan (CLP), prepared by Canneparo Associates dated August 2023, was submitted with this application. This document set out how noise impacts will be minimised. While it is noted that there is very limited internal stripping and demolition on the site, a consideration of noise impacts has been set out. The contractor will aim to keep noise levels to a minimum with measures to suppress noise generation, use plant in locations away from residential and sensitive receptors and to carefully plan for the hours of the most noisy construction. It is noted that the previous consent for the site (P2020/1515/FUL) includes a planning condition requiring the submission and approval of a Construction Method Statement prior to the commencement of development.

Light

10.89 The decision to determine the planning application P2020/1515/FUL was deferred from the Committee in September 2020 to the Committee in November 2020 in order for further consideration to take place about the potential for light pollution to affect nearby residential neighbours from the glazed facades of the proposed extension. In order to mitigate this impact, the condition required the submission of measures for the approval of the Council

to reduce the output of luminaires near the facades and sensor controlled light fittings. It is proposed that this permission recommendation also carries the same condition.

Sustainability

- 10.90 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.
- 10.91 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 10.92 Islington's Local Plan policy S1 states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Local Plan also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity.
- 10.93 Policy S2 requires a Sustainable Design and Construction Statement to be submitted for minor non-residential extensions. The statement should make reference to the minimisation of carbon emissions and aims to secure a pathway to net zero carbon. The statement should also provide an adaptive design strategy to contribute towards circular economy, landscape strategy, water management proposals and information around air quality. Water management proposals should accord with policy S9 and the design of the development should aim for the highest possible part of the drainage hierarchy to enable the capture, recycling and managed disposal of rainwater or supplied water.
- 10.94 Local Plan policy S4 requires development proposals to integrate best practice sustainable design standards in line with the energy hierarchy and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.
- 10.95 Local Plan policy S3 outlines that all non-residential and mixed-use developments proposing between 100sq.m and 500sqm or more net additional floorspace 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.
- 10.96 Policy S5 requires applicants to provide an indication as to the proposed energy infrastructure that may be used for heating and cooling within a proposed development. Policy S6 requires the provision of an indication as to how the building would reduce the potential for overheating and the reliance on air conditioning.
- 10.97 Policy S7 requires development to mitigate or prevent adverse impacts of development on air quality or to mitigate the effect of air quality on the future occupiers of a development, noting that the site is located in an Air Quality Management Area.
- 10.98 Policy S10 requires circular economy principles to be accommodated into the scheme in relation to re-use and recycling of building components and flexibility of use.

- 10.99 The applicant has submitted a Sustainable Design and Construction Statement by Aecom. Following consultee commentary, an updated document was provided by Aecom on 1 December 2023.
- 10.100 The revisions to the SDCS were required to ensure that the proposed development responded acceptably to requirements pertaining to adaptive design strategy, water management and heating/cooling strategy.
- 10.101 The Proposed Development will follow the energy hierarchy by reducing energy demand (be lean), delivering energy efficiently (be clean) and utilising low and zero carbon energy solutions (be green). This will include prioritising a fabric-first passive approach to improve the building envelope, specifying electric low-energy systems, exploring options to use renewable energy and finally implementing energy metering to allow ongoing monitoring and improvement. The energy modelling results provide an estimated primary energy use reduction of more than 58% and an estimated CO₂ emissions reduction of 75%.
- 10.102 The proposed refurbishment and upgrade facilitates an improvement on the existing EPC from Category D to Category A.
- 10.103 At this stage, the application does not demonstrate how it meets the water consumption credits. A BREEAM pre-assessment has been undertaken, while a full BREEAM Refurbishment and Fit Out 2014 assessment will be undertaken with a target of Excellent.
- 10.104 A Low and Zero Carbon (LZC) technology feasibility study has been prepared for of the Proposed Development in accordance with the requirements of Ene 04 credit within BREEAM RFO 2014. An initial, high-level, feasibility analysis concluded that air source heat pumps (ASHP) and solar photovoltaic (PV) panels may be suitable for inclusion on the building, considering the building constraints and likely energy demands.
- 10.105 Other technologies were ruled out for a number of reasons including location constraints (for example WSHP and hydroelectricity which require a local water source), space requirements (i.e., biomass boilers that cannot be accommodated within the building), and immature technology (i.e., fuel cells).
- 10.106 For ASHPs serving space heating and DHW demands, these could generate 392,398 kWh of low carbon heat and could save approximately 58.3 % of annual regulated CO₂ emissions. For 97 m² of roof mounted PV, these could generate 17,332 kWh of zero carbon electricity and could save approximately 3.0 % of annual regulated CO₂ emissions. Therefore, the use of electric ASHPs for space and water heating, as well as for cooling for the Proposed Development. The roof-mounted PV panels would provide a much smaller contribution to carbon dioxide emissions and this technology will not be taken forward to the next stages of the design.

Overheating and cooling

- 10.107 Extreme temperatures are associated with an increased risk of illness and have an immediate effect on health and wellbeing. It is also recognised that measures taken to improve energy efficiency, such as increased airtightness, thermal insulation levels etc. have the potential to result in more instances of overheating in summer. With a changing climate, both under and overheating are an increasing problem in the buildings. The use of robust thermal modelling supports an energy efficient design while also ensuring environmental comfort in-use. This approach is not only to current climatic conditions, but also

to future temperatures which are expected throughout the lifetime of the building, so as to ensure future thermal comfort.

- 10.108 The Proposed Development will seek to mitigate overheating risk, which is set to increase. Measures to be considered include the use of shading to reduce solar gains, optimised building fabric specifications where possible and appropriate ventilation strategies.
- 10.109 As part of the approach to target a BREEAM Excellent rating, credit Hea 04 Thermal comfort has been targeted. This aims to reduce the risk to occupier comfort, health and wellbeing from extreme or unacceptable winter and summer indoor temperatures. Additionally, it provides future proofing of the building to maximise its ability to provide adequate thermal comfort for projected climate change scenarios

Biodiversity

- 10.110 Chapter 15 of the National Planning Policy Framework, policy G6(B) of the London Plan Policy G4 of the Local Plan requires development to achieve bio-diversity net gain and seek opportunities to create new habitats. The Council's Environmental Design SPD states that all schemes should demonstrate that they protect existing site ecology and make the fullest contribution to enhancing biodiversity including by maximising the use of green roofs.
- 10.111 A Preliminary Ecological Assessment (PEA) was carried out in 2023 established that the site had low ecological value, but there were ecologically sensitive receptors within 250m of the site. Through the method of the preparation and adoption of an effective Construction and Environment Management Plan, the development would be able to protect identified habits in the area. The applicants also intend to improve and enhance the existing ecological value of the site. This is to be done through the installation of new bird and bat boxes as well as the enhancement of existing green infrastructure on the site. Given the nature of the site, this is to be undertaken through the provision of planters with biodiverse planting as well as a green roof with a policy compliant varied substrate level of 80-150mm. The green roof plan, strategy and detailing will be secured through a planning condition. It is also proposed to prepare and provide a Landscape Plan. Undertaking these actions will generate up to 4 BREEAM credits. The Landscape Strategy will be secured by planning condition.
- 10.112 The current roofplans do not indicate the proposed presence of PV panels or a blue/green roof. PV panels have been discounted as a renewable energy source due to their limited performance capability compared to Air Source Heat Pumps. A green roof plan will be secured through planning condition.

Adaptive design and circular economy

- 10.113 It is essential to emphasise that this scheme results in the retention of the structure of the buildings in Northburgh Street and Great Sutton Street. The original external facades are retained and exposed and the floor slabs are largely retained, although there is some soft stripping to remove the compartmentalisation of the upper floors. Demolition is therefore limited with 85% of the structure being retained. The building is being delivered to the market in a modular fashion that permits a flexibility of users, potential uses and subsequent demounting with fabrication taking place off site as well. The open plan layout across most floors also supports the flexibility of use.
- 10.114 A pre-demolition audit has taken place with opportunities for re-use and recycling identified. There is limited value in some of this material due to the nature of its original fabrication and removal with a loss of efficiency in some of the removed fabric. A site

waste management plan will be prepared and this will follow the waste hierarchy where prevention of waste is at the top of the hierarchy and disposal is at the bottom.

Air Quality

- 10.115 The site is located in an Air Quality Management Area. The scheme has been designed to achieve air quality neutral. As well as the ventilation and extract statement which provides indications as to the acceptability of the air quality, the applicant has sought to demonstrate that the scheme would meet Building Emissions Benchmarks and Transport Emissions Benchmarks to ensure that emissions, particulates and pollutants are at an acceptable level. The removal of car parking from the building and the use of ASHP units would permit an acceptable suppression of potential pollution of the air quality.

Water management.

- 10.116 The proposed development intends to connect to the existing drainage system and to dispose of surface water using the mains sewer. Rainwater and greywater harvesting have not been included as there are space limitations and no basement extension space to accommodate attenuation measures such as storage. There is no increase in the impermeable surface and no increase in roof plan area. Instead, the scheme seeks to limit its water management impact through controls on water usage and consumption. Water consumption is to be reduced by 40% from the baseline measure. Water metering will ensure that this target is met. Leak detection and flow devices are to be installed to prevent water wastage.

Highways and Transportation

- 10.117 In parallel to the extension at roof level and alterations to the elevations in Great Sutton Street and Northburgh Street, the proposed development would also generate amendments to the traffic and transport infrastructure associated with the development. This includes the re-purposing and re-configuration of the basement by removing the car parking and providing a range of user and building management facilities that supports sustainable transport. Given the removal of vehicular access into the site, the existing splay on the Northburgh Road access will be amended to become more pedestrian friendly.

Cycle Parking:

- 10.118 Provision of secure, sheltered and appropriately located cycle parking facilities is required in accordance with London Plan Policy T5 and the London Cycling Design Standard. For E(g)(i) office floorspace in this location 1No. cycle parking space is required per 75 sqm of floorspace. The building will undergo a substantial refurbishment to bring it back into comprehensive use and this provides the opportunity to redesign and reprovide the cycling and other building user facilities. On this basis, the scheme provides for a larger facility of 66 spaces in double tier format with spaces for 5 larger bikes and 10 additional spaces on a Sheffield Stand. A further 24 cycle spaces will be provided within a separate enclosure for bike lockers.
- 10.119 Based on the London Plan and Local Plan cycle parking standards, 1 space is required per every 75sq.m. 5600sq.m of floorspace generates 76 spaces while 690 sq.m of retail generates 3 additional spaces. Therefore 79 long stay spaces are required. While a further 24 are required for short stay visitor spaces. 81 are nominally provided on site for long stay use with 19% provided as accessible. An additional 24 bike lockers are provided in the basement. 77 cycle hire docking stations are provided within walking distance of the site and a further cycle hire docking station is proposed to be installed on highway land within Goswell Road.

- 10.120 The development is further supplemented by a significant enhancement in the quality of the commuter and end of trip facilities including lockers, showers and toilets.
- 10.121 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:

- 10.122 The application site has a PTAL rating of 6a (excellent) and the development does not propose any onsite parking. The existing 14 space basement car park has been decommissioned and will not be re-used for this purpose.
- 10.123 In accordance with policy T6.2 of the London Plan, and 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:

- 10.124 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.
- 10.125 Refuse and waste would be brought to street level on collection days as guided by the Building Management Strategy and would be collected from the street.

Fire safety

- 10.126 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. All major development proposals should be submitted with a Fire Statement which is an independent fire strategy produced by a suitably qualified assessor.
- 10.127 While this is not a major application, a fire statement has been submitted, prepared by the Fire Surgery in August 2023 in which the Applicant's Fire Safety Engineer has put forward an engineered solution to meet relevant Building Regulations for Fire Safety. For the purposes of compliance with Policy D12(b), it is considered that sufficient information has been provided to demonstrate that the fire safety of the development has been considered at the planning stage. Should there be a need for further alterations of the building to meet building regulations (such as internal rearrangements to accommodate lobbies or the installation of suppression systems) the applicant would need to make further applications or amend this current proposal. Policy compliance is expressed through the following table:

<p>1. The building's construction: methods, products and materials used, including manufacturers' details</p>	<p>The existing and new structure of the building will be comprised of steel and concrete elements. All elements of structure will achieve a minimum load bearing fire resistance of 60 minutes in accordance with BS9999 guidance. Where existing elements of structure will be retained by the project, these will be surveyed and upgraded where necessary to meet the minimum required fire resistance.</p> <p>As the building is under 18m in height when measured in accordance with BS9999 from the fire services access level</p>
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	<p>to the finished floor level of the uppermost occupied storey, the guidance does not require a specific fire performance from the façade materials. In line with good practice, any insulation product and filler material used in the external wall construction will be of limited combustibility (Class A2-s3-d2 or better).</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach</p>	<p>The building is provided with two protected staircores which serve all floors in the building. These are stairs 1 and 2. (Northeast and southeast positions). A third escape stair is provided to serve only the retail unit between the basement and the ground floor (Stair 3). The evacuation of the building will be simultaneous with all parts of the building evacuating at the same time once the alarm has been activated.</p> <p>Stairs 1 and 2 are provided with lobbies at all floors to prevent ingress of fire and smoke. This will allow the stairs to continue to be available throughout the egress of the building, even if there is an ongoing fire on one of the floors.</p> <p>All stairs discharge directly outside at ground floor. Escape capacity of the building is 1392 people above ground and 791 people below ground. The building design capacity is 869 (above ground) and 200 (below ground). Therefore the occupancy is well within capacity requirements.</p> <p>Policy D5 of the London Plan requires the highest standards of accessible and inclusive design to be met. Policy D5(B5) asks that development proposals to be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.</p> <p>In line with guidance, an evacuation lift will be provided to stair core 1 for use for escape.</p> <p>The evacuation lift will be designed in accordance with the requirements of BS 9999, which includes:</p> <ul style="list-style-type: none"> • Back up power supplies to ensure the lift is available if the main power fails, • Controls to allow staff to drive the lift to pick up occupants from other levels during evacuation, • Enclosure with 60 minute fire rated construction, • The evacuation lift serves every floor it passes through, • Lobby protection at all floors to protect the lift from the effects of fire and smoke.

	<p>In addition to the evacuation lift serving stair 1 it is proposed that a platform lift be provided within stair 3 to serve the basement level E1 unit and ground floor office areas. Whilst a platform lift is not typically considered to be compliant for evacuation it will be provided with all the precautions as noted above so that it can be safely used to evacuate mobility impaired occupants from the two floors served.</p> <p>It is not possible within the scope of the refurbishment to provide an evacuation lift serving the existing stair 2 core, which also has stepped access from the ground floor down to final exit level on Northburgh Street which would further limit the usefulness of any such installation. Therefore, the need for manual evacuation can not be completely removed from the building, however, all occupants will have access to the stair 1 lift as their primary means of escape so that lift evacuation is available from all floors and areas of the building.</p> <p>In accordance with BS 9999:2017 guidance, disabled refuges will be provided in each escape stair / stair lobby at each level. Disabled refuges will be 900 mm x 1400 mm in area and provided with an Emergency Voice Communication (EVC) system to BS5839-9 (2011).</p> <p>The proposed design and provision of evacuation lifts is in compliance with the principles of London Plan Policy D5(B5).</p> <p>Evacuation assembly point</p> <p>A suitably sized evacuation assembly point will be identified in an area that can accommodate the building's occupancy. Open public spaces in the area can be used, such as the broad pedestrian pavement areas along Goswell Road. An assembly point location will be chosen in coordination with the management and security requirements for the building, so that a safe, efficient method can be developed to manage a full scale evacuation. This will form part of the Fire Safety Management procedures for the building and an Emergency Evacuation Plan will be developed with the building management team and responsible person as defined under the Regulatory Reform (Fire Safety) Order.</p>
<p>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated</p>	<p>The fire safety strategy for 50-56 Great Sutton Street and 9-11 Northburgh Street relies on a combination of active and passive measures. These are recommended by the guidance documents, with additional measures included as part of a package of fire engineered solutions where necessary or determined as part of the QDR process.</p>

<p>management and maintenance plans</p>	<p>The following outlines the principal fire safety provisions imbedded in the design of the proposed development:</p> <ul style="list-style-type: none"> • A Category L2 automatic fire detection and alarm system coverage to BS 5839-1:2017. • Emergency lighting to be provided to BS 5266-1:2016. • Escape signage provided to escape routes in line with BS 5499-4:2013. • Portable fire extinguishers installed in accordance with BS 5306-3. • A two-way emergency voice communication system complying with BS 5839-9:2021 will be installed in the disabled refuges at each level. • Lifts to be used for evacuation are identified and provided with facilities and controls to be used in case of an emergency. • Protected stairs to be enclosed in 60 minutes fire rated construction and provided with lobbies. • Loadbearing elements of structure protected to a minimum 60 minutes fire resistance. • Compartmentation provided throughout the building to enclose significant fire risks, protect • means of escape and prevent unseen fire spread. • Smoke clearance to assist with firefighting to be provided to Basement Level which will consist of • natural vents achieving not less than 2.5% of the floor area of the compartments served. • Dry fire main designed to BS 9990:2015 to provide water for firefighting in stair 1 at all above • ground floors. • Secondary power supply to life safety systems, in line with BS 8519: 2010.
<p>4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing</p>	<p>Appropriate fire fighting provisions and means of access to and within the proposed building for firefighting personnel will be provided.</p> <p>Good perimeter access is available along Great Sutton Street and Northburgh Street with direct access available to protected escape stairs along either elevation.</p> <p>The primary means of internal firefighting will be using the protected escape stairs. Dry rising fire mains will be provided within stairs 1 and 2 with landing valves provided within the protected lobbies at each floor. Hose laying to all areas will be achievable to within 45m of the landing valves on each floor.</p>

maintenance and monitoring of these	
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building	Vehicle appliance access is provided along Great Sutton Street and Northburgh Street (Figure 4). The site is well provided for by existing street hydrants located on the surrounding road network, with the closest existing hydrant located directly adjacent to the building on Great Sutton Street. Shoreditch Fire Station is located approximately 1 km from the 50-56 Great Sutton Street and 9-11 Northburgh Street site on Old Street.
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	<p>The Fire Surgery were appointed at RIBA Stage 2 to provide fire safety input into the concept design and develop an outline fire strategy was produced to highlight the main concerns and coordinate the design with the team. During Stage 2, this design is being developed to a level that can be used to inform the ongoing design.</p> <p>The Fire Surgery have a continued appointment through RIBA Stage 3 and 4 to further develop and maintain the agreed principles of the fire strategy. Should the project be successful through planning, then The Fire Surgery are likely to be retained for the remainder of RIBA Stage 3 and 4 to complete the design.</p>

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.128 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.129 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.
- 10.130 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:
- Highway works (section 278 agreement)
 - o Amend existing crossover (on Northburgh Street)
 - o Visitor cycle parking on Great Sutton Street

- Conversion of bay into Disabled Parking
- Car Free Development
- Travel Plan
- Construction Practice monitoring

11. SUMMARY AND CONCLUSION

Summary

- 11.1 Planning permission is sought for an extension at roof level across both 50-56 Great Sutton Street and 9-11 Northburgh Street. The proposed development would provide an additional 430sq.m of office floorspace over and above the existing lawful use of both buildings which are in both under the same ownership. The proposed development forms an accumulation of two previous planning permissions which consist of an extension over each building. 50-56 Great Sutton Street has been partially extended at roof level, however this application seeks to extend over virtually all the remaining available roofspace at both properties.
- 11.2 The existing buildings are in use as both retail and office. The existing floorspace within the building is 6,379sq.m comprising of 693sq.m of retail and 5,686sq.m of office. The retail is arranged over ground floor and basement with the retail located entirely in 50-56 Great Sutton Street. Office floorspace within the ground and basement is located entirely at 9-11 Northburgh Street. At 1st to 4th floor, the office is arranged over both buildings, with the fifth floor located at 50-56 Great Sutton Street. The retail unit – now vacant – has a frontage to Great Sutton Street. Access to the office floorspace is gained through an access in Great Sutton Street or through the basement car park accessed in Northburgh Street.
- 11.3 The proposed development proposes an internal alteration to the ground floor layout so that the retail is located entirely within 50-56 Great Sutton Street, occupying the left hand half of the frontage of this building, with the office floorspace occupying the right hand half of the frontage and the rear portion of the ground floor facing on to Northburgh Street.
- 11.4 A single storey low rise set back roof extension would occupy most of the unextended roof plan area and would be used entirely as an extension to the existing office floorspace. The floor area of the proposed extension would be 430sq.m. Overall, the existing building would have an increase in floor area of 433sq.m and the balance between uses would change slightly. The balance between uses would also change with a 411sq.m uplift in office floorspace and 22sq.m uplift in retail floorspace.
- 11.5 The proposed floorspace changes remain within policy compliant levels.
- 11.6 The proposed development also involves substantial change to the Great Sutton Street elevation which has previously been harmed by the application of a metal mesh cladding to the building in the past. The proposed development would re-expose an existing green terrazzo and concrete clad elevation which would constitute a positive contribution to the appearance of the conservation area. Furthermore, on the rear elevation, the scheme would propose the removal of existing paintwork to again expose green terrazzo cladding.
- 11.7 Alterations to the interior of the development at basement level would remove the existing car parking facilities entirely and replace with new cycle parking, new building facilities, storage, showers, WCs and lockers.
- 11.8 The proposed development would introduce height and built form within the interior parts of the roofscape. This will introduce therefore new massing that would be perceptible from the courtyards that are present either side of the building within the streetblock. Some of

the facades that face into the courtyard have windows that serve residential units and habitable rooms. A daylight and sunlight assessment has been carried out. It identifies four buildings that are currently in residential use within close proximity to the site. When assessed against the proposed development, 102 out of 103 windows would remain within BRE guidance for Vertical Sky Component (VSC), 63 out of 67 rooms would remain within guidelines for No Skyline (NSL) and 35 out of 36 qualifying windows would remain within guidelines for the Annual Probable Sunlight Hours (APSH).

- 11.9 The proposed development would only generate an additional 10 two way trips across all mods, with the majority being made through either underground or train. A construction logistics plan has been submitted with the planning application. This appraises the constrained access routing expressed through then arrow street network, but also sets out three principal access and egress routes for construction traffic that mainly use Clerkenwell Road, Goswell Road and Old Street.
- 11.10 The proposed development constitutes the retention of the existing building, and involves very limited demolition. The submitted Sustainable Design and Construction Statement envisages an energy use reduction of 58% and an estimated emissions reduction of 75%. It is proposed to achieve an EPC level of A and a BREEAM Refurbishment and fit out rating of Excellent for the office floorspace.
- 11.11 A short legal agreement is proposed that seeks alterations to the local highway network (Section 278 agreement) and that the development should be car-free, be supported by a Travel Plan and Construction Practice monitoring.

Conclusion

- 11.12 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details 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.

- Highway works (section 278 agreement)
 - o Amend existing crossover (on Northburgh Street).
 - o Visitor cycle parking on Goswell Road
 - o Conversion of bay into Disabled Parking
- Car Free Development
- Travel Plan
- Construction Practice monitoring

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement</p> <p>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>The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>13715-A-LZZ-A00-001; 13715-A-B01-01-099; 13715-A-L00-01-100; 13715-A-L01-01-101; 13715-A-L02-01-102; 13715-A-L03-01-103; 13715-A-L04-01-104; 13715-A-L05-01-105; 13715-A-LRF-01-106; 13715-A-LZZ-01-200 rev A; 13715-A-LZZ-01-201; 13715-A-LZZ-01-202; 13715-A-LZZ-01-300; 13715-A-B01-02-099; 13715-A-L00-02-100; 13715-A-L01-02-101; 13715-A-L02-02-102; 13715-A-L03-02-103; 13715-A-L04-02-104; 13715-A-L05-02-105; 1.715-A-LRF-02-106; 13715-A-B01-03-099 rev A; 13715-A-L00-03-100 rev A; 13715-A-L01-03-101; 13715-A-L02-102; 13715-A-L05-03-105; 13715-A-LRF-03-106; 13715-A-LXX-04-300 rev A; 13715-A-LXX-04-301 rev B; 13715-A-LXX-05-200 rev A; 13715-A-LXX-05-201 rev B; Sustainable Design and Construction Statement (AECOM - September 2023); BREEAM 2014 Ecology Pre-Assessment (AECOM - August 2023); Outline Construction Logistics Plan (Caneparo Associates - August 2023); Daylight and Sunlight Report (GIA - August 2023); Design and Access Statement (Piercy & Company - August 2023); Fire Statement (The Fire Surgery - August 2023); Framework Travel Plan (Caneparo Associates - August 2023); Heritage Statement (The Townscape Consultancy - August 2023); External noise survey report (AECOM - August 2023); Planning Statement (DP9 - August 2023); Transport Statement (Caneparo Associates - August 2023); Ventilation Extraction Statement (AECOM - August 2023); CA4988_CT002 -Proposed Construction Layout; CA4988_CT003 - Construction Swept Path Analysis</p>
3	<p>Materials</p> <p>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) Brick slips (including colour, texture and method of application); b) window treatment (including sections and reveals); c) roofing materials; d) final details and materials for acoustic louvres; e) Any other materials to be used. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. <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 standards</p>
4	<p>Construction management</p> <p>No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
5	<p>Noise</p> <p>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: For the protection of neighbouring amenity</p>
6	<p>Timers</p> <p>Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of condenser units to between the hours of 08:00 to 20:00 each day only. The condenser units shall not be operated outside of these hours. The timer shall be maintained as such thereafter.</p> <p>REASON: For the protection of neighbouring amenity</p>
7	<p>Cycle parking</p> <p>The bicycle storage area(s) hereby approved, shall be provided prior to the first occupation of the development hereby approved as shown on drawing no. 13715-A-B01-03-099 rev 0; and maintained as such thereafter into perpetuity.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
8	<p>Highways reinstatement</p> <p>The office space hereby approved shall not be occupied until the crossover immediately situated to the north east of the site has been removed and the pavement has been reinstated pursuant to an agreement with the local highway authority under Section 278 of the Highways Act 1980.</p> <p>REASON: In the interests of ensuring the redundant feature to the street scene as a direct result of the development is removed and the highway reinstated.</p>

9	<p>Dropped kerb (S278) (Compliance)</p> <p>The office space hereby approved shall not be occupied until a dropped kerb has been completed in to enable suitable refuse and recycling collection in accordance with Section 278 of the Highways Act 1980.</p> <p>REASON: In the interests of ensuring safe access onto the highway for refuse collection.</p>
10	<p>Details of internal lighting</p> <p>Details of measures to adequately mitigate light pollution from any areas of glazing within the 5th floor roof extension hereby approved the approved roof extension shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development. These measures could 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. The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter into perpetuity. <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
11	<p>Perforated rain screens</p> <p>The areas of perforated screening shown on plan nos 13715-A-L00-A02-200 and 137515-A-L00-05-201 and in the design and access statement at the north, east and west elevations shall be installed prior to occupation of the development hereby approved and maintained thereafter for the perpetuity of the development</p> <p>REASON: For the protection of neighbouring amenity.</p>
12	<p>Class E office use only</p> <p>The areas of office floorspace hereby approved and shown on drawings 13715-A-B01-03-099 rev A; 13715-A-L00-03-100 rev A; 13715-A-L01-03-101 rev 0; 13715-A-L02-03-102 rev 0 and 13715-A-L05-03-105 rev 0 shall only be used as an office and for no other use within the E Use Class of the Town and Country Planning (Use Classes) Regulations 2020 as amended for duration that this is in use.</p> <p>REASON: To ensure that office floorspace within the Central Activities Zone is not reduced in the future in accordance with policy CS13 of the Islington Core Strategy and policies DM5.1 and DM5.2 of the Islington Development Management Policies 2013.</p>
13	<p>Class E to residential provision</p> <p>Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without obtaining the express planning permission from the Local Planning Authority.</p>

	<p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office and commercial floorspace in this location. Loss of commercial floorspace within this location will have potential negative impacts on the borough's economy.</p>
14	<p>Flat roof use as an amenity terrace</p> <p>The northern flat roof area shown on plan no. 13715-A-L50-03-105 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 outside of the areas of 0800 - 2000.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>
15	<p>Secured by design</p> <p>CONDITION: Prior to the commencement of occupation, evidence should be submitted to and approved by the Local Planning Authority that the development achieves Secured by Design accreditation. The development shall be carried out strictly in accordance with the details set out in the accreditation and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
16	<p>Lifts</p> <p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
17	<p>Noise verification</p> <p>A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 5. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter."</p> <p>REASON: For the protection of neighbouring amenity</p>
18	<p>Inclusive design</p> <p>Details including floorplans, sections, and elevations at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any part of the development hereby approved. The details shall include how the development would comply with the relevant parts of the Inclusive Design in Islington SPD, and shall include:</p>

	<ul style="list-style-type: none"> - Details of gas-assisted two-tier storage to be installed whenever two-tier storage is provided. - Audio-video entry phones at the Great Sutton St entrance and at the top of the cycle ramp, connecting to the office reception, in line with the Inclusive Design in Islington SPD. - Details of all ramps and stairs suggested, including materials, handrails, guarding, and lighting details. - Stepped and ramped routes through the Great Sutton Street office reception - Details of an accessible toilet provision at the Class E unit, provided in line with the Inclusive Design in Islington SPD. - Details of accessible drop off point in proximity to the office reception providing dropped kerbs and wheelchair transfer space in line with the Inclusive Design in Islington SPD. <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 facilitate and promote inclusive and sustainable development</p>
19	Green roofs
	<p>GREEN ROOFS: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the relevant part. The green roofs shall:</p> <ul style="list-style-type: none"> - Form biodiversity-based roofs with extensive substrate bases (depth 80-150mm); - Cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and - Be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works. <p>An explanation as to why any areas of roof would not be covered with green roofs shall be included with the above details. Green roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</p> <p>No roofs, including the green roofs, shall 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 development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced.</p>
20	Landscape strategy
	A landscaping scheme shall be submitted to and

	<p>approved in writing by the Local Planning Authority prior to commencement of relevant works on site.</p> <p>The landscaping scheme shall include the following details:</p> <p>a) proposed shrubs and associated planters: their location, species and size; b) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails and hedges; c) landscaping details of the open roof terraces including mitigation against any potential wind impacts; and d) 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 shall have a two year maintenance/watering provision following planting and any planting 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 thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
21	BREEAM
	<p>CONDITION: Evidence confirming that the development achieves a BREEAM RFO rating (2014) of no less than 'Excellent' shall be submitted to and approved in writing by the Local Planning Authority. The evidence shall be provided in the following formats and at the following times:</p> <p>a) a design stage assessment, supported by relevant BRE interim certificate(s), shall be submitted at pre-construction stage prior to commencement of the relevant works on site; and</p> <p>b) a post-construction assessment, supported by relevant BRE accreditation certificate(s), shall be submitted following the practical completion of the development and prior to the first occupation.</p> <p>The development shall be carried out strictly in accordance with the details so approved and achieve the agreed rating(s). The development shall be maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
22	Obscure glazing
	<p>Notwithstanding the approved plans and the design and access statement, the obscure glazing panels to the side (East and West) elevations shall be maintained for the perpetuity of the development.</p> <p>REASON: To protect neighbouring amenity.</p>

List of Informatives:

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk . The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Car-Free Development
	INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
5	Advertisement Controls
	The applicant is advised that fascia signage will require advertisement consent which shall be applied for separately.
6	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development.

	Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Thames Water 1
	With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes
8	Thames Water 2
	If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater .
9	Thames Water 3
	On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
10	Alterations to the highway
	Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer. All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

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

A) The London Plan 2021

GG2 – Making the best use of land	HC1 – Heritage, conservation and growth
GG5 – Growing a good economy	G5 – urban greening
SD4 – The Central Activities Zone (CAZ)	SI1 – improving air quality
SD5 – Offices, other strategic functions and residential development in the CAZ	SI2 – Minimising greenhouse gas emissions
D4 – Delivering good design	SI3 – Energy infrastructure
D5 – Inclusive design	SI4 – Managing heat risk
D12 – Fire safety	SI7 – Reducing waste and supporting the circular economy
D14 – Noise	SI13 – sustainable drainage
E1 – Offices	T5 – cycling
E2 – Providing suitable business space	T6 – car parking
E9 – Retail, markets and hot food takeaways	

B) Islington Local Plan 2023

PLAN1 – Site appraisal, design principles and process	S3 – Sustainable design standards
SP1 – Bunhill and Clerkenwell	S4 – Minimising greenhouse gas emissions
B1 – Delivering business floorspace	S5 – Energy infrastructure
B2 – New business floorspace	S6 – Managing heat risk
B3 – Existing business floorspace	S7 – Improving air quality
R1 – Retail, leisure and services, culture and visitor accommodation	S9 – Integrated water management and sustainable drainage
R3 – Islington’s retail hierarchy	T3 – Car free development
R5 – Dispersed retail and leisure uses	T4 – Public realm
G1 – Green infrastructure	T5 – Delivery, servicing and construction.
G4 – Biodiversity, landscape design and trees.	DH2 – Heritage Assets
S1 – Delivering sustainable design	DH7 – Shopfronts
	ST2 - Waste

S2 – Sustainable design and construction

C) Finsbury Local Plan (Bunhill and Clerkenwell Area Action Plan) September 2023

- AAP1 – Prioritising office use
- AAP2 – Culture, retail and leisure use.
- AAP8 – Historic Clerkenwell

4. Planning Advice Note/Planning Brief

Not applicable

5. Designations

The site has the following designations under the London Plan 2023, Islington Local Plan 2023, and Finsbury Local Plan 2023

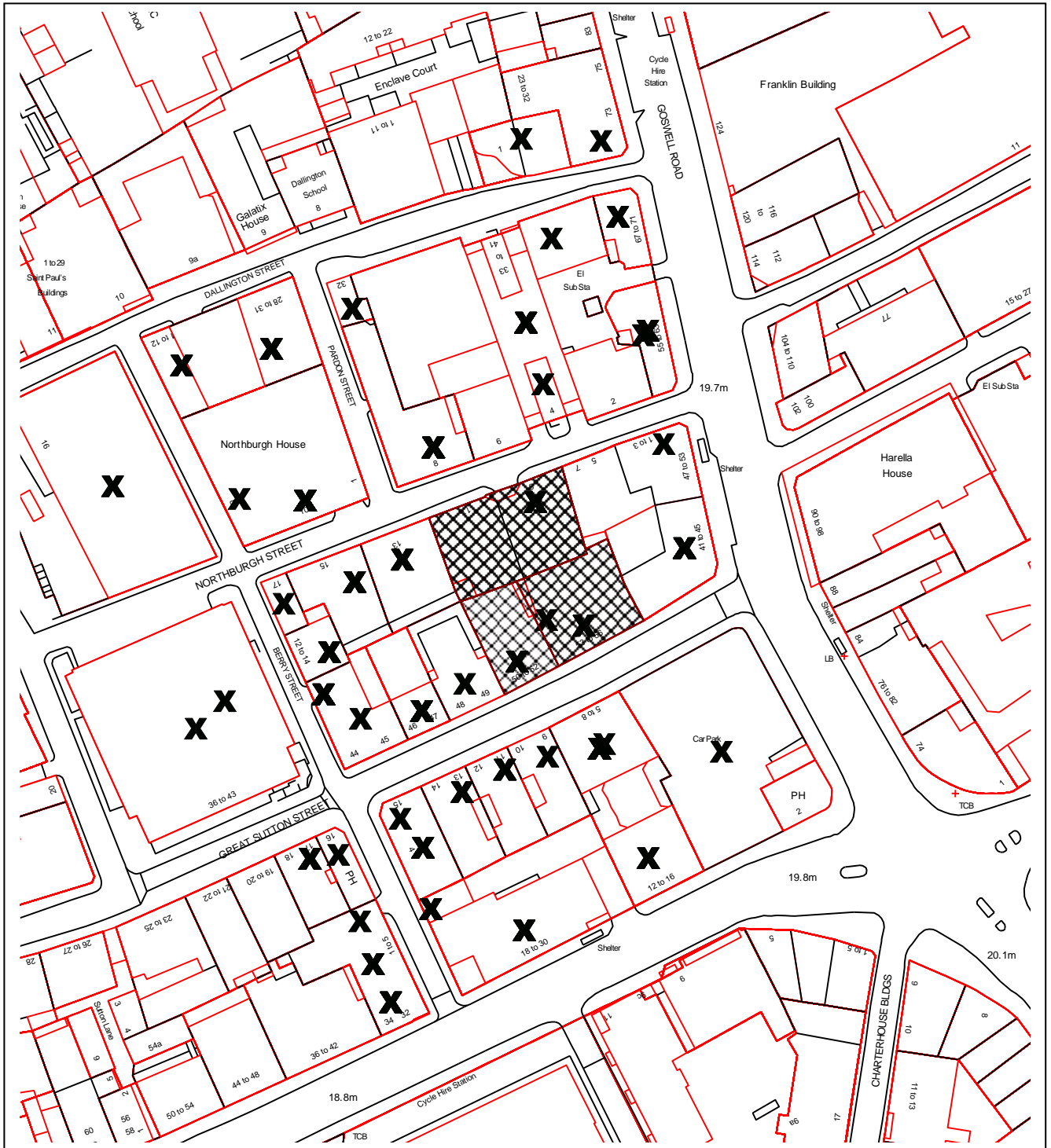
- Hat and Feathers Conservation Area
- CAZ
- Employment Priority area

6.

The following SPGs and/or SPDs are relevant:

- | Islington Local Development Plan | London Plan |
|---|--|
| <ul style="list-style-type: none">- Conservation Area Design Guidelines- Inclusive Landscape Design- Planning Obligations and S106- Urban Design Guide | <ul style="list-style-type: none">- Accessible London: Achieving and Inclusive Environment- Sustainable Design & Construction |

Islington SE GIS Print Template



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P2023/2609/FUL

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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:	12 th December 2023	

Application number	P2023/2365/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	N/A
Conservation area	Clerkenwell Green
Development Plan Context	Central Activity Zone; Bunhill & Clerkenwell (Finsbury Local Plan); Employment Priority Area, Private Open Space, Archaeological Priority Area, Crossrail Safeguarding Area
Licensing Implications	N/A
Site Address	Land & Access Ways Rear of 13-27 Cowcross Street London EC1
Proposal	Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week (Temporary Planning permission previously granted P2020/1687/FUL and amended under P2022/4267/S73). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only.

Case Officer	Ross Harvey
Applicant	Newsteer
Agent	Newsteer

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)

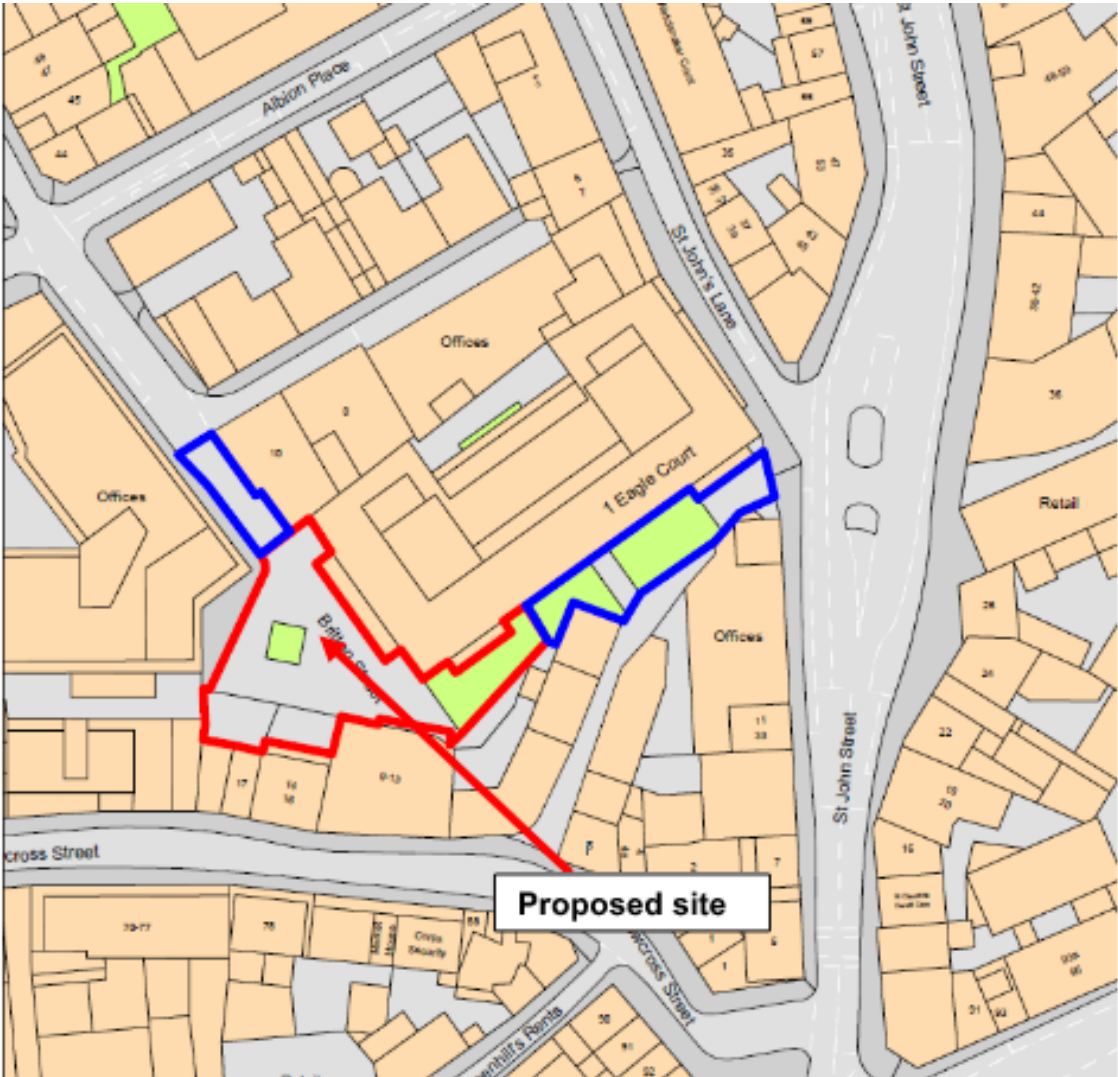


Image 1: Site Plan

3. PHOTOS OF SITE

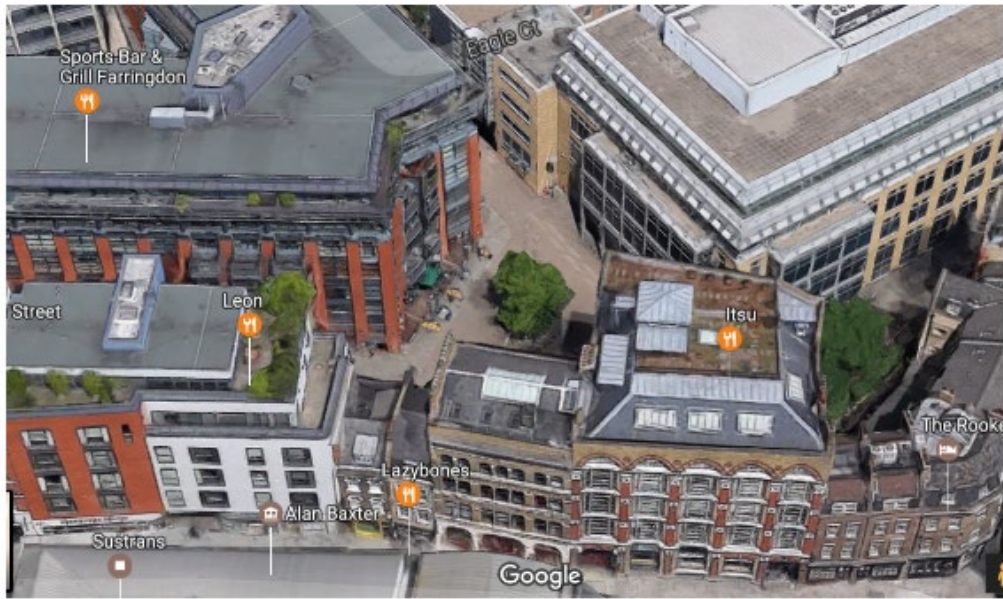


Image 2: Aerial view



Image 3: View of the Market taken from the edge of Briton Street



Image 4: View of private open plaza from rear of 13-27 Cowcross Street

4. SUMMARY

- 4.1 Planning permission is sought to continue the temporary use of the external plaza area for a food market of up to a maximum of 13 stalls for a (maximum) of 3 days per week for a period of three years. The market would operate on Tuesdays, Wednesdays and Thursdays between 9.00am and 4.00pm with food cooked and served between 11.00am and 2.30pm only.
- 4.2 The application submitted is a resubmission of three previously approved temporary consents which allowed for the operation of the market for a maximum period of 3 years (ref: P2020/1687/FUL) and 2 years (ref: P2019/1744/FUL & P2016/3449/FUL). The current submission is similar in layout/number of stalls to the two previous applications and seeks to continue the use of the plaza area as a market for a further period of up to 3 years.
- 4.3 The application is presented to committee due to the number of objections received raising material planning issues. During the consultation, a total of 12 objections were received. The main issues highlighted include noise, disturbance, smells, hours of operation and parking issues. A summary of the objections raised is highlighted in Section 7 of this report. The use and overall layout would be acceptable in principle and would not impact on the character and appearance of the conservation area or the setting of surrounding listed buildings.
- 4.4 No objections have been received from the Council's Street Trading; Environmental Health; Refuse Control' or Pollution Control Teams. The use is considered conducive to the central location and subject to conditions relating to the control of hours and intensity of use, the proposal would not prejudice the residential amenity of the neighbouring properties insofar as undue noise or disturbance and would comply with policy PLAN1 of the Islington Strategic and Development Management Policies.
- 4.5 A temporary period of 3 years has been sought by the applicant. The previous permission had given a 3-year consent subject to an operational management plan which was secured by condition requiring compliance with the details approved. Prior to the previous application, a 2 year consent had been granted to allow the monitoring of the market to ensure it can operate without significantly impacting the amenities of neighbouring properties. As no significant concerns have been identified by internal/external consultees during the consultation period

and from the previous two-year operational period, officers consider that a further 3-year temporary consent is considered reasonable in this instance.

- 4.6 The proposal is considered acceptable subject to suitable conditions as set out in Appendix 2 and it is recommended that the application be approved.

5. SITE AND SURROUNDING

- 5.1 The application site is situated to the rear of Nos. 13-27 Cowcross Street and comprises a small triangular shaped open plaza approximately (800sqm in size) which serves as both a private open space and throughway from Britton Street (north-west) to Peter's Lane (north east). White Horse Alley connects the site from Cowcross Street (south) towards the north east where it intersects with the laneways of St.Peter's and St John's Lane at the junction with St John Street.
- 5.2 The area is a mixture of uses including office buildings, retail, restaurants and public houses. The nearest residential units are situated with the complex known as City Pavillion at 33 Britton Street which leads onto the open space. Further residential units are situated at 8-10 Eagle Court and Zinc House (19-25 Cowcross Street).
- 5.3 The site is within the Central Activity Zone and is also an Employment Priority Area. It lies within Clerkenwell Green Conservation Area with several Grade II Listed Buildings situated within the immediate area including Nos 9-13, 14-16 and 27-27 Cowcross Street. The area is also an Archaeological Priority Area and Crossrail Safeguarding Area

6. PROPOSAL (in Detail)

- 6.1 The proposal seeks planning permission to use the external plaza area known as Cowcross Estate for a food market for a maximum of 3 days a week – Tuesdays, Wednesdays and Thursdays only. This application is for a continuation of the temporary 2-year consent granted in 2017, which was renewed in 2019.
- 6.2 The market would continue to operate a maximum of 13 stalls with the market operating between 9.00am and 4.00pm each permitted day. As previously agreed, the cooking of food would take place between 11.00am and 2.30pm only. The applicant does, however, seek to serve cold drinks and heated food outside the cooking times to allow customers to use the market earlier and later in the day.
- 6.3 The market will be run by a specialist food operator (Urban Food Fest) under the same restrictions and conditions as the existing market.
- 6.4 Each stall would measure 3m x 3m (where a gazebo is proposed) or between 6m long x 2m width (where a vehicle is proposed) and would be positioned to maintain the throughway access between Britton Street, White Horse Alley and Peters Lane. In terms of servicing, unloading and loading will be available Britton Street, Peter's Lane (St John's Lane) and Cowcross Street entrances, subject to available kerbside space for a light panel van to park. It is proposed that each stall would take 20 minutes to unload and load with a maximum of 4 vans unloading at a time.

7. RELEVANT HISTORY:

Planning Applications

- 7.1 **P2022/4267/S73** - Section 73 application to vary the wording of Conditions 2 (Drawing & Document Numbers), 5 (Stall Layouts), 7 (Entrance and Circulation of Vehicles), and 9 (Market Operational Management Plan) of planning consent ref dated: P2020/1687/FUL dated

12/05/2021, for 'Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week for a further 3 years. (Temporary Planning permission previously granted P2019/1744/FUL 01/08/19). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only'. The amendments proposed the changing of the market operator, and changes to stall layouts which will require changes to vehicle tracking movements. **(Granted 08/02/2023)**

- 7.2 **P2021/2726/AOD** - Approval of details pursuant to Condition 7 (vehicle entrance and circulation details) of planning permission Ref:P2020/1687/FUL dated 12/05/2021 for 'Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week for a further 3 years. (Temporary Planning permission previously granted P2019/1744/FUL 01/08/19). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only'. **(Granted 10/11/2021)**
- 7.3 **P2020/1687/FUL** - Continuation of the use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week for a further 3 years. (Temporary Planning permission previously granted P2019/1744/FUL 01/08/19). The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only. **(Granted 12/05/2021)**
- 7.4 **P2020/1390/FUL & P2020/1431/LBC** - Routing of power cable from Denmark House in to Cowcross Yard and the installation of 7 no. in-ground power sockets **(Granted 05/05/2021)**
- 7.5 **P2020/1143/FUL** - Proposed replacement permanent public seating **(Granted 21/10/2020)**
- 7.6 **P2020/1142/FUL** - Proposed lighting installations within alleyways between 18 - 19 and 19 - 25 Cowcross Street **(Granted 03/07/2020)**
- 7.7 **P2020/1141/ADV** - Advert Consent for the display of 2 X non-illuminated fascia signs fronting Cowcross Street, 1 X free standing non-illuminated gantry sign and 1no. non-illuminated wall mounted sign **(Granted 21/10/2020)**
- 7.8 **P2019/1868/FUL & P2019/2884/LBC** - Installation of 10no. lighting frames within alley between 9-13 and 14-16 Cowcross Street and the installation of 2no. anchor plates along the rear elevation of 14-16 Cowcross Street **(Granted 10/03/2020)**
- 7.9 **P2019/0983/ADV & P2019/1119/LBC** - Wall to rear or 14-16 Cowcross Street Advertising mural applied to existing rear boundary walls of the properties at nos. 14-16, 17 and 18 Cowcross Street. The mural would front the White Horse Alley **(Granted 17/10/2019)**
- 7.10 **P2019/0747/FUL** - Public seating consisting of three groups of multi-coloured timber box structures **(Withdrawn by the Applicant)**
- 7.11 **P2016/3449/FUL** Use of the external plaza area for a food market of up to 13 stalls for a maximum of 3 days per week. The market would operate Tuesday, Wednesday and Thursdays between 9am and 4.00pm with food cooked and served between 11am and 2.30pm only. **(Granted 07/07/2017).**

Enforcement

- 7.12 **E/2020/004** Breach of conditions 2 & 5 of planning application reference P2019/1744/FUL. **Completed 22/06/2020**

7.13 **E/2019/032** More stalls than 4 being set up at any one time in breach of condition (4) and breaches of conditions (6) and (8) of P2019/1744/FUL. **Completed 25/11/2019.**

7.14 **E/2022/018** Change of operator of market and use of vans in breach of planning permission P2020/1687/FUL. **Completed 25/10/2023**

Officer Comment: Planning Enforcement Comments provided below with regards to the closed enforcement cases

CONSULTATION

Public Consultation

7.15 Letters were sent to occupants of **288** adjoining and nearby properties on Britton Street, St John's Lane, Cowcross Street and Eagle Court on 03/09/2023. A site notice and press advert were also displayed on 07/09/2023. The public consultation period expired on 01/10/2023. At the time of writing this report a total of 12no. objections had been received from the public with regards to the application. The following issues were raised:

- Larger vehicles will dominate and enclose the existing open space (**paras 9.10 to 9.16**)
- Operators do not abide by current conditions and are noisy and cook before 11am (**paras 9.22 to 9.25**)
- Waste and rubbish left behind (**paras 9.34 to 9.38**)
- Additional social nuisance (**paras 9.41 to 9.47**)
- Larger vehicles will omit greater levels of noise and odour (**paras 9.44 to 9.47**)
- Lack of improved street lighting (**officer note: the market operation is predominantly limited to daylight hours. The lack of improved lighting is therefore not considered a reason to withhold planning permission in this instance**)

Internal Consultees

7.16 Acoustics Officer: The market has been operating for some time at this location. There was one previous complaint in relation to an office affected by vehicle exhausts/generators placed over air vents back in February 2020 which was resolved. There are no noise complaints listed. No objections from the EPPP team.

7.17 Highways Officer: No objections.

7.18 Inclusive Design: Generally supportive. Any additional gazebos, sitting areas, possibly toilets, barriers, bins. The main focus here is limiting street clutter, pavement trip hazards and providing an environment safe to people who wheel as well as residents with low vision (*Officer Note: Additional items not part of the planning application*).

7.19 Environmental Health: No objections. Sought clarification regarding the water source in the market and whether traders had to bring their own. (*Officer Comment: the Market Operational Management Plan submitted with the application confirmed that there will be a water supply on site, however, all traders will be responsible for bringing a supply of water as per their requirements*)

7.20 Inclusive Economy: No objections.

External Consultees

7.21 The Rookery Hotel: Object to stalls 9 and 10 which appear to the front of the rear access to the hotel which is used for wheelchair access and fire evacuation. Concerns also raised regarding odour from food stalls and their impact on hotel rooms. **(Officer Note: Two stalls are proposed adjacent to the rear ramp to the rookery hotel. Their positioning will not block access nor impede visibility of the ramp and therefore no objections are raised).**

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 Strategic and Development Management Policies (SDMP) 2023, Bunhill and Clerkenwell AAP 2023 and Site Allocations 2023. 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.

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design & Conservation
- Operation Management and Transport Issues
- Neighbour Amenity
- Other Issues

Land Use

- 9.2 The proposal is situated to the rear of Cowcross Street and comprises a private plaza that is also used as a pedestrian thoroughway. The thoroughway links pedestrians across the plaza from Britton Street via Horse Lane Alley onto Cowcross Street and from St Johns Lane/Peter's Lane onto St. John Street. The plaza site is surrounded by a mixture of commercial/residential and office buildings that enclose the site and protects the space from the busier routes of Cowcross Street to the south and St Johns Street situated to the north east.
- 9.3 Policy E9 of the London Plan 2021 deals specifically with retail, markets and hot food takeaway. Under part C (5) of this policy, it states '...support London's markets in their full variety, including street markets, covered markets, specialist and farmers' markets, complementing other measures to improve their management, enhance their offer and contribute to local identity and the vitality of town centres and the Central Activities Zone'.
- 9.4 The Council's local policies are also supportive of markets that continue to provide additional retail/service function within the Central Activities Zone. Street markets add to the character of local areas. Strategic and Development Management Policy R7 is specific to markets and specialists shopping areas. It states that the council will seek to maintain, and support the enhancement of, existing markets within the borough. This is also supported by policy SP1 (Bunhill and Clerkenwell) of the Strategic and Development Management Plan which notes the areas rich variety of cultural, entertainment and leisure uses. These uses are integral to supporting the predominant office-led employment function of the area, but they also contribute to a significant night-time economy and the creation of a dynamic and attractive place in their own right which encourages tourist related development that promotes visitor economy..
- 9.5 The subject space is privately owned and situated in an area of Clerkenwell that has historic links to market activity. Currently the space is used by both local residents who live in the

buildings nearby including City Pavillion, 8-10 Eagle Court and Zinc House (19-25 Cowcross Street) and office workers who work locally. The space remains an important private open space to those who reside and work in the area. The proposal would continue to maintain the space as an amenity area and whilst also providing a commercial activity for a limited period within the week. The layout of the stalls ensures the central plaza remains uninterrupted and this space would remain available as an amenity area. The proposed market would operate a maximum of 3 days a week between the hours 9am and 4pm. This is considered acceptable in terms of days and hours of operation given its location within the Central Activity Zone and within an Employment Priority Area. It must also be noted that the market would not operate at the weekends and the space will function entirely as a private open space to local residents and visitors to the area.

- 9.6 The market as proposed generally complies with both London Plan (2021) and local plan policies. The proposal provides an opportunity to improve pedestrian use by local residents, workers, tourists and visitors to the area through providing greater active use to the space. It would add a secondary commercial function in a safe and secure area which provides a wider choice of food to visitors and people who live, work and study in the borough and is consistent with Policies R7 and SP1 of the adopted SDMP 2023.
- 9.7 The site is also situated to the rear of Cowcross Street. Historically, Cowcross Street evolved as a market area over the centuries. It is noted in the British History Online (BHO) that as well as Smithfield Market, which was in existence by 1123, there was a separate cow market which Cowcross Street is named after. Whilst this application relates to a food market to the rear of Cowcross Street, Officers do note the links to activities that took place and helped create the sense of place in the area. Creating spaces and markets which have some connections to the historic past and also enable to support the retail and tourist function in the area.
- 9.8 The site's unique location within a private plaza connected by several historic lanes represents an opportunity to provide an additional commercial function that contributes to providing a range of goods and services for the people who live, work and study in the borough as set out in SP1 of the SDMP 2023. The strategic layout along the periphery of the plaza also ensure that the space can be maintained as an area of relaxation and ensure that pedestrian traffic is unaffected.
- 9.9 The market would seek to operate on set days with limited hours for cooking and operation. It would operate on 3 days of the week (Tuesday, Wednesday and Thursday's) with the space returned to a plaza outside of these hours/days. The principle of the use is considered acceptable subject to a temporary consent.

Design and Conservation

- 9.10 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.
- 9.11 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.
- 9.12 Part A of Policy DH1 of Islington's SDMP 2023 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.

- 9.13 Policy DH2 of Islington's SDMP 2023 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.
- 9.14 As noted the site is situated within Clerkenwell Green Conservation Area which has a special character and appearance which stems from its mix of uses, its architecture and its history. The fabric of the area derives from incremental development from Norman times. The Clerkenwell Green Guidance identifies Clerkenwell/Smithfield as a special area, which merits a special level of protection.
- 9.15 Paragraph 1.6 of the conservation area guidance highlights specialist craft and light industrial workshops are traditional to Clerkenwell. Other uses synonymous with the area historically include retail, showroom, eating and drinking, residential, educational, community and museum uses which all contribute to the areas variety and vitality. The inclusion of a food market would therefore correlate with the range of historic uses in the area. As already noted, markets have historically been present within this area as far back as the 12th Century.
- 9.16 The Ordnance Survey map below taken from British Historic Online shows the intersection of Turnmill Street and Cowcross Street and describes this area as a lively thoroughfare within proximity of Farringdon Station (British History Online). The historic paper further discusses how Cowcross Street and Turnmill Street historically formed a single important route north from the City and became a narrow and thoroughfare largely due to market or commercial activity that took place on its route. As discussed in para 9.9, a cow market operated at the junction of St John Street, Cowcross Street. Both Cowcross and Turnmill Streets were used for driving animals in connection with this market. The surrounding laneways and streets would have contributed to the markets functioning as it evolved.

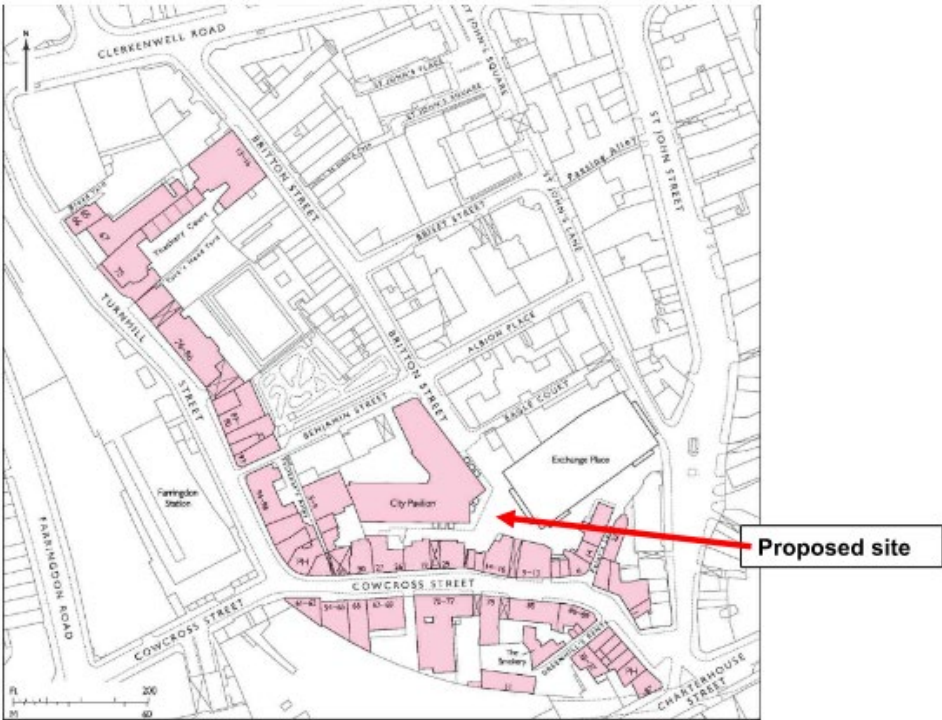


Image 5: Cowcross Street/St Johns Street and Turnmill Street historically an important route north from the City and location of cow market as far back as 12th Century taken from British History Online <https://www.british-history.ac.uk/survey-london/vol46/pp182-202>

- 9.17 From the map above, it shows the proximity of the proposed site to the junctions of Cowcross/St John and Turnmill Street where a cow market and droving of animals were once a fundamental part of the fabric. Although the current application relates to a food market, given that markets have been engrained in the fabric of this area, the proposal is welcomed as it provides a historic link to the activities that once dominated the area.
- 9.18 Under the proposals, the same number of market stall plots have been proposed as previously approved. The stalls would be a combination of the same gazebo-type structures with open-sides (as per the previous approvals), as well as vehicle 'stalls'. The Design and Conservation Officer has been consulted and has noted that whilst the layout of market stalls would change, they would be contained to the same area of open court 'plaza' and therefore they have not objected to the application.
- 9.19 The market would comprise 13 stalls each measuring 3m by 3m (where a gazebo is proposed) or between 6m long x 2m width (where a vehicle is proposed) and would be situated along the perimeter of the plaza thereby reducing the impact on other pedestrians using the space. The application has not specified the precise mix of gazebos and trucks allowing flexibility to market stall operators.
- 9.20 It is noted that the site was originally an enclosed court of buildings. Although it has been redeveloped as a more open space it still retains a courtyard appearance and a commercial atmosphere, for which a modest market use would not be inappropriate in terms of heritage and design. There would be no permanent alteration to the urban fabric of the site under this application. The only physical element of the application relates to temporary tents or vans for the temporary market stalls. Given the historic usage of the area for commercial activity and markets, it would not harm the character of the conservation area. The temporary of the structures would also not impact on the setting of the nearby listed buildings (9-13,14-16 and 27-27 Cowcross Street).
- 9.21 In conclusion, the proposal is considered to preserve the visual appearance and historic character of the area whilst also re-establishing historic ties to the areas past as a market place. It would contribute to the special character and appearance of the conservation area, which stems from its mix of uses and as such preserves the associated heritage assets, including the wider Clerkenwell Green Conservation Area and the setting of the Grade II Listed Building, complying with the design advice within the Urban Design Guide (2017) and Clerkenwell Green Conservation Area Design Guidelines. It is therefore considered acceptable in design and heritage terms, and compliant with the design policies within the Development Plan.

In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving or enhancing the character or appearance of the adjacent conservation area. The proposal is not considered to cause harm to the character nor the appearance of the conservation area as no external alterations are proposed.

Operational Management and Transportation Issues

Operating and Cooking Times

- 9.22 The market would operate from 09.00am and finish at 4.00pm on Tuesday, Wednesday and Thursdays weekly. In order to limit the impact on the surrounding residents, offices and other commercial buildings, the hours in which food would be cooked would remain between 11.00am

and 2.30pm. The application seeks to alter the times in which food is served (outside cooking times) to allow customers to use the market earlier and later in the day without having the impact of cooking smells. The Council's Environmental Health Team have been consulted and have raised no objections to the proposal.

- 9.23 A condition was recommended during P2019/1744/FUL requiring that the water supply must be of drinking water quality and the water supply must be adequately maintained by appropriate persons to ensure the principles of water supply hygiene are adhered to. The same condition was attached to P2020/1687/FUL and will be recommended as part of the current application also.
- 9.24 Whilst Officer's note concerns raised regarding smells from cooking and hours of operation, given that this would largely take place between the normal lunch hours, it is considered insufficient reasoning to warrant a refusal in this instance. The smells associated with the cooking of food are considered acceptable due to the limited time period (3 ½ hours) and the location within an open air space.
- 9.25 Outside of these hours (9am-11am & 2.30pm-4pm), in addition to sales, the market stalls would undertake preparation, serving of food and cleaning/removal of equipment. This timeframe is considered appropriate and would not have an unacceptable impact on the surrounding properties.

Site Setup/Transport Issues

- 9.26 In terms of site set up, the applicant has confirmed that there would be a Site Supervisor on-site at all times to supervise activity. The stalls are positioned along the perimeter of the plaza, which ensures that limited disruption would be caused to passing pedestrians during peak hours of movement in the morning and evening times. The setting up process would take approximately 20 minutes per trader with each stallholder carrying their equipment on a trolley.
- 9.27 The applicant has provided a Transport Statement that examines the traffic and transportation impacts associated with the proposals. Within the statement, it highlights that the site has good pedestrian links and an established network of footways that provide access to nearby facilities including Farringdon Station. The aerial photograph below (Image 6) identifies the pedestrian access routes available from Cowcross Street, Horse Lane Alley, Britton Street and from St Johns Lane/Peter's Lane.



Image 6: Existing pedestrian access points serving the plaza

- 9.28 The number of access points serving the plaza ensures that the market would not cause significant congestion to commuters/passers-by and that pedestrian traffic would continue to flow steadily between the main public transport stations and the surrounding streets.
- 9.29 The plaza is privately managed and not part of the adopted highway network. The market stall traders would be required to unload their vehicles from one of the entrances from Britton Street, Peter's Lane or Cowcross Street. The Transport Statement highlights that the previously consented arrangements for unloading and site set up would remain in operation.
- No more than four vehicles unloading at a time from 9am
 - Market manager in attendance at all times
 - Pedestrian through routes to be maintained at all times
 - Trader vehicles to park at Smithfield Market between setup and break-down
 - All waste to be removed by individual stall holders and final sweep by the market manager
 - Break-down activity generally from 2.30pm with all market activity ceased and cleared by 4pm
- 9.30 Cowcross Street has the largest capacity for delivery activities, with a combination of permit bays and double yellow lines. Further double yellow lines near the junction of St. John's Lane and St John Street provides alternative loading opportunity for the traders. The double yellow lines in the streets that surround the site restrict use between 8.00am and 8.30am, which is outside the operating times proposed and therefore would not impact on the vehicle unloading. Both single and double yellow lines allow loading for up to 40 minutes. As the average set up time for the market stall is approximately 20 minutes, this would be sufficient to ensure that each market trader has time to set up and move their vehicle on.
- 9.31 Previous applications have also included kerbside surveys to assess what the impacts would be on other businesses in the area. The surveys concluded that there is sufficient spare capacity for on-street unloading opportunities to accommodate the market and it would not have a detrimental impact on the local highway system. Whilst the kerbside survey has not been

submitted with the current application, the previous permissions are a material consideration and no objections are raised in this regard.

- 9.32 Access will be available via Britton Street for market vendors operating out of a small vehicle. The applicants have confirmed that the bollards restricting access to Cowcross Yards will be lowered at opening and closing of the market to allow these market operators to enter and exit the site.
- 9.33 The Council's Highways Officers have been consulted on this application and the most recent applications, and have raised no objections to the market given its location in a private space. Notwithstanding this, Officers consider a condition restricting loading and unloading before 9am and after 4.30pm necessary given its inner city location. This will allow sufficient time in the mornings and evenings for all stall operators to install/remove their equipment with limited impact on the highway network and the local population (both residential and commercial).

Waste Management

- 9.34 With regard to the management of waste from the stalls, the applicant has confirmed a private commercial agreement with DOC Cleaning and also have an ongoing contract agreement with Pulse Environmental Ltd who deal specifically with the waste management of the plaza.
- 9.35 Representations received raise concerns regarding litter and waste management which has led to rodent issues in the area. It is noted that these comments appear to highlight issues associated with commercial premises in general within the area, as a factor contributing to potential rodent problem and not solely the market use. Officers recognise the potential for additional litter and waste from a market in the area and the requirement to have a market supervisor/manager on site during operation times is necessary to ensure issues such as site set-up and waste management are continuously monitored and improved. The Planning Statement indicates that refuse is collected from the site every day Monday to Friday. In addition, the market stall operators would be responsible for cleaning up after themselves on days of operation.
- 9.36 The applicant has also provided a waste strategy for Cowcross Yard going forward. The plan is set out in the Planning Statement, which is recommended to be secured by condition (Condition 2) and includes:
- Daily cleaning of Cowcross Yards (DOC is the appointed cleaning contractor)
 - Daily emptying of public bins in Cowcross Yards (Pulse Environmental Ltd is the appointed waste subcontractor)
 - Introduction of weekend cleaning and bin emptying on Cowcross Yards
 - Additional waste storage on site (temporary waste storage, permission has not been sought for the installation of permanent waste enclosures)
 - Clear communication plan with street vendors and market sellers about waste disposal particularly for food vendors
 - Clear waste signage for vendors and public Increased number of accessible bins (potentially have vendors provide access to their bins for public use)
- 9.37 It is illegal to drop litter and whilst there would be a responsibility of control of litter by the management of market, there is an onus on customers to comply by the law and not litter. Islington's Authorised Officers can issue fixed penalty notices to any person that drops litter intentionally. The Street Environment Services Enforcement Strategy (March 2011) states that '*it is the responsibility of every business and individual to comply with the law and it is recognised that most want to do so... we reserve the right to take enforcement action without education and advice on any occasion where offences such as littering are committed*' (Para 3.6 & 3.7 Street Environment Services Enforcement Strategy).

9.38 As such, it is considered that sufficient controls, are in place to address refuse associated with the site.

Seating

9.39 Seating is available centrally within the plaza, which can accommodate up to 15/20 people and no additional seating is proposed. Many of those who chose to use the stalls would be passing through trade, tourists or workers on their lunch break. In addition, P2020/1143/FUL was granted for the installation of permanent public seating around the tree at the centre of the plaza and has been implemented.

9.40 Overall, based on the information provided in terms of loading, hours of operation, waste management and supervisor arrangements, it is considered that the proposed market can continue to operate successfully without resulting in unacceptable impacts on the surrounding residents and commercial properties.

Neighbouring Amenity

9.41 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 Islington's Strategic and Development Management Policies policy PLAN1 applies to all new developments including alterations and extensions to existing buildings.

Noise and Disturbance

9.42 The Pollution Control Team have been consulted as part of the application and raised no objections to the market. The hours of operation would not be early morning (before 7am) or late at night (after 11pm). These times are considered the most vulnerable times for residential occupants who may be at sleep. The operating times proposed are 9am to 4pm, for three days a week during working hours. Outside of these times/days the plaza would have no additional activity. Given the limited operational times of the market, it is considered not to have an unacceptable impact on neighbouring occupiers.

9.43 Furthermore, the Environmental Pollution, Policy & Projects Team has confirmed that no noise complaints have been received from the existing market which has operated over the last 6 years.

Smells from Food

9.44 The market is located in an area where there is a high volume of restaurants currently operating. Whilst Officers acknowledge that the cooking of food will generate some smells, a condition has been attached to limit the cooking time between the hours of 11am and 2.30pm. Subject to this condition, it is considered that the proposal would not result in an unacceptable impacts as a result of odour to the neighbouring occupiers.

Vehicle Movement and Van Stalls within the Plaza

9.45 Representations received have raised particular concerns regarding the use of vehicles as stalls. These are described by the applicant as 6m long by 2m in width and are larger than the typical gazebo style stalls and vans which have previously occupied the market. The submitted Planning Statement confirms that where a vehicle is brought onto the site to trade it would fit within the allocated market stall area, which is larger in length but narrower in width in comparison with the most recent approval. Access for these vehicles will be available via Britton

Street. The applicants have confirmed that the bollards restricting access to Cowcross Yards will be lowered at opening and closing of the market to allow these market operators to enter and exit the site. It has also been confirmed that these would use an existing fixed source of power supply and therefore engines will not be in use. A condition has therefore been included requiring that vehicle engines are not turned on whilst the market is in operation. The Transport Statement provides swept path analyses for proposed vehicle stalls which clearly show that access and egress can occur in a forward gear.

- 9.46 The issues raised by neighbouring residents and commercial occupiers are broadly consistent with those received during the assessment of ref: P2019/1744/FUL and P2023/2365/FUL. A condition was included on the previous application requiring a Market Operational Management Plan to be approved prior to the commencement. The operational management plan sought details regarding unloading and loading timings, details of site supervisor/supervision of the market stalls, details of a fixed supply of hot and/or cold potable water supply, refuse plans, facilities locations and collection arrangements, litter control measures, noise control measures, and details of Community Liaison Officer and contact number. The full details were submitted and agreed by Islington Council on 10/11/2021 under P2021/2726/AOD. A Market Operational Management Plan has been submitted with the current application that is broadly consistent with the details approved under P2021/2726/AOD and officers are satisfied that sufficient information has been provided to ensure that the proposed development does not have an adverse impact on neighbouring residential amenity and highways safety and congestion in the surrounding area. A compliance condition has been recommended to ensure the market is operated in accordance with the details provided within the Market Operational Management Plan.
- 9.47 On this basis, it is considered that the proposed market would not result in unacceptable harm to the amenity of the neighbouring occupiers. The proposal is therefore considered to accord with policy DM2.1 which requires development to provide good levels of amenity

Sustainability

- 9.48 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.
- 9.49 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.
- 9.50 Policy S1 of 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.
- 9.51 The proposal would result in limited external and physical alterations to the existing plaza. It is noted that the proposed use would contribute to vehicular movement, but this would be limited to the operation of the market and two three days a week only. Overall, the details are considered satisfactory for the minor development proposed.

10. SUMMARY AND CONCLUSION

- 10.1 A summary of these proposals is set out within paragraphs 4.1 to 4.6 of this report.
- 10.2 Planning permission is sought to continue the temporary use of the external plaza area for a food market of up to a maximum of 13 stalls for a (maximum) of 3 days per week for a period of three years. The market would operate on Tuesdays, Wednesdays and Thursdays between 9.00am and 4.00pm with food cooked and served between 11.00am and 2.30pm only.
- 10.3 The application submitted is a resubmission of three previously approved temporary consents which allowed for the operation of the market for a maximum period of 2 and 3 years (ref: P2020/1687/FUL, P2019/1744/FUL & P2016/3449/FUL). The current submission is similar in layout/number of stalls to the three previous applications and seeks to continue the use of the plaza area as a market for a further period of up to 3 years.
- 10.4 The use and overall layout would be acceptable in principle and would not impact on the character and appearance of the conservation area or the setting of surrounding listed buildings.
- 10.5 No objections have been received from the Council's Street Trading; Environmental Health; Refuse Control' or Pollution Control Teams. The use is considered conducive to the central location and subject to conditions relating to the control of hours and intensity of use, the proposal would not prejudice the residential amenity of the neighbouring properties insofar of undue noise or disturbance and would comply with policy PLAN1 of the Islington Strategic and Development Management Policies.
- 10.6 The proposal is considered acceptable subject to suitable conditions as set out in Appendix 2 and it is recommended that the application be approved.

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>Cowcross Estate, Cowcross Yards, London EC1 Waste Energy Strategy; 8269-PL-GA-108; 8269-PL-GA-109; 8269-PL-GA-110; 8269-PL-GA-1002; KERB+ Cowcross Yards Risk Assessment & Method Statement; Cover Letter by Newsteer dated 14 August 2023; Indicative Gazebo Elevations RM/DW/CSM001; Market Operational</p>

	<p>Management Plan by Kerb; Transport Note – Cowcross Yards, Farringdon dated 11 August 2023; Planning Statement by Newsteer dated August 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	HOURS OF OPERATION (COMPLIANCE)
	<p>CONDITION: The market shall operate between the hours 9.00am and 4.00pm on Tuesdays, Wednesdays and Thursdays only.</p> <p>The cooking of food shall only take place between 11.00am and 2.30pm only.</p> <p>REASON: In the interest of protecting adjoining residents and offices amenity from noise, smells and disturbance.</p>
4	SITE SETUP AND CONSTRUCTION RESTRICTIONS (COMPLIANCE)
	<p>CONDITION: The site set up and removal shall take place between the hours of 9.00am and 4.00pm. No more than 4 stalls shall set up at the same time.</p> <p>REASON: To mitigate against noisy activities that may lead to noise transfer and ensure that the proposed development does not have an adverse impact on neighbouring amenity.</p>
5	NUMBER OF STALLS (COMPLIANCE)
	<p>CONDITION: The stalls shall be laid out in accordance to drawing reference 8269-PL-GA-1002</p> <p>No more than 13 stalls shall operate or be allowed on site at any one time.</p> <p>REASON: In order to maintain the pedestrian access way (congestion) and maintain the primary function of the private space as area of open space and to protect the amenity of adjoining neighbouring properties.</p>
6	MARKET SUPERVISOR / MANAGER (COMPLIANCE)
	<p>CONDITION: A market supervisor or manager shall be present during market operation times (9.00am-4.00pm) on each day the market is operated.</p> <p>REASON: To ensure the operational management of the market complies with the site set up arrangements, waste disposal and to liaise with the adjoining residents on any issues of concern</p>
7	VEHICULAR ACCESS (COMPLIANCE)
	<p>CONDITION: The entrance and circulation of vehicles used for the purpose as a market stall shall be undertaken in accordance with the details shown on the swept path diagrams hereby approved. The development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity</p>
8	SERVICING UNLOADING AND DELIVERIES (COMPLIANCE)

	<p>CONDITION: Servicing, unloading, loading and deliveries to the hereby approved market stall development shall only occur between the hours of 9.00am and 4.30pm on the approved market days being Tuesdays, Wednesdays and Thursdays.</p> <p>REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity</p>
9	OPERATIONAL MANAGEMENT PLAN (COMPLIANCE)
	<p>CONDITION: The use of the market shall be managed and operated in accordance with details as described within the Market Operational Management Plan hereby approved and maintained as such thereafter into perpetuity.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity and highways safety and congestion in the surrounding area</p>
10	VEHICLE STALLS (COMPLIANCE)
	<p>CONDITION: Notwithstanding the hereby approved plans, the use of temporary generators is prohibited. Vehicles operating as a stall within the market hereby approved shall be no larger than 6m long x 2m wide and engines shall be turned off at all times whilst the market is in operation.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity in terms of noise, odour and pollution.</p>

List of Informatives:

1	INFORMATIVE: You are reminded of the need to comply with legislation outside the realms of the planning legislation including Building Regulations, Environmental Regulations (including noise and litter), Inclusive Design etc.
2	INFORMATIVE: You are reminded that a license may be required for the operation of the site and any alcohol sales.
3	INFORMATIVE: You are advised to remind customers of the market not to sit on steps or entrances into private residential and office buildings. Whilst it is not a planning issue, it is a third party civil matter between the owner of the property and the individual

APPENDIX 2 - RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

This appendix lists all relevant development plan polices 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 Strategic and Development Management Policies (SDMP) 2023, Bunhill and Clerkenwell AAP 2023 and

Site Allocations 2023. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2021

Policy D4 Delivering good design

Policy D14 Noise

Policy E9 Retail, markets and hot food takeaways

Policy T1 Strategic Approach to Transport

Policy T2 Healthy Streets

Policy T3 Transport capacity, connectivity and safeguarding

Policy T4 Assessing and Mitigating Transport Impacts

Policy T7 Deliveries, Servicing and Construction

B) Islington Strategic and Development Management Policies September 2023

Policy PLAN1 Site appraisal, design principles and process

Policy SP1 Bunhill and Clerkenwell

Policy DH1 Fostering innovation and conserving and enhancing the historic environment

Policy DH2 Heritage assets

Policy R7 Markets and Specialist Shopping Areas

Policy T2 Sustainable Transport Choices

Policy T5 Delivery, Servicing and Construction

3. Designations

The site has the following designations under the Islington Strategic and Development Management Policies (SDMP) 2023:

- Conservation Area
- Local views
- Open Space
- Archaeological Priority Area
- Core Strategy Key Area
- Conservation Area
- Central Activities Zone

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

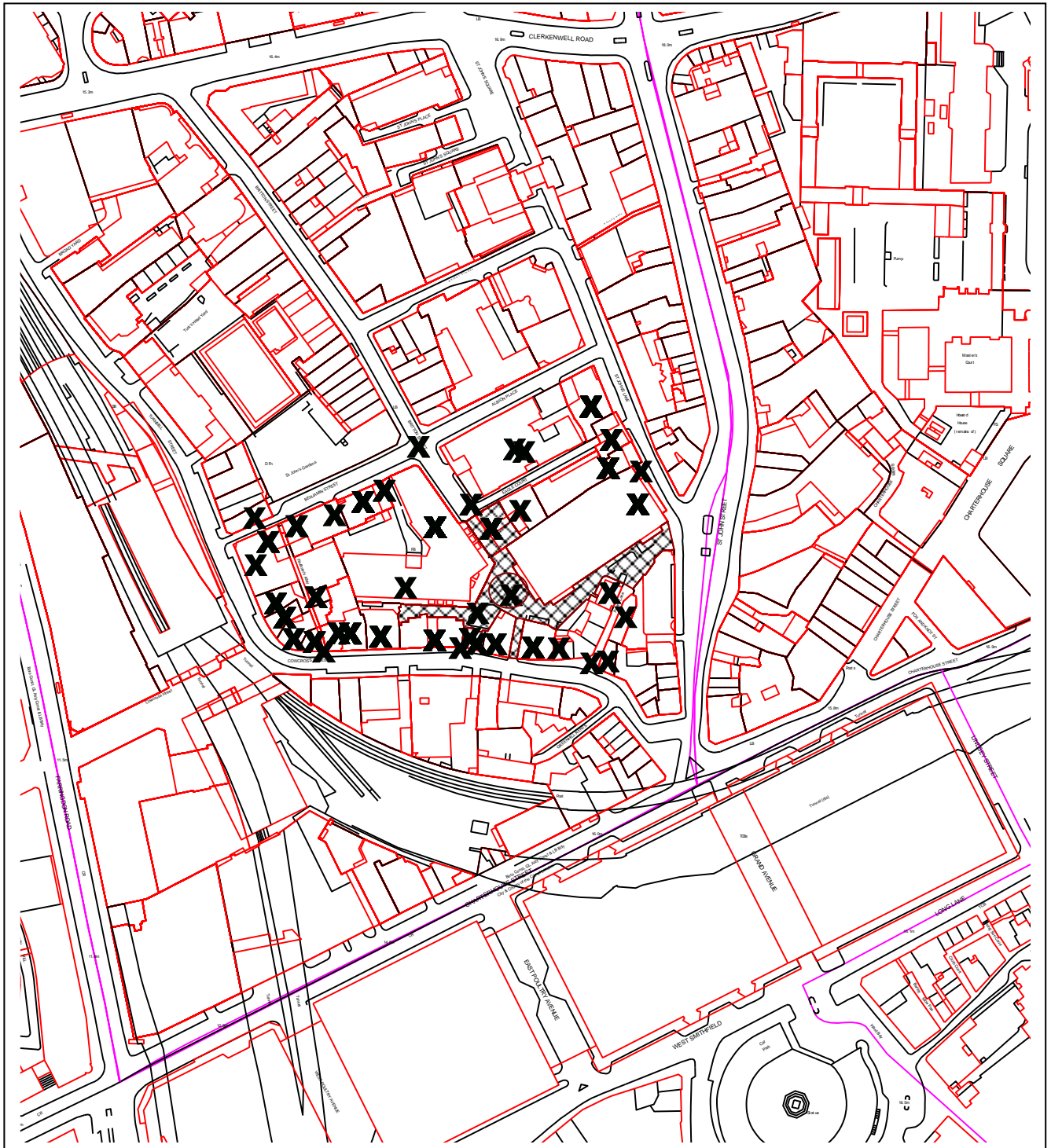
The following SPGs and/or SPDs are relevant:

Islington Local Development Plan

- Environmental Design (2012)
- Inclusive Design in Islington (2014)
- Islington Urban Design Guide (2017)
- Conservation Area Design Guidelines 2002

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