

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 LONDON N1 1YA



PLANNING SUB-COMMITTEE B		Agenda Item no.
Date:	30 April 2018	NON-EXEMPT

Application number	P2017/4659/FUL
Application type	Full Planning Application
Ward	Clerkenwell Ward
Listed building	Locally listed only
Conservation area	Clerkenwell Green Conservation Area
Development Plan Context	<p>Locally listed building Historic Clerkenwell – BC7 within Finsbury Local Plan Clerkenwell Green Conservation Area St John’s Lane Employment Priority Area Within Central Activities Zone Within Bunhill and Clerkenwell Core Strategy Key Area Clerkenwell Archaeological Priority Area Local cycle route to Clerkenwell Road, major cycle route to St John’s Street Mayors protected vista: Alexandra Palace to St Paul’s Cathedral Article 4 Directions no change from A1-A2 and no change of use from B1 (c) to C3</p>
Licensing Implications	None
Site Address	27 Clerkenwell Road London EC1M 5RN
Proposal	<p>Erection of three storey extension to existing three storey (plus basement) host building at fourth, fifth and six floor levels and excavation at basement level to extend the existing floorplate to the rear of the building, and lowering of floor to form a full height basement. Erection of a setback plant room at roof level above the new sixth floor. Proposed extensions resulting in an uplift of 632m² floorspace. Change of use at basement to provide Class A3 café floor space and provision of bike store, refuse and recycle store. Change of use from Class A3 café floorspace to Class B1 office floorspace at first floor level; change of use from mixed Class B1 office floorspace and ancillary Class A3 floor space at second and third floors to provide Class B1 office floor space across both floors. Provision of Class B1 office floorspace at new fourth, fifth and six floors. Alterations to ground floor shopfront including</p>

	installation of new double doors to provide access to the first-sixth floors; reinstatement of the missing corbel and the missing sash window to the front elevation at third floor level; three storey contemporary extensions at fourth - sixth floors to be formed of glazing and corten steel to comprise Class B1 floorspace with reinstatement of existing saw-tooth roof form at sixth floor.
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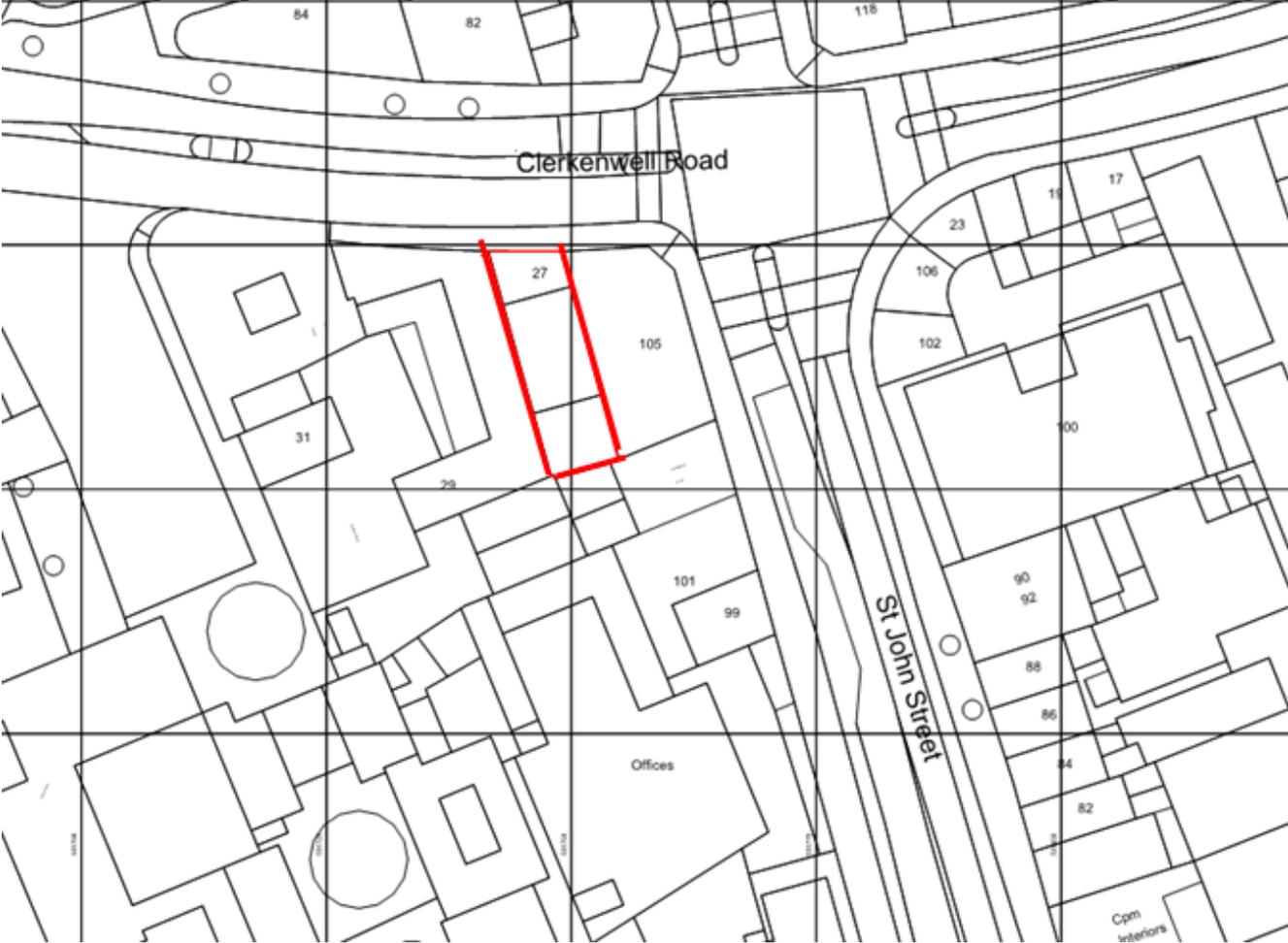
Case Officer	Heather Lai
Applicant	Zefilix Ltd
Agent	Kate Goldie

1. RECOMMENDATION

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

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

2. SITE PLAN (SITE OUTLINED IN RED)



3. PHOTOS OF SITE/STREET

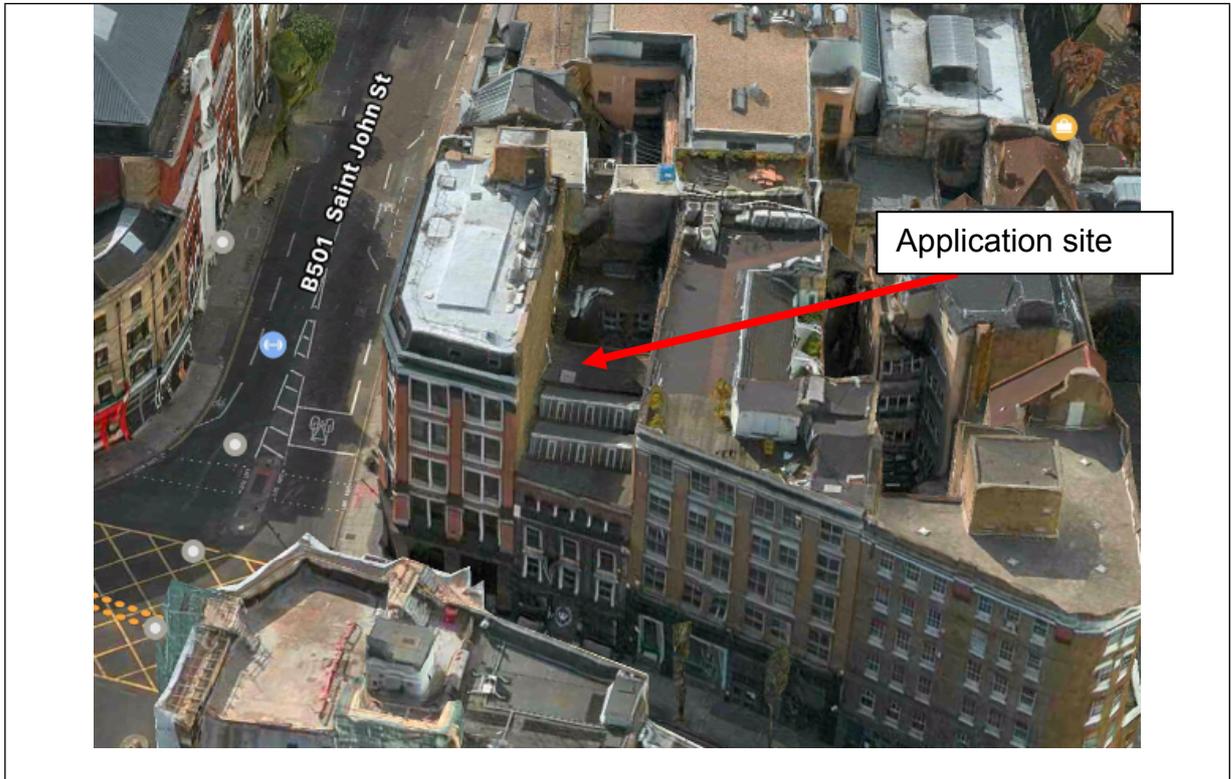


Image 1: Aerial view of the application site from the north

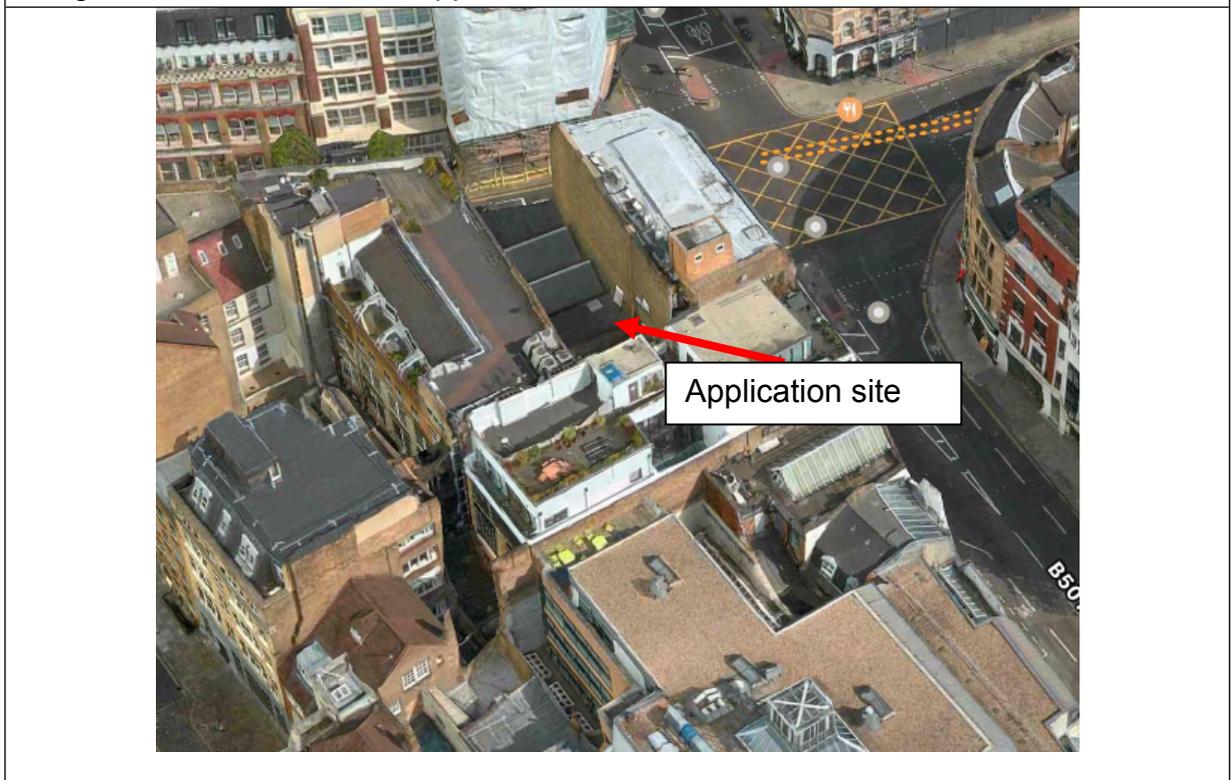


Image 2: Aerial view of the application site from the south east



Image 3: Street view of the site from Clerkenwell Road (looking south west).



Image 4: View from behind the existing saw-tooth roof (looking towards Clerkenwell Road)



Image 5: View into the internal lightwell courtyard

4. SUMMARY

- 4.1 Planning permission is sought for the lowering of the existing basement floor level by 600mm and excavation to extend the floor plate to the full depth of the site. The basement is to be used as part of the reconfigured Class A3 café/restaurant unit at ground floor level and for the provision of a bike store, refuse and recycle store, toilets, and a shower unit.
- 4.2 To the ground floor, alterations are proposed to the historic shopfront including the creation of a second opening in the form of new double doors to access the upper floor offices. Other aspects of the proposal include:
- Change of use at first floor level from Class A3 to Class B1, providing 158m² office floorspace;
 - Reinstatement of the missing corbel and the missing sash window to the front elevation at third floor level;
 - Three storey contemporary infill extension formed of glazing and corten steel to comprise Class B1 offices, providing 479m² floorspace across the three additional floors;
 - Reinstatement of saw-tooth roof form at 6th floor;
 - Creation of set-back plant room at roof-level.
- 4.3 The application is brought to committee because of the number of objections received and due to the uplift in total floorspace of 632m², and an uplift of 714.5m² Class B1 office floorspace across the whole building.
- 4.4 The issues arising from the application are land use and employment generation, the principle of the three storey extension, the impact on the character and appearance of the host building and surrounding Conservation Area, the impact on

the amenity of the adjoining and surrounding residential and commercial properties and the acceptability of basement excavations.

- 4.5 The principle of the creation of additional office floorspace is considered to be acceptable and supports the strategic priority of the Central Activities Zone to maximise office delivery.
- 4.6 The creation of remodelled high quality Class B1 office floorspace in a CAZ location is considered to provide a public benefit that would weigh in favour of the application. The proposal would not detrimentally impact the amenity of the neighbouring properties due to the unique circumstances of the site, which is two storey lower than adjoining buildings and also owing to the relationship to surrounding properties on Clerkenwell Road and St John's Street. The proposed improvements to accessibility within the existing building, and the extension are considered to add to the public benefit.
- 4.7 The Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty on the Council to pay special attention to the desirability of preserving or enhancing the character and appearance of the Clerkenwell Green Conservation Area when determining this application.
- 4.8 Whilst the extension will be visible from the street and cause some harm to the character and appearance of the locally listed building, and the significance of the conservation area this must be weighed against the benefits as noted in local and national policies. Both DM2.3B policy (Development Management Policies 2013) and the National Planning Policy Framework (NPPF) requires harm to the significance of a conservation area to have clear and convincing justification and this must also be weighed against any public benefits. Officers consider the additional infill extension to be of a high quality contemporary design which will respectfully contrast the host building, and the accurate restoration of some of the original features to the front elevation would improve the appearance of the locally listed building.
- 4.9 The proposal is finely balanced. While less than substantial harm would be caused to the locally listed building and Conservation Area, the proposal would be of a high quality contemporary design, generate an uplift of business floorspace, improve accessibility of the building as well as introduce heritage benefits through reinstatement of original features. In this regard the public benefits are viewed to outweigh the harm and it is therefore recommended that the application be approved, subject to conditions and a legal agreement.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the northern side of Clerkenwell Road and has a GIA of 646m², in use as a Class A3 café/restaurant and Class B1 offices, spread over the basement to third floors.
- 5.2 The site comprises a three storey plus part basement mixed use building with a class A3 café/restaurant at ground and first floor and Class B1 office floorspace to the first-third floors. There is an existing saw tooth roof to the former tin plate

factory building. The property sits between 29 Clerkenwell Road to the west, 105 St John's Street to the east and 103 St John's Street to the north of the site.

- 5.3 The building is locally listed. The list description states:
“Mixed use unit. Timber frontage, stallriser, fascia. Brick pilasters, corbels intact. Central timber panelled door, plain glass fanlight with central mullion. Left hand side stallriser - double doors for deliveries to lower level. Left/right side windows - central transom, three mullions.”
- 5.4 The immediately adjoining buildings are both five stories in height, with elongated ground floors. To the south east of the site is St. John's Gate, a Grade I listed building and Scheduled Monument.
- 5.5 The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ), and Employment Priority Area (General) and within the Mayors Protected Vista from Alexandra Palace viewing terrace towards St Pauls Cathedral. The site is within Bunhill and Clerkenwell Area, BC7 of the Finsbury Local Plan.
- 5.6 The site has a Public Transport Accessibility Level (PTAL) of 6a, which is considered extremely good, and there are bus routes along Clerkenwell Road which pass the site (55, 243 and N55 travelling east, and 55, 153, 243 and N55). To the front of the site the east bound carriageway has a single yellow line, with waiting and unloading restrictions being limited to 0800-1000 and 1600-1700 Monday to Friday, and 0800-1330 on Saturdays.

6. PROPOSAL (IN DETAIL)

- 6.1 The application proposes the erection of a three storey roof extension to the existing building at fourth, fifth and sixth floors which would result in an uplift of 632m² floorspace.
- 6.2 At basement level there would be excavations to extend the floorplate to the rear to create a full depth basement as it currently extends approximately two-thirds of the depth of the building, or 15.5m. The basement level would have a resulting floor to ceiling height of 2.8m, an increase of 0.6m compared to the existing.
- 6.3 The existing building has an internal lightwell towards the rear of the building, which extends from ground to third floor. It is proposed to infill this lightwell, providing additional internal floorspace at ground to third floors so the floorplate would extend across the whole depth of the building.
- 6.4 The building is currently mixed in use, and is occupied by a Class A3 café/restaurant and Class B1 offices. The existing Class A3 café/restaurant operates out of the ground and first floors and has additional ancillary floorspace to the rear of the internal lightwell at ground to third floors. The Class B1 use occupies the remaining existing floorspace at second and third floors. The proposal seeks to reconfigure the existing floor arrangements, providing a more coherent and logical arrangement which would result in an uplift of 714.5m² Class B1 office floorspace.
- 6.5 It is proposed for the Class A3 café/restaurant to operate at ground floor and basement, with a net reduction of 82.5m² floorspace to provide a 244m² unit. At

basement level there would also be a refuse and recycling store, cycle parking for 13 bikes (for office and café staff to use), a toilet and shower facilities.

- 6.6 At ground floor level, a separate entrance is proposed to the existing shopfront to access the office floors above, and an accessible toilet would be provided at this level. A lift is to be installed internally at this level to access all floors. The new entrance would be timber framed double doors with a fan light above, to match the existing shopfront.
- 6.7 At first floor level a change of use from Class A3 to Class B1 office floorspace is proposed across the whole floor, and at second and third floors it is proposed to change the use of the ancillary Class A3 floorspace to Class B1 office floorspace, resulting in the use at first, second and third floors solely as Class B1.
- 6.8 To the front elevation of the existing building at ground to third floors, additional external works consist of the replacement of a missing corbel and reinstatement of an existing sash window at third floor front elevation, and the cleaning and repair (where necessary), of all brickwork, stone work and timber sash windows.
- 6.9 The new fourth, fifth and sixth floors are proposed to be Class B1 office floorspace across all floors. Externally, the three storey roof extension would be formed of glazing and corten steel, with the horizontal steel fins being spaced to different widths at each floor. At fourth floor they would be spaced widely, approximately 1m apart which would be narrowed as the floors go up. At sixth floor the fins would be approximately 20cm apart, which would be read as banding in line with the cornicing to adjoining buildings.
- 6.10 At fifth floor level to the western side the building the front elevation would be slightly set in to provide a terrace measuring 3m². The set in area of the terrace would retain a section of the existing townscape view to the flank wall to no. 29 Clerkenwell Road, which is currently visible due to the lower height of no. 27.
- 6.11 At sixth floor level the front elevation would be set back from the building line, with a modern saw tooth roof to reference the existing historic roof in situ. A plant enclosure would be erected above the sixth floor (to the rear of the roof space) at roof level, and the lift overrun would also terminate at roof level.
- 6.12 The existing building height, from ground floor (street level) is 12.5m, the proposed height from ground floor to the new roof above sixth floor level would be 21.2m, with the plant enclosure adding an additional 2m height on top of this.
- 6.13 During the course of the application, amendments were received to respond to objections to the application, namely the relocation of the proposed plant room further forward on the roof, away from the residential units at 105 St John Street, and the provision of a new fire escape ladder will be provided at fifth-sixth floors and roof level to the rear and east elevations (adjoining 105 St John's Street) to replace the existing situation.

7. RELEVANT HISTORY:

7.1 PLANNING APPLICATIONS

- **820112:** Use of 3rd floor as a photographic studio with facilities for developing and printing photographs. Approved on 29/04/1982
- **970731:** Change to A3 (restaurant) use of basement and ground floors of frontage building and of entire small rear building on ground and three upper storeys. Approved on 13/08/1997
- **P002634:** Change of use from B1 (office) use to A3 (food & drink) at first floor as an extension to existing ground floor café. Approved on 01/05/2001.
- **P111691:** Alterations to the glazed shopfront through the insertion of a serving hatch within the window frame. Approved on 30/09/2011.

7.2 ENFORCEMENT

None.

7.3 PRE-APPLICATION ADVICE:

- **Q2017/1575/MIN** (3 October 2017). Pre application advice was given for: Lowering and excavation of basement to extend to the full length of the building, use of the basement as part of Class A3 unit at ground floor level, and provision of bike store, refuse and recycle store and wc/shower unit. Alterations to ground floor shopfront including installation of new double door to access the upper floor B1 units, reinstating and restoration of rear brick elevation, creation of lightwell within the buildings core that runs the full height of the building from ground to third floors. Change of use at first floor level from Class A3 to Class B1, change of use at second and third floors to the rear of the building from Class A3 to Class B1. Four storey extension formed of glazing and corten steel at fourth and fifth storeys, at sixth and seventh floors formed of pared-back glass & metal clad boxes, with the sixth floor to be designed to replicate in glazing the existing saw-tooth roof, the seventh floor is to be set back from the front elevation. Use of the fourth to seventh floors as Class B1 office space. Reinstatement of the missing corbel on the left-hand side and the missing sash window on the third floor front elevation.

Pre-application advice was sought for two different designs to extending the building; one was a traditional design to raise the façade by three full-storeys as a continuation of the existing building style and form and the other proposal was a modern design to raise the façade by two full-storeys in a contemporary contrasting form and a set-back storey at sixth floor level. A substantially set back seventh floor roof extension and plant enclosure were also proposed.

The various possible approaches were discussed at pre-application meetings to ensure all options were considered.

The applicant was advised that the raising of the façade in a traditional design by three-storeys would result in an overly elongated façade which is unconvincing by virtue of its unsuccessful proportions and would cause harm to the locally listed building and Conservation Area. It was considered the harm that this proposal would cause would not outweigh the public benefits including additional office floorspace.

Therefore, it is the contemporary design that has been taken forward in the current application, however the seventh floor has been removed from the proposed scheme, although a small plant enclosure remains.

Regarding land use, the applicants were advised an uplift in Class B1 office floorspace would be supported in principle, as would the general reconfiguration of the building and the provision of additional facilities including cycling storage and showers to encourage more sustainable journeys by staff of the site

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 109 adjoining and nearby properties at Clerkenwell Road, St John's Street and St John's Square on 5 December 2017. A site notice and press advert were displayed on 5 December 2017. The initial public consultation of the application expired on 4 January 2018.
- 8.2 Following an amendment to the description to more accurately reflect the proposal, a second round of neighbour consultation letters were sent out on 27 March 2018. The second round of consultations expired on 17 April 2018.
- 8.3 It is the Council's practice to continue to consider representations made up until the date of a decision. At the time of writing of this report a total of six objections had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph numbers that provide responses to each issue indicated in brackets):
- The application was missing crucial documents at validation stage, including a biodiversity report, a construction management plan (CMP), contaminated land assessment, economic statement, sustainable design and construction statement and ventilation/extract statement. Therefore the application should not have been made valid (paragraphs 10.92-10.93,10.104).
 - Application form was not correctly filled in as they stated at point 23 that there was no 'commercial processes and machinery' proposed, but rooftop plant is to be erected; and no details of employment figures were provided (paragraph 10.105).
 - The site is within Historic Clerkenwell, is locally listed and within the Clerkenwell Green Conservation Area in close proximity to other statutorily and locally listed sites. It is considered the three storey extension would not be in keeping with the application site or surrounding area and would cause harm to the building and its surroundings (paragraphs 10.13-10.44).
 - External alterations to the existing building at ground and second floor levels do not respect the significance of the locally listed building or Conservation Area, including the installation of the new double door entrance and do not comply with the development plan (paragraphs 10.40- 10.42).
 - Erection of extension would result in an added burden to the transport infrastructure of the local area, and also would result in increased servicing and delivery demands (paragraphs 10.77-10.79, 10.84-10.85).

- Application does not provide sufficient cycle parking; none is proposed for customers of the A3 café (paragraphs 10.80-10.81).
- Does not address sustainability concerns; no greening of the building is proposed, no carbon offsetting contribution is to be made and there are no energy or water efficiency proposals suggested (paragraphs 10.96-10.100).
- Does not address the impact on the Mayor’s protected vista viewing corridor (Alexandra Palace to St Paul’s) (paragraph 10.101).
- Loss of existing A3 floorspace and loss of employment to A3 staff at the site, current occupant is a small, independent retailer (paragraphs 10.9-10.12).
- Fails to consider impact of extension in terms of loss of daylight/sunlight on non-residential occupants to surrounding buildings, would result in a loss of amenity to adjoining business use (paragraphs 10.64, 10.69-10.70).
- Fails to address impact of loss of light to street trees surrounding the site (paragraph 10.106).
- Loss of external fire escape stairs to nos. 103 and 105 St John’s Street at fourth and fifth levels, no replacement of these is proposed. This is written into deeds for adjoining flats (at no. 103) (paragraphs 10.107-10.110).
- Existing extract duct and a/c compressor units to the side wall needs to be addressed (paragraphs 10.111-10.112).
- Loss of amenity to neighbouring residential properties, namely overshadowing, loss of light into 103 St John Street including lightwell and overlooking into upper floors of 103 St John Street (paragraphs 10.64-10.70).
- Plant enclosure is to be erected right next to party wall with no. 103 St Johns Street, causing noise and vibration issues for occupants (paragraphs 10.71-10.76).
- Excessive density of built environment within Conservation Area and overdevelopment, will have an adverse impact on character and appearance of CA (paragraphs 10.32-10.44).
- Proposed development works, including basement works will cause nuisance, namely noise, dust etc (paragraphs 10.88-10.92).
- Concerned about structural impact to adjoining properties (paragraphs 10.94-10.95).
- Consider the rear of the site should not be built up, will be higher than surrounding buildings (paragraphs 10.57, 10.58-10.63).
- Do not consider the amended noise impact proposals will prevent nuisance to the adjoining residential properties (10.73-10.76)

Internal Consultees

- 8.4 **Planning Policy:** No objection; the uplift in Class B1 floorspace is supported in this location within the CAZ, and the existing Class A3 café/restaurant is retained and will continue to operate at ground floor level.
- 8.5 **Design and Conservation Officer:** The application site is a locally listed late Victorian light industrial building located within the Clerkenwell Green Conservation

Area. It is considered of architectural and historical significance due to its former use as a tin plate factory and its Italianate style. The proposal to erect a contemporary three storey roof extension would result in less than substantial harm to the locally listed building, however the quality of the proposed materiality and detailed design of the extensions is high, and would infill the gap in the streetscape by raising the height of the building to match the adjoining buildings.

The proposals will be visible from the street and will cause some harm to the character and appearance of the building, and therefore the Conservation Area given the scale of the extension. This harm should be weighed against any public benefits of the proposed scheme.

While harm will be caused, given the proposed quality of the scheme and the other public benefits of the scheme including the provision of additional high quality office accommodation, in this instance the scheme is supported in design terms, provided relevant conditions are agreed at committee.

- 8.6 **Inclusive Design:** Raised concerns over lack of facilities proposed for patrons with limited access; an extension should be treated the same as a new build.
- 8.7 **Transport Planning Officer:** No objection.
- 8.8 **Highways:** No objection.
- 8.9 **Sustainability:** Sustainability details provided are noted, however would have expected more robust information. Details of the u-value performance and post fit out energy performance can be secured by condition.
- 8.10 **Noise Officer:** Following amendments to Acoustic Report, no objection subject to condition.
- 8.11 **Refuse and recycling:** No objection.
- 8.12 **Building Control:** No objection. Existing fire escapes can be reprovided, however temporary provision should be made while works are undertaken.(recommended informative)

External Consultees

- 8.13 **London Fire and Emergency Planning:** No objection, provided the proposals meet the requirements of the Building Regulations. Sprinklers should be installed.(recommended informative)
- 8.14 **Twentieth Century Society:** No response.
- 8.15 **Clerkenwell Green Preservation Society** No response.
- 8.16 **London and Middlesex Archaeological Association:** No response.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

- 9.1 Islington Council (Planning 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.)
 - As the development is within a conservation area, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).
- 9.2 National Planning Policy Framework (NPPF): Paragraph 14 states: *“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...”*
- 9.3 At paragraph 7 the NPPF states: *“that sustainable development has an economic, social and environmental role”*.
- 9.4 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.5 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.6 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the

Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

- 9.8 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan that are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

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

- Clerkenwell Green Conservation Area;
- Locally Listed Building;
- Archaeological Priority Area;
- Central Activity Zone;
- Core Strategy Key Area - Bunhill & Clerkenwell;
- Finsbury Local Plan - Bunhill & Clerkenwell Designated Area (BC7);
- Finsbury Local Plan - Employment Priority Area (General);
- Local Cycle Route.

Supplementary Planning Guidance (SPG) / Document (SPD)

- 9.10 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:

- Land Use
- Design and Conservation (including archaeology)
- Accessibility and inclusive design
- Neighbouring Amenity
- Highways and Transportation
- Impact of basement excavations
- Sustainability, energy efficiency and renewable energy
- Fire safety

- Noise and air quality
- Planning obligations

Land Use

- 10.2 The application site is located within an Employment Priority Area (General) and is located within the Central Activities Zone (CAZ) as well as the Clerkenwell Green Conservation Area.
- 10.3 The application seeks planning permission for the erection of a three storey extension to the existing building and the extension to create a full length floorplate at basement level. A reconfiguration of the existing floors would provide 244m² Class A3 use at basement and ground floor, which is a reduction of 82.5m² and the use of the first through sixth floors would be as Class B1 office floorspace. This would result in an overall uplift of 714.5m² GIA of Class B1 office floorspace and an overall uplift of 632m² GIA with the A3 unit being reduced in size from 326.5m² to 244m².

Table 1: Existing and proposed GIA of the building and existing and proposed land use over each floor

B1 office floorspace			
<i>Floor level</i>	<i>Existing</i>	<i>Proposed</i>	<i>+/-</i>
Basement	N/A	39	+39
Ground	10.5	36	+22
First	99	158	+59
Second	102	161	+59
Third	108	162	+54
Fourth	N/A	162	+162
Fifth	N/A	162	+162
Sixth	N/A	155	+155
A3 café/restaurant floorspace			
<i>Floor level</i>	<i>Existing</i>	<i>Proposed</i>	<i>+/-</i>
Basement	106	121	+15
Ground	148.5	123	
First	26	0	-26
Second	24	0	-24
Third	22	0	-22
Fourth	N/A	0	0
Fifth	N/A	0	0
Sixth	N/A	0	0

- 10.4 Policy CS 13 of the Core Strategy (2011) requires that new employment space is provided in the CAZ or town centres, where there is good access to public transport. The policy seeks to provide floorspace that is flexible to meet future business whilst also providing a range of unit types and sizes, including those suitable for Small Medium Enterprises (SMEs).
- 10.5 Policy CS 14 seeks to promote and protect the retail and service economy within the borough, seeking to retain the existing town centres and shopping centres. It encourages economic development which provides services for the people who live, work and study within the borough. Policy BC8 A of the Finsbury Local Plan states that within designated Employment Priority Areas, no net loss of business floorspace will be permitted, and proposals should incorporate the maximum amount of business floorspace reasonably possible.
- 10.6 The proposal, to provide an uplift of 714.5m² Class B1 office floorspace, and the retention of the existing A3 use at ground floor (albeit reduced in floor area), which provides an active frontage accords with policies BC 8 (a) and (b) and CS 13 and is acceptable and encouraged in land use terms. In addition, the quality of the proposed office floorspace is considered acceptable, as it would offer a good standard of office accommodation, ventilation and floor to ceiling heights.
- 10.7 Part B of Policy BC 8 of the Finsbury Local Plan sets out that development within Employment Priority Areas (General) should include a proportion of non-B1 uses at ground floor. There is an existing A3 café/restaurant use at ground-first floors and the application proposes to retain the ground floor use and reconfigure the A3 unit by relocating some of the floorspace to the newly enlarged basement floor. The basement, which is currently in use ancillary to the A3 café and provides staff toilets, staff room, services and storage is to be reconfigured to be used as part of the Class A3 floorspace. This is also to be extended to the rear, and will be used for staff cycle storage, shower/toilet/changing facilities and for waste and recycling provisions.
- 10.8 The existing A3 floorspace at first floor would be lost, and there would be an overall loss of 82.5m² GIA Class A3 floorspace. The existing A3 unit is 326.5m², and the proposed unit size would be 244m² at ground and basement floors.
- 10.9 An objection was received regarding the loss of A3 floorspace, stating that it is contrary to policies CS14 and DM4.1. However, policy DM4.1 (Maintaining and supporting small and independent shops) is not relevant to this proposal as there is no loss of A1 retail on this site. As noted in para CS14 (Retail and Services), providing a good range of services including A3 restaurant.
- 10.10 While it is acknowledged the existing café/restaurant in occupation is a small independent business, it is not considered that the loss of 82.5m² floorspace would have an adverse impact on the function or operation of the business. The reconfiguration to provide the Class A3 café use at ground floor and basement will result in a more cohesive use of the A3 floorspace and will free the upper floors to allow more Class B1 floorspace. It is considered the reconfiguration will allow the two uses to complement each other and in land use terms this change of use is acceptable.
- 10.11 The proposed mix use development of office and café/restaurant accords with the land use requirements of paragraph 1.5 of the Clerkenwell Green, Charterhouse Square and Hat and Feathers Conservation Area Design Guide (CADG) which

requires the provision of proposed floorspace for uses other than unfettered Class B1, and that all existing non-B1 uses at ground floor are retained. While this guidance also states that there should be no loss of non-B1 floorspace, for the reasons stated above, it is considered the reduction in A3 floorspace will not have a harmful impact on the existing cafe use, or on the character and appearance and function of the building or the wider Conservation Area.

- 10.12 In response to the objection regarding lack of data over how many jobs the development would provide, the applicant advised during the course of the application that the office space is likely to provide for approximately 69 jobs. This figure has been based on the job density figure from the Government's Employment Density Guide (2015) for B1a offices (professional services).

Design and Conservation

- 10.13 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 10.14 Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Authorities to have special regard to the desirability of preserving a listed building or its setting or any features of special architectural interest which it possesses. Section 72 (1) of the Act requires the Local Authority to pay special attention to the desirability of preserving the character and appearance of Conservation Areas within their area.
- 10.15 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 10.16 Paragraph 134 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.
- 10.17 London Plan policy 7.4 states that development should have regard to the scale, mass and orientation of surrounding buildings, buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should not cause unacceptable harm to the amenity of surrounding land and buildings.
- 10.18 London Plan policy 7.9 relates to Heritage-led regeneration, it states that the significance of heritage assets should be assessed when development is proposed

and schemes designed so that the heritage significance is recognised both in their own right and as catalysts for regeneration.

10.19 At the local level, policy CS9 of Islington's Core Strategy sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity. Policy DM2.1 of Islington's Development Management Policies requires development to be based upon an understanding and evaluation of an area's defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing.

10.20 Policy DM2.3B, Conservation Areas states:

i) The Council will require that alterations to existing buildings in conservation areas to conserve or enhance their significance. Similarly, new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. Harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification.

10.21 Clerkenwell Green, Conservation Area Design Guidelines state:

1.20'...roof extensions to existing buildings should conform to the height of existing development in the immediate area.'

1.22 'Roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building.'

1.33'...Alterations and extensions to the existing buildings should respect the building's materials, architectural style and proportions.'

10.22 Part B of policy BC7 in the Finsbury Local Plan states that new buildings should be of high architectural quality, reflect local distinctiveness and be a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height. In addition, Part C of policy BC7 states that new development should not result in the demolition or amalgamation of buildings with existing character value. Buildings that frame strategic and local views of landmarks should enhance the quality of the view, in particular components within the view that are of heritage value.

Summary of architectural and historic significance of the locally listed building and Conservation Area

10.23 No. 27 Clerkenwell Road has substantial architectural and historic significance as a former Victorian tin plate works in a distinctive Italianate style. It was erected in 1879 to the designs of Parr and Strong for Francis and William Hudden. It is a locally listed non-designated heritage asset and makes a substantial positive contribution to the Clerkenwell Green Conservation Area.

- 10.24 On the local list, the list description for no. 27 Clerkenwell Road reads: 'Mixed use unit. Timber frontage, stallriser, fascia. Brick pilasters, corbels intact. Central timber panelled door, plain glass fanlight with central mullion. Left hand side stallriser - double doors for deliveries to lower level. Left/right side windows - central transom, three mullions.'
- 10.25 The Clerkenwell Green Conservation Area is considered to be of outstanding importance by virtue of its rich collection of Victorian, Georgian and earlier buildings and important historic open spaces such as St John's Square and Clerkenwell Green itself. It has a varied character comprising a mix of uses including specialist manufacturing, craft and light industrial workshops, wholesaling and retailing activities. The specialist workshop uses are essential to the varied character of Clerkenwell as a cultural quarter. There are also a number of retail, showroom, eating and drinking, residential, educational, community and museum uses.

The immediate setting

- 10.26 No. 27 Clerkenwell Road is located between five-storey buildings (with greater floor to ceiling heights) which form a consistent urban block. The gap that arises between the buildings is the equivalent of two and a half storeys. In townscape terms it can be considered that the gap undermines the consistency of the urban block and reveals views of the unattractive blank side elevations of the buildings either side and visual clutter to their roofs. In townscape terms the gap is unusual and is considered to fragment the existing regular frontage along Clerkenwell Road.
- 10.27 However, at the same time the gap is a reminder of an earlier scale of built form indicative of the historic development of the area. The adjoining buildings may be taller but they are also wider which results in a proportionate width to height ratio.
- 10.28 The Council's Design and Conservation Officer agrees with the text in the Heritage Statement which states: '27 Clerkenwell Road is located within a section of the street presently comprising a mixture of commercial, retail and office uses with a number of cafés, bars and restaurants. The building itself is considerably lower in height than the 19th century warehouses to either side. A printworks is at the opposite side of Clerkenwell Road, also of the 19th century but heavily restored, and possibly a façade retention. To the west the road opens out onto a small square close to Albermarle Road, cobbled with granite setts to the south as St John's Square. The early-16th century (though later restored) St John's Gate is surrounded by tall, semi-industrial 19th century buildings at six storeys, as well as a modern 1950s building immediately against the gate itself; this varied mix creates a dramatic contrast in streetscape between the gate and the buildings surrounding it.'

The wider setting of the building

- 10.29 The Council's Design and Conservation Officer agrees with the text in the Heritage Statement which states: 'Located just to the northwest of the City of London, Clerkenwell's long history of urban development is apparent both in the remnants of the medieval street pattern and in its architectural fabric, which is uniquely varied. Its buildings have been employed in an assortment of uses, including specialist manufacturing, workshops, wholesale and retail, further enhancing the vibrant mixed character of the Clerkenwell Green Conservation Area. For the most part it comprises a network of tightly-built streets and back alleys with buildings of a

comparatively smaller-scale than those found elsewhere in central London. Local open spaces provide relief from the tight urban grain and are key to the area's overall layout and amenity, including Clerkenwell Green, St John's Square, St James's Churchyard and Charterhouse Square, among others.'

Proposals

- 10.30 The proposal is to construct three storeys of extensions in a contemporary form, with contrasting Corten steel fins aligning with the parapet of the adjoining buildings (nos. 29 Clerkenwell Road and 105 St. John's Street), partially concealing a set-back glazed floor behind. At fifth floor level this would include a terrace obscured by the steel fins, but one that would give a view to the existing brick of the adjoining building, no. 29 Clerkenwell Road. At sixth floor this would be set back and a modern designed saw-tooth roof would provide additional light and a varied form to this top floor. This would be visible only in limited private views from taller surrounding buildings.
- 10.31 It is proposed to erect a plant enclosure to the roof. This was originally proposed to be set back to the rear of the roof space, adjoining the side of no. 103 St John's Street. However following objections from residential neighbours, this has been relocated further forward on the roof. Amended drawings and plans demonstrate that the new proposed location for the plant enclosure will not be readily visible from the streetscene, or from surrounding buildings owing to its position, and that it would be partially obscured by the saw-tooth roof above sixth floor level.

Design and Heritage Assessment

- 10.32 The proposed extensions conform with the existing higher development in the immediate area. However, three-storey roof extensions to three-storey (plus basement) buildings do not characterise the area.
- 10.33 The extensions will cause some harm to the character and appearance of the host building which is locally listed (non-designated heritage asset), and harm to the significance of the conservation area, by virtue of the proposal being a substantial contemporary addition to an historic building. It is however recognised by Officers that the three-storey roof extension to a four-storey building would technically be a subordinate addition to the existing building. The key argument in this instance is whether the addition causes less than substantial harm to the locally listed building. The proposed development and materials are high quality contextual design that seek to respectfully contrast the historic building's materials, architectural style and proportions. Repair works to the locally listed building together with the high quality design above would allow the both the old and contemporary styles to sit comfortably on this site.
- 10.34 Policy DM2.3B requires harm to the significance of a conservation area to have clear and convincing justification. This is in line with the NPPF which requires harm to heritage assets to be weighed against any public benefits.
- 10.35 Large extents of metal cladding are usually unacceptable in conservation areas. However, this Conservation Area is distinctive within Islington as having a historic light industrial character, with some of the late Victorian buildings being partly constructed from cast-iron. Given this context Corten steel is considered

acceptable as a material as it has a warmth and texture unlike other forms of metal cladding such as powder coated aluminium which generally has a dull and flat appearance. Crucially, however, the Corten Steel is not proposed to be used as a form of cladding but to form the slim and elegant framing to a large extent of glazing and also as slim elegant fins. The vertical emphasis created by Corten steel framing and fins, read together with horizontal beams, successfully responds to the historic light industrial character of the area. The large extent of glazing creates a lightweight addition which reads as a contrasting contemporary addition to the historic building.

- 10.36 The proposed design and materials are high quality contextual design that seeks to respectfully contrast the historic building's materials, architectural style and proportions through its lightweight design.
- 10.37 While the 5th floor terrace creates an asymmetrical arrangement, the terrace aims to reveal part of the end elevation to the adjoining building expressing the memory of the gap. If concern arises over the asymmetry created by the 5th floor terrace and corresponding window below then a consistent approach could be requested. However, it is considered this is acceptable in design terms and the terrace is obscured by the continuation of the corten steel fins and is not considered to cause material harm.
- 10.38 The fins to the top of the building, which are placed closer together, read as an open palisade which achieves a contemporary interpretation of a cornice (a feature to the adjoining buildings) that visually 'completes' or 'finishes' the top of the building.
- 10.39 Policy DM2.3E, Non-designated heritage assets states that proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted. While the loss of the saw-tooth roof may not harm the character and appearance of the Conservation Area as it is not visible from public views, only harming the significance of the locally listed building, the proposed extension will cause less than substantial harm to the Conservation Area. This harm should be weighed against any public benefits of the proposed scheme.
- 10.40 The proposed alterations to the existing façade, including to repair missing historic features are acceptable and welcome in design terms. The western bay of the shopfront retains its original form with shop window above a stallriser, however the eastern bay has been altered with the strallriser replaced with glazing. The replacement of this with traditional timber double doors and fanlight above (which is detailed to match the historic shopfront) will therefore have a neutral impact on the character of the conservation area and the significance of the listed building.
- 10.41 Objections have been received that these works are not policy compliant and are out of character on the historic front façade, including the repainting of the building. While these are noted, it is considered for the reasons stated above that the external alterations to the host building are acceptable and accord with DM 2.1 and 2.3 as well as the Urban Design Guide and the Shopfront Design Guide as traditional materials will be used, with proportions and details to match the existing shopfront.

10.42 While some harm would be caused to the character and appearance of the Conservation Area, and the locally listed building, the quality and design of the proposed scheme is high and will read as a contrasting modern extension to the important late Victorian building. The proposal will infill a gap in the existing streetscape, reducing the visual dominance of the three storey extension.

Plans and marked up images of the site



Image 6: CGI of proposed front elevation extensions and alterations, from Clerkenwell Road



Image 7: Proposed birds eye drawing showing revised location of proposed plant to the roof



Image 8: Existing front elevation drawing



Image 9: Proposed front elevation drawing



Image 10: Proposed visual showing alterations to shopfront including creation of new opening

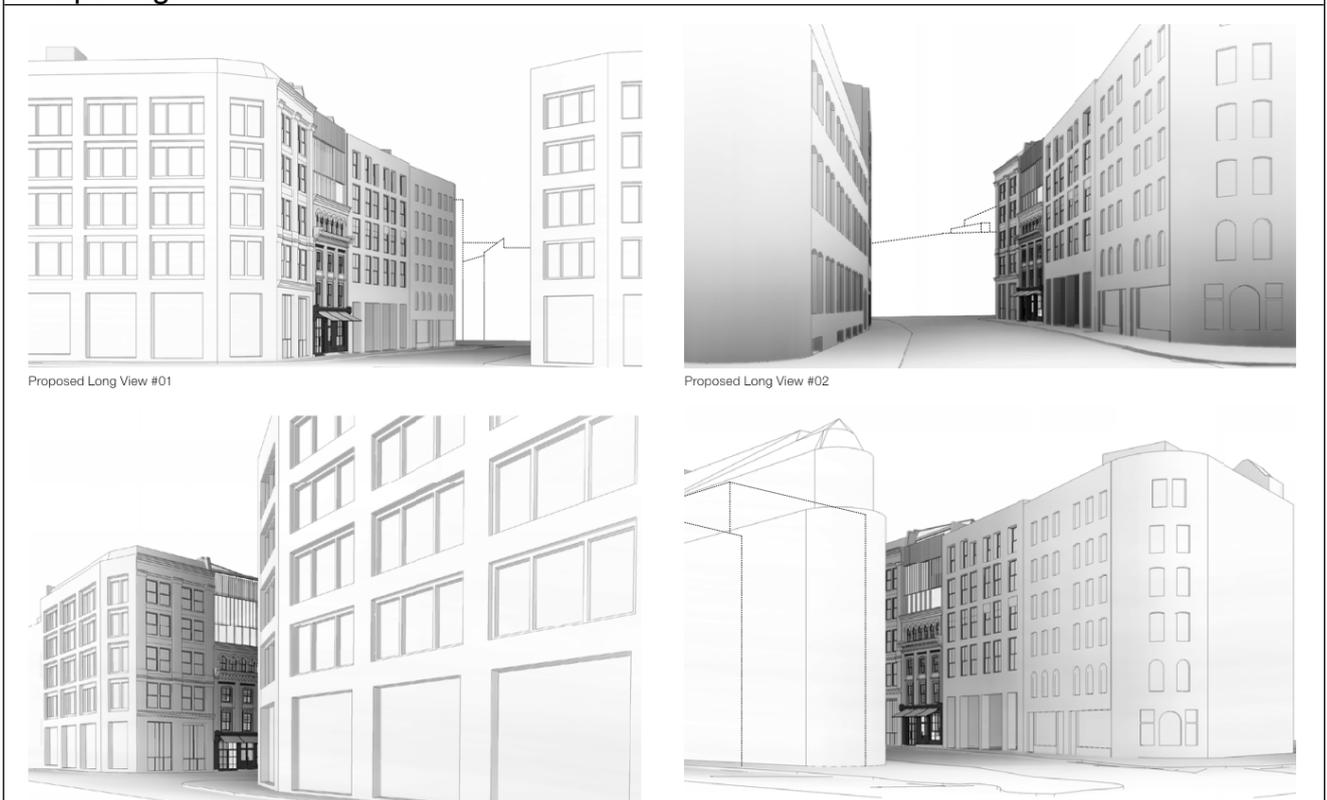


Image 11: Marked up longer views showing the roof top plant will not be visible from street view

- 10.43 The public benefit of providing a high quality modern extension to the existing building due to the improvements to the historic façade, accessibility enhancements, as well as an additional 714.5m² Class B1 floorspace within the Central Activity Zone, in an accessible area which is an Employment Priority Area are considered to outweigh the less than substantial harm caused to the locally listed building and the Clerkenwell Green Conservation Area.
- 10.44 Consideration has been given to the scale of the existing structures on the site, the scale of the extensions and the design, appearance and use of materials. The Design and Conservation Officer concludes that the harm to heritage assets is less than substantial and this is considered to be outweighed by public benefits being improvements to the front façade of the building and uplift and improvement of the office floorspace. Therefore, the proposals are considered to accord with policies DM 2.1, DM2.3 of the Development Management Policies, policies 7.4, 7.6, 7.8, and 7.9 of the London Plan (2016) and guidance contained within the NPPF, the CADG and UDG. While it is a finely balanced judgement, given the merits of the scheme including the quality of the proposed design, it is recommended for approval.

Archaeology

- 10.45 The application site is within an Archaeological Priority Area. No Archaeological Assessment was submitted with the application, and to ensure that an assessment of archaeological records is undertaken before works begin on the excavation to the basement a programme of building recording and historic analysis is to be secured by condition (11).
- 10.46 At the time of writing this report, no response has been received from the London and Middlesex Archaeological Society.

Inclusive Design

- 10.47 Paragraph 57 of the NPPF is relevant to the current proposal in relation to inclusive design. London Plan policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime. The Inclusive Design in Islington SPD is also relevant.
- 10.48 The application seeks the erection of a three storey plus part basement extension to an existing building and therefore Policy DM 2.2 is applicable. The Council's Inclusive Design Officer initially raised concerns to the proposal which are addressed below.
- 10.49 The lift was originally oriented sideways therefore would have been inaccessible to some wheelchair users who are unable to move through 90° within the car. The applicants have responded by confirming that a turning circle of 1500mm outside the lift is to be provided which does make the lift accessible.

- 10.50 The WC at basement level is inaccessible to those with limited mobility. Due to space restraints, a fully DDA-accessible WC on the ground floor is to be provided for the office floorspace. However as shown on plan this would not be accessible by patrons of the café, who would be required to access the DDA toilet at basement level. To address this, a condition (14) has been suggested requiring an amended floorplan to be provided showing that a DDA toilet would be provided or accessible at ground floor level for patrons of the Class A3 unit.
- 10.51 This toilet at ground floor level was originally proposed to have an inward opening door which would make it inaccessible. It also did not have a 300mm clear space beyond the leading edge of the door (pull side). The applicants addressed this by revising the proposal so that there is now a separate lobby to access this toilet and 300mm clear space from the leading edge of the door to the wall.
- 10.52 The Inclusive Design Officer objected to the fact that no DDA toilet is to be provided to the upper floors, to address this a condition (15) has been suggested requiring amended floorplans to be provided showing that DDA toilets would be provided, at a minimum to the three additional floors at fourth-sixth storeys.
- 10.53 The existing ground floor entrance from the street to the café is not level. The application does not propose to create a level access to this entrance. While the existing opening will not be amended, and a removable ramp will provide level access from the street, as this represents the existing situation to an existing locally listed building in this instance this is considered acceptable. It is noted that the new opening, which will serve as the entrance to the B1 offices will have a level entrance from street level.
- 10.54** It was considered the fire evacuation refuges on each floor were insufficient; as a single refuge on each floor would not meet the minimum required including measuring at least 900x1400mm. The applicants responded to this point by ensuring the minimum requirements and measurements are met and these are shown on the drawings.
- 10.55 Following the proposed amendments to the scheme which have addressed some of the concerns of the Inclusive Design Officer, and subject to conditions of consent, it is considered the scheme largely complies with inclusive design and accords with policy DM 2.2 in this regard.
- 10.56 Given the existing physical constraints of the existing building as a non-designated heritage asset, it is considered that the proposed works broadly conform to accessible standards set out within the Inclusive Design in Islington Supplementary Planning Document and conform to Policies DM2.1(Design) and DM2.2 (Inclusive Design) of the Development Management Policies (2013).

Neighbouring Amenity

- 10.57 The property is a north facing mid terrace building adjoining 29 Clerkenwell Road to the west, and 105 St John Street to the east. 103 St John Street is immediately to the rear, located to the south of the application site. The proposal seeks to excavate a deeper, full site coverage single storey basement, to erect a three storey extension to the host building with a setback rooftop plant enclosure at new roof level above the sixth floor. The existing internal courtyard which extends from

ground to third floor will be enclosed. As the existing host building is approximately 2 ½ storeys lower than surrounding buildings, the building will be extended to the same height as surrounding buildings.

- 10.58 Part X of Policy DM2.1 requires new development to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.59 Clerkenwell is an historic and dense part of the borough and is mixed use in character, with surrounding buildings incorporating commercial, residential and retail functions.
- 10.60 The application site represents a gap in the roofline along this section of Clerkenwell Road, as no. 27 is approximately two storeys lower than the buildings surrounding it along the terrace (existing buildings have higher floor to ceiling height ratios). While three storeys of extensions are proposed, the building would be extended to the height of the adjoining buildings, and the rooftop plant enclosure would be set back and hidden behind a modern saw-tooth roof. The three storey extension would be read as an infill development.
- 10.61 While the proposal represents a significant uplift that would result in increased massing when viewed from the street scene, owing to the existing streetscape context, it is considered the erection of a three storey infill in this location would not be overbearing or over dominant in this location. The three storey extension would be the same height as surrounding buildings to the east, west and south, and would be obscured on these three sides by existing flank walls to adjoining buildings and therefore would be most prominent to the north (front) elevation on Clerkenwell Road.
- 10.62 The existing rear building line of no. 27 adjoins the flank side wall of 103 St John Street and would be built up against the wall of this building. There are no existing windows to this side elevation of no. 103. To the sides, the application site shares party walls with the flank walls of no. 29 Clerkenwell Road and 105 St John Street. There are no side windows to either of these boundary walls.
- 10.63 Given the relationship of the proposed extended building to those adjoining it, it is considered there would not be a material increase in a sense of enclosure or loss of light to neighbouring buildings along the host terrace as it would not be higher than existing buildings, nor project further forward of existing building lines. While buildings to the opposite side of Clerkenwell Road are located to the north, at a distance of approximately 8m given the relationship across the highway, it is considered the raising of no. 27 by three storeys would not result in a material loss of light to those to the other side of Clerkenwell Road.
- 10.64 A Daylight and Sunlight Report was submitted with the application assessing the impact of the proposed works on the surrounding residential properties, in line with BRE guidance. This report identifies that the building most directly to the north of the application site, no. 80-82 Clerkenwell Road is not in residential use, and a review of Council planning and business rate records appears to confirm this. This

site appears to have a lawful use as a showroom at ground floor level, and Class B1 offices above. As such it is not subject to the same level of protection over daylight and sunlight as residential properties are. However the impacts have still been considered and are deemed to be satisfactory.

116-118 St John Street

10.65 The Daylight and Sunlight Report stated that the closest surrounding residential properties that were likely to be affected by the proposal were at 116-118 St John Street and 103 St John Street. The report stated that 116-118 St John Street which is located to the north-east of the site on the corner of Clerkenwell Road and St John Street does not have any windows directly facing the application site; the fenestration faces due west and due south and therefore is unlikely to be impacted by a material loss of daylight or sunlight. Council Officers agree with this statement, which is demonstrated by a site plan identifying the relationship of no. 116-118 St John Street to the host building. In addition the report confirmed that the three storey extension to no. 27 will be obscured to the north-east no. 105. Following neighbour objections, a supplementary Daylight Sunlight Report was submitted which confirmed this. As such, Council officers consider there will not be a material loss of sunlight or daylight to no. 116-118 St John Street caused by the extensions to no. 27 Clerkenwell Road.

116-118 St. John Street



Image 12: photo and location plan from Daylight and Sunlight Report demonstrating the relationship of the windows at 116-118 St John Street to the application site

103 St John Street

10.66 The Daylight Sunlight Report considered the impact on no. 103 St John Street and concluded that there were no windows overlooking the development site, and as the building-including the existing roof garden is due south of no. 27, there would not be a loss of sunlight. Council officers agree with this conclusion, given the relationship of the application site to no. 103. The height of the extensions to no. 27 will be only

slightly higher than no. 103 (approximately 1m), and will abut the flank walls of 103. The rooftop plant enclosure will be 2m high and will be located on top of the roof, however this has been relocated during the course of the application and will be approximately 4.5m from no. 103. As such, it is considered the extensions to no. 27 will not result in a materially unacceptable situation to no. 103 St John Street.

103 St. John Street



Image 13: photo and location plan from Daylight and Sunlight Report demonstrating the relationship of the windows at 103 St John Street to the application site

- 10.67 The proposed three storey extension would be raised to meet the building height of surrounding buildings, and therefore would be no taller than adjoining no. 105 St John Street, and only slightly taller (by approximately 1m) than nos. 29 Clerkenwell Road, and 103 St John Street. As such, it is considered owing to the proposed height and relationship to surrounding buildings, including no. 103 St John Street the proposal would not result in a material sense of enclosure to surrounding properties.
- 10.68 The proposed erection of a three storey extension would be enclosed on three sides to the side and rear by the flank walls of nos. 29 Clerkenwell Road, 105 St John Street and 103 St John Street. Therefore the fenestration to the existing, and proposed floors of the building will all face to the north, towards Clerkenwell Road. As such, there will not be a material loss of privacy for properties to the sides and rear of the application site (facing west, east and south). In addition, the adjoining properties, nos. 29 Clerkenwell Road, 105 St John Street are in commercial use.
- 10.69 A small terrace to the front elevation at fifth floor level is proposed, which will measure 3m². This will expose the existing brick gap to the side wall of no. 29, and therefore will be set back behind the building line. Therefore this terrace will not result in a loss of privacy for no. 29 Clerkenwell Road, or no 116-118 St John Street, which will be located on the opposite side of the application site. The proposed terrace will be further obscured by the positioning of corten steel fins which will offer a degree of privacy to and from the terrace and therefore will not result in a material loss of privacy for occupants of 80-82 Clerkenwell Road.

10.70 While the enlarged building will result in further fenestration facing nos. 80-82 Clerkenwell Road opposite, this building appears to be in use as a retail showroom and Class B1 offices. Commercial uses are not required to meet the same test as residential units, and the dense urban location across a highway means there is no policy breach here nor unacceptable impact.

Noise and air pollution

10.71 An acoustic report was originally submitted with the application which was assessed by the Council's Noise Officer. Initial concerns were raised over predicted noise levels, namely that plant noise emissions would not comply with the following criteria:

"The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014."

10.72 Objectors raised concerns that the proposed rooftop plant would be located adjacent to flats at 105 St Johns Street. In response to the objections, and the Environmental Health Officer's concerns, the applicants have relocated the proposed plant and acoustic enclosure further forward on the roof of the building, away from no. 105 St Johns Street and an amended Acoustic Report was submitted.

10.73 The Noise Officer considers the amended report includes expected predictions for acoustic plant which will not result in an unacceptable noise pollution issue, provided the acoustic screening shown on the drawings is erected, and that relevant conditions (6-8) are attached to any decision notice. The Noise Officer confirms that the relocation of the plant is accepted in order to address the concerns of the residents.

10.74 The amended acoustic report states that the final design of the plant enclosure and arrangement is still to be confirmed and in response, three conditions are proposed controlling the overall noise produced, the time of the plant operation in line with the report and a compliance report to be carried out post installation to verify that the final design complies with the noise limit.

10.75 It is considered in planning terms, the impact of the proposed rooftop plant has been adequately addressed-subject to conditions-to confirm that there would not be an unacceptable amenity impact to neighbouring occupiers.

10.76 In summary the proposal would not conflict with Policy DM2.1 of the Islington's Development Management Policies with regards to the protection of neighbouring amenity or with policies 7.4 and 7.6 of the London Plan in terms of potential harm to residential amenity and is therefore acceptable in this regard.

Highways and Transportation

- 10.77 The highways authority for the application site is the London Borough of Islington; it is not a TfL red route.
- 10.78 A Transport Statement was submitted as part of the application, which considers the transport provisions in the area, including the public transport accessibility level (PTAL) of the site. According to the TfL PTAL calculator, the Transport Statement confirms the site is level 6a, which represents a high level of accessibility to the site.
- 10.79 The application site is 400m walking distance from Farringdon Station, which is due to open as a Crossrail Station in 2018 and therefore is considered to offer exceptional access to public transport. A neighbour objection regarding the extensions increasing pressure on the transport network is noted, however given the location within the CAZ and the provision of additional office accommodation which is supported in policy terms and the excellent transport connections it is considered the proposal is acceptable and accords with policy DM 8.2 in terms of its impact on the transport network. The Highways Manager has not raised any objections to the proposal.
- 10.80 Thirteen cycle parking spaces are to be provided at basement level; this is marginally under London Plan figures which would require seven (six short stay; one long stay) parking spaces for the A3 use, and seven (six short stay; one long stay) parking spaces for the B1 use. However the proposal accords with Islington requirements for provision of cycle parking, namely DM 8.4 and given the excellent public transport connections and the central location it is considered this is acceptable. A condition (10) has been recommended requiring these cycle parking spaces to be provided prior to the first occupation following the completion of the development.
- 10.81 The applicants have proposed in their Transport Statement that the thirteen cycle parking spaces are to be for the B1 office use. They have stated that while no onsite cycle parking has been provided for staff or patrons of the A3 café, parking for these uses typically requires short-stay parks and 34 on street cycle parks are in situ within 50m of the application site. Given the building's location and good PTAL rating, and that the established A3 use is to have a reduction in floorspace, it is considered there will be a good provision of public transport to the unit. However a condition (11) has been recommended requiring provision of two cycle parking spaces, in line with London Plan requirements for an A3 use of this size.

Delivery and Servicing

- 10.82 Policy DM 8.6 requires that all commercial developments over 200m² provide off-street servicing and delivery. In addition servicing and delivery vehicles should be able to enter and exit the site in forward gear, and servicing bays should be strictly controlled.
- 10.83 According to the submitted Transport Statement (TS) it is expected that two servicing/delivery trips would be made to the site daily. Given the nature of the application site, off street deliveries are not possible, however it is noted that loading along this area of Clerkenwell Road is possible outside the hours of 8-10am and 4-7pm weekdays. Beyond this the TS did not identify the current servicing

arrangements or detail any changes to this. To address this, a condition (13) has been recommended seeking a detailed servicing and delivery plan before first occupation of the site by all uses.

- 10.84 One objector stated that the extension would result in an increase demand for servicing and deliveries. While this is noted, given that there will be a reduction in the amount of Class A3 floorspace, which typically requires more regular servicing than Class B1 floorspace, it is considered that there would not be such a material impact on the highways network from servicing and deliveries to warrant refusal of the application, particularly in a location which is within the CAZ and supports mixed use sites.
- 10.85 The Highways Manager has not raised any concern regarding the proposal, and while the Transport Statement did not identify any changes to the existing on street servicing it is considered this can be addressed through the provision of a detailed servicing and delivery plan as recommended by condition 13. If the details of the servicing and delivery condition are agreed, it is considered the proposal accords with policies DM 8.2 and 8.6.

Waste and Recycling

- 10.86 Waste and recycling storage will be provided at the rear of the ground floor to serve the Class A3 unit, and at basement level to serve all floors of the Class B1 office floorspace. One recycling bin and one waste bin will be provided for the B1 use, and two recycling bins and two waste bins will be provided for the A3 use.
- 10.87 The basement bins will be brought up in the lift and wheeled outside by on site porters via the commercial entrance, and the ground floor bins will be wheeled to the street by on site porters where they will be collected, similar to the existing arrangements. The Council's Waste and Recycling Officer has raised no objections and it is considered that subject to the provision of a Waste Management Plan secured by condition, the proposal is acceptable and accords with the requirements of DM 8.6.

Basement excavation

- 10.88 There is an existing basement at the site, and the application proposes to lower the floor level from a 2.2m to a 2.8m floor to ceiling height, and to extend the floor plate to the rear to create a full depth basement. This will create a more functional basement space that will offer a better quality unit for the A3 café, as well as accommodating services.
- 10.89 The Islington Basement SPD states that basement development should be appropriate and proportionate to a site, considering its specific context and geological conditions. For commercial and mixed use buildings, this should be commensurate to the site context and building design. In the CAZ, the context of surrounding buildings and development needs to be considered to avoid adverse structural impacts. A structural method statement is required to be provided at validation stage, and as such one prepared by Furness Partnership was submitted.

- 10.90 Basements should be of a single storey, and have a floor to ceiling height which does not exceed 3m and on both these points the proposed extension to create a deeper full plate to the existing basement accords with the Basement SPD.
- 10.91 The existing basement extends from the front building line approximately 2/3 of the way through the building and is the full width of the site. The site is encompassed to the sides and rear by existing buildings, and as there is an existing basement to the front of the building line, the excavation to increase the floor to ceiling depth, and the length of the basement will not result in external manifestations. Therefore there are no design considerations to the basement development.
- 10.92 An objection was received regarding the temporary impact the development and excavation works will have on neighbouring properties, particularly residential properties. While this is noted, an SMS was submitted to consider the structural impacts, and the impact from building works would be managed through the submission of a construction method plan (CMP), to be secured by condition (5).
- 10.93 One objection stated that a CMP should have been required at validation stage. For this type of development, a CMP is required by way of condition, and a condition has been recommended requiring a CMP to be submitted and approved prior to commencement of basement works.
- 10.94 An objection raised concerns over the structural impact of the works on nearby properties. While this is noted, this is a civil matter which would need to be addressed through a party wall agreement. The submission of a Structural Method Statement at validation stage also advised of the method of excavation and underpinning.
- 10.95 While this SMS was provided, it is considered that it does not provide the required level of detail for a project of this size. As such, the provision of an amended SMS before works on the basement begin has been recommended by way of condition. The proposed basement works are considered to accord with the Basement SPD and are therefore acceptable, provided an amended SMS is submitted for approval prior to implementation/commencement of the basement development (condition 5).

Sustainability, Energy Efficiency and Renewable Energy

- 10.96 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 10.97 One objector raised issues over the lack of sustainability information provided, namely no greening of the building is proposed, no carbon offsetting contribution is to be made and there are no energy or water efficiency proposals suggested.
- 10.98 The applicants have provided a sustainability response to this, stating:

'The proposed refurbishment scheme is particularly complex given the restricted nature of the sites location within a Conservation Area and the

mixed use programme. The proposed strategy will be to improve the energy efficiency of the existing building, namely with a significant services upgrade, improving building fabric u-value performances & new glazing throughout. Furthermore the proposed strategy will look to include additional energy efficient measures such as LED lighting, water conservation fittings, natural ventilation and an energy efficient hot water system.

The developer aims to review the energy performance of the building after handover and has planned to undertake seasonal site visits for testing of all building services under full load conditions, i.e. heating equipment in mid-winter, cooling/ventilation equipment in mid-summer, and under part load conditions (spring/autumn). The Design team aim to conduct testing during periods of extreme (high or low) occupancy including interviews with building occupants to identify problems or concerns regarding the effectiveness of the systems.'

- 10.99 Given that the proposal seeks to extend an existing building, rather than erect a new build, it is not subject to the same requirements for sustainable design. While the point about no provision of a green roof is noted, given that there is to be an area set aside for rooftop plant and the erection of a modern saw tooth roof to replicate the historic one, it would be difficult to accommodate a green roof.
- 10.100 The Council's Sustainability Officer has reviewed the details provided and raises no objection, subject to details of the buildings energy performance being provided by condition. A condition (10) has been recommended, and it is considered subsequent to the details of this condition being successfully met, the proposal accords with policies DM7.1, DM7.2 and DM7.4.

Viewing Corridors

- 10.101 The application site is in a viewing terrace from Alexandra Palace to St Paul's Cathedral, which is a Mayor of London Protected Vista. During the course of the application this matter was discussed, and the applicant advised that the maximum increase in height of the extension is to be 42.34m. The London View Management Framework SPD (2012) advises that townscape and visual impact assessments are required where proposals affect a designated view. The SPD advises in respect of St Pauls, that proposals above 52m AOD (above ground level) would impact this view. Given the proposal is approximately 10m below this threshold, and that it will infill a gap between existing buildings of this height and visual townscape views were provided which demonstrate the building would not obscure views to/from surrounding buildings. Therefore no harm is considered to be caused to viewing corridors and the proposal is considered to comply with The London View Management Framework SPD (London Panorama 1), BC7 of the Finsbury Local Plan, paragraph 2.53 of Policy DM 2.3 and Policy DM 2.4 of the Development Management Policies.

Fire Safety

- 10.102 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire.

10.103 The London Fire and Emergency Planning Authority (LFEPA) has commented on the proposed development. It was confirmed that the LFEPA will be satisfied subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations. It is advised the applicant should contact the council's Building Control team in relation to fire safety, an informative is recommended.

Other

10.104 An objection stated that the application was missing crucial documents at validation stage and should not have been validated. Following detailed pre-application discussions the applicants provided all the documentation they had been advised they would require and it is considered sufficient detail was submitted to allow officers to assess the acceptability of the scheme in planning terms. Those documents were provided in line with local and national validation requirements; it is not considered reasonable or proportionate to expect further provision of supporting evidence beyond this. A biodiversity report and a contaminated land assessment for a central London site, where most of the existing building is to be retained was not expected. An acoustic report was provided therefore a ventilation/extract statement was not necessary. An economic statement, for an extension to an existing building was not considered necessary in this situation, and sustainability considerations have been addressed during the course of the application.

10.105 An objector considered that the application form was not correctly filled in as at point 23 it said there was no 'commercial processes and machinery' proposed, but rooftop plant is to be erected as part of the application. While this is noted, and the rooftop plant is relating to commercial use, the use of the site is not for commercial processes, but for Class B1 offices and a Class A3 café. In addition, as full details were provided of the proposed plant, including an acoustic report the details of the scheme were sufficiently clear and rightly made valid in this regard.

10.106 One objection raised concerns that no consideration had been given to the impact of the loss of light to street trees on Clerkenwell Road. The Council's Arboricultural Officer confirmed that the erection of a three storey extension in this location would not have a material impact on the street trees. All development will be outside the adjoining street trees canopies.

10.107 Several objections were received from occupants of 103 and 105 St John Street which stated that there was an existing legal right of access onto the roof of no. 27 for emergency access. This is not a planning matter, but a civil matter between both parties; however, given the nature of the objection it must be addressed. The applicants have advised that their clients are aware of no legal right being granted allowing access onto the property's roof via the existing staircases from adjoining properties. There is no evidence of use of these existing stairs, and as shown in pictures provided with the application, the access from 103 St John Street has apparently been boarded up for many years. The building owner is not aware of this route ever being available to flat owners in that building.

10.108 However, in the light of the comments of adjoining occupiers, the applicants have proposed to re-provide the existing situation by the installation of two sets of fire escape ladders onto the roof of the site which will be located on the boundary wall, within the demise of no. 27 Clerkenwell Road.

- 10.109 The Council's Building Control team have assessed the proposed replacement stairs and consider they are acceptable, but have advised that if these stairs are indeed the legal fire escape for the neighbouring buildings, then a temporary means of escape would have to be provided while building works are undertaken. An informative regarding this has been recommended.
- 10.110 As this is a civil matter, not a planning matter further to this it cannot be addressed within the current planning application, but would require a legal agreement between the owner of the building and owners of neighbouring buildings. The agreement of the applicants to provide an emergency access route does not imply or acknowledge that a legal or other right is approved by either the Council or the applicants.
- 10.111 One objection stated that there are existing air conditioning units on the party wall with no. 105 which would have to be removed if planning permission is granted. The applicant has advised that these units were installed without planning permission, or the agreement of no. 27 by the owners of no.105. While this may be true the units may have become lawful due to the passage of time.
- 10.112 Regardless of the lawful or otherwise situation of these air conditioning units, they do project out into the demise of no. 27 and it would be unreasonable to refuse planning permission on these grounds, given the public benefit the three storey extension would provide. It is considered there are other locations within the demise of 105 where the air conditioning units could reasonably be placed.

Planning Obligations

Community Infrastructure Levy

- 10.113 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 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.114 Both Islington CIL and Mayoral CIL would be payable in relation to the proposed development.

Crossrail CIL

- 10.115 The Crossrail Funding SPG (March 2016) sets out that planning obligations/S.106 contributions should be sought in respect of retail and hotel and office development in central London and the northern part of the Isle of Dogs, which involves a net increase in office floorspace of more than 500 square metres with contributions proportionate to the calculated impact.
- 10.116 The application results in an uplift of 632m² of B1 Office floorspace and is located within an area liable from Crossrail CIL at £140 per square metre as set out by the SPG. As a result, the applicant is required to enter into a S106 Agreement for a contribution of £88, 480 as required by the Mayor of London Crossrail Funding SPG

adopted March 2016. Therefore it is recommended that any grant of planning permission is subject to condition and legal agreement.

Section 106 agreement

- 10.117 Prior to and following the amendment of the proposals, officers advised the applicant that 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 set out at Appendix 1 Recommendation A.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The benefits of the proposed development must be noted. These include the uplift of the office floorspace and employment, the improvement to the appearance of the front elevation of the locally listed building, as well as improved accessibility within the building, with new cycle and refuse facilities of a higher quality, as discussed in paragraphs 4.5-4.9 of this report.
- 11.2 These benefits must, however, be weighed against the shortcomings of the proposed development, the material harm that the proposed development would cause. Officer's primary concerns are with the visual impact of the extensions on the locally listed building and Conservation Area, which is considered to amount to less than substantial harm. The provision of additional high quality office accommodation and DDA accessible facilities are considered benefits of the scheme, as is the improved quality of the Class A3 café/restaurant. The impact on neighbouring amenity of the adjoining and surrounding properties is considered to be acceptable following amendments during the course of the scheme to relocate the roof top plant away from residential properties to the south.
- 11.3 As such, the benefits of the proposed development are considered to outweigh the less than substantial harm caused and therefore accord with the policies in the London plan, Islington Core Strategy, Islington Development Management Policies and the National Planning Policy Framework and is recommended for approval subject to appropriate conditions and the provisions of a S106 agreement.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

The Heads of Terms are:

£88, 480 contributions towards the funding of Crossrail.

- Council’s legal fees in preparing the Section 106 agreement and officer’s fees for the preparation, monitoring and implementation of the Section 106 agreement.
- All payments to the council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

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 Committee resolve to GRANT planning permission subject to conditions to secure the following:

List of Conditions:

1	Commencement
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list
	CONDITION: The development hereby permitted shall be carried out in accordance with the following approved plans: Daylight and Sunlight Statement by CBRE dated 24 November 2017, Daylight and Sunlight Objections response by CBRE dated 9 February 2018, Design

	<p>and Access Statement Rev. A by Hut Architects dated February 2018, Structural Method Statement by Furness Partnership dated November 2017, Noise Impact Assessment Rev. 02 by Scotch Partners dated 23 January 2018, Transport Statement issue 002 by Sweco dated 22 November 2017, Planning Statement by CBRE dated November 2017, Historic Building Report by Donald Insall Associates dated November 2017, E001, E009, E010, E011, E012, E013, E014, E030, E040, E041, E042, E043, 009 Rev. D, 010 Rev. F, 011 Rev. G, 012 Rev. E, 013 Rev. E, 014 Rev. F, 015 Rev. F, 016 Rev. F, 017 Rev. G, 030 Rev. B, 040 Rev. D, 041 Rev. D, 050 Rev. E, 051 Rev. F, 053 Rev. F, 055 Rev. F, 057 Rev. C, 1000 Rev. A, 1001 Rev. C, D009, D010, D011, D012, D013, D014.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Planning Act 1990 as amended and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Samples of materials
	<p>DETAILED DRAWINGS/SAMPLE OF MATERIALS (DETAILS): Details at appropriate scales and samples, where appropriate, in respect of the following, shall be submitted to and approved by the Local Planning Authority prior to commencement of the relevant works. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Sample of the proposed Corten steel b) Details and sample of the proposed glazing to the roof extension c) Details and sample of the proposed glazing and framing to saw tooth roof to the sixth floor level d) details of the proposed replacement corbel at third floor to the front elevation e) details of the sash window to be installed at third floor to the front elevation f) details of the proposed timber double doors and fan light to the eastern bay of the shopfront g) details of the proposed brickwork to the rear elevation h) details of soffits, handrails and balustrades i) details of junctions j) any other materials to be used <p>The development shall be carried out strictly in accordance with the details and samples 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: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and in accordance with policies DM 2.1 and DM 2.3 of Islington's Development Plan.</p>
4	Construction Method Statement
	<p>CONDITION: No development (including demolition works) shall take place on</p>

	<p>site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <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	Structural Method Statement (Details)
	<p>CONDITION: No development shall be commenced on site unless and until an updated structural engineers report and excavation strategy including methodology for excavation and its effect on all neighbouring boundaries and adjoining buildings has been submitted to and agreed in writing by the Local Planning Authority. This includes identifying the depth of the existing foundations and datum levels for the depth to which excavation is proposed.</p> <p>This strategy shall be fully implemented in accordance with the approved details.</p> <p>REASON: To ensure that the proposed development would have no undue impact on the structural integrity of the neighbouring buildings.</p>
6	Noise Levels of Plant Equipment
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity</p>
7	Report for noise levels of Plant Equipment
	<p>A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed</p>

	<p>mechanical plant to demonstrate compliance with condition 8. The report shall include measurement of the new plant following installation. The report shall be submitted to and approved in writing by the Local Planning Authority within 2 months of the use hereby permitted.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity</p>
8	Timer for plant equipment
	<p>Prior to the hereby approved plant equipment being used, a timer shall be installed limiting the operation of the building services plant to between the hours of 06:00 to 22:00 each day only. The plant shall not be operated outside of these hours. The timer shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity.</p>
9	Construction Environmental Management Plan
	<p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, emissions from non-road mobile machinery, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The CEMP shall refer to Islington's Code of Practice for Construction Sites, BS5228:2009 and 2014, the GLA's Control of Dust and Emissions During Construction and Demolition SPG and shall commit the developer to sign up to the Non-Road Mobile Machinery Register.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality</p>
10	Energy Reduction and Sustainability
	<p>The development hereby permitted shall be constructed to achieve a 19% reduction in regulated CO2 emissions, compared to compliance with the Building Regulations 2013, and a water efficiency target of 95 l/p/d. A post fitout Energy and Sustainability Statement shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation to demonstrate compliance with the above, and in accordance with the developers proposed energy review post completion. The building shall be maintained as such thereafter into perpetuity.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high</p>

	standard.
11	Cycle storage
	<p>CONDITION: The bicycle storage area(s) hereby approved for the Class B1 office floorspace, shall be provided prior to the first occupation of the development hereby approved as shown on drawing no. 009 Rev. D (13 cycles) and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
12	Cycle storage (Class A3 unit)
	<p>CYCLE PARKING PROVISION (DETAILS): Notwithstanding the approved drawings, details of the layout, design and appearance (shown in context) of provision of bicycle storage for staff of the Class C3 café/restaurant shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than two cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
13	Archaeological investigation
	<p>CONDITION: No works (including demolition works) shall take place on site unless and until the applicant has undertaken a programme of building recording and historic analysis, which considers building structure, architectural detail and archaeological evidence. This shall be undertaken in accordance with a written scheme of investigation submitted by the applicant and approved by the Local Planning Authority in association with Historic England GLASS.</p> <p>REASON: Built heritage assets of archaeological interest may survive on the site. The Local Planning Authority (in conjunction with London and Middlesex Archaeological Association) wishes to secure the provision of archaeological recording of the historic structures prior to development.</p>
14	Waste strategy
	<p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include: a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s); b) a waste management plan The development shall be carried out and operated strictly in accordance with the details and</p>

	waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter. REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.
15	Delivery and servicing plan
	CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority. REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.
16	Inclusive design
	CONDITION: Notwithstanding the drawings hereby approved, prior to commencement of any works at ground floor level, details (including plans and sections) shall be submitted to the Local Planning Authority showing provision of a DDA accessible toilet at ground floor level for patrons of the Class A3 unit. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. REASON: To ensure the development is of an inclusive design and conforms to Policy DM2.2 (Inclusive Design) of the Development Management Policies.
17	Inclusive design 2
	CONDITION: Notwithstanding the drawings hereby approved, prior to commencement of any works to the proposed extension at fourth to sixth floor levels, details (including plans and sections) shall be submitted to the Local Planning Authority showing provision of a DDA accessible toilet on the fourth, fifth and sixth floors. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. REASON: To ensure the development is of an inclusive design and conforms to Policy DM2.2 (Inclusive Design) of the Development Management Policies. (2013).

List of Informatives:

1	Positive Statement
	To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. The LPA and the applicant have worked positively and proactively in a

	<p>collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF.</p> <p>The LPA delivered the decision in accordance with the requirements of the NPPF.</p>
2	Community infrastructure Levy (CIL)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and 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 payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/.</p>
3	Written Scheme of Investigation
	<p>The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.</p>
4	Means of escape
	<p>You are advised that during building works a temporary means of escape must be provided to any surrounding buildings which have an existing means of escape accessed via the application site.</p>
5	Excavation
	<p>The applicant is advised to consider the construction impacts of the proposed excavation of a considerable basement in close proximity to neighbouring residential properties and refer to LBI's Code of Construction Practice, BS5228:2009, the GLA's SPG on control of dust and emissions during construction and demolition.</p>
6	Building Control
	<p>The Building Acts and Building Regulations: To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p>

	T: 020 7527 5999 E: building.control@islington.gov.uk
7	Party Wall (etc) Act 1996 (as amended)
	The applicant is advised to comply with the relevant sections of the Party Wall (etc) Act 1996 (as amended) in regards to the proposal, namely in relation to the alteration and building up onto side boundary walls, and the excavation of a single storey basement to the existing side boundary walls.
8	Other legislation
	You are advised of the need to comply with other legislation outside the realms of planning, namely building regulations and environmental health regulations.
9	Hours of construction
	Nuisance from Construction Work: Nuisance from demolition and construction works is subject to control under the Control of Pollution Act. The normal approved noisy working hours are: " 08:00 to 18:00 Monday to Friday " 08:00 to 13:00 Saturday " No work on Sundays and Public Holidays If you anticipate any difficulty in carrying out construction works other than within normal working hours (above) and by means that would minimise disturbance to adjoining properties then you should contact the Pollution Project Team. T: 020 7527 7272 E: pollution@islington.gov.uk
10	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.
11	London Fire Brigade Informative
	London Fire Brigade advise that there should be fire brigade access to the perimeter of the building (s) and sufficient hydrants and water mains in the vicinity. The London Fire Bridge strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk of life. The Brigade opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what outcomes of those recommendations were. These quarterly reports to our Members are public documents which are

available on our website.

The applicant is advised to contact London Fire for further information on tel 0208 555 1200 89171

Or the website london-fire.gov.uk

APPENDIX 2: RELEVANT POLICIES

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

11.5 National Guidance

The National Planning Policy Framework 2012 and Planning Policy Guidance (PPG) seek to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and PPG are material considerations and have been taken into account as part of the assessment of these proposals.

11.6 Development Plan

The Development Plan is comprised of the London Plan 2016, 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 2016 - Spatial Development Strategy for Greater London

Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration

B) Islington Core Strategy 2011

Strategic Policies

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

C) Development Management Policies June 2013

- Policy DM2.1 – Design
- Policy DM2.2 – Inclusive Design
- Policy DM2.3 – Heritage
- Policy DM5.1 - New business floorspace
- Policy DM5.2- Loss of existing business floorspace
- Policy DM5.4 - Size and affordability of workspace
- Policy DM7.1 - Sustainable design and construction
- Policy DM7.2 - Energy efficiency and carbon reduction in minor schemes
- Policy DM7.4 – Sustainable Design Standards
- Policy DM8.2 - Managing transport impacts
- Policy DM8.4 - Walking and cycling
- Policy DM8.6 - Delivery and servicing for new developments

D) Finsbury Local Plan June 2013

- Bunhill & Clerkenwell Key Area
- Policy BC 8 - Achieving a balanced mix of uses

11.7 Designations

Clerkenwell Green Conservation Area
Employment Priority Areas (General)

11.8 SPD/SPGS

Urban Design Guidelines
Conservation Area Design Guidelines
Environmental Design SPD
Inclusive Design SPD
Basement Development SPD 2016
Crossrail Funding SPG March 2016