

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department

PLANNING SUB COMMITTEE A	AGENDA ITEM: B1
Date: 19 June 2018	NON-EXEMPT

Application number	P2018/0135/FUL
Application type	Full Planning Application
Ward	Canonbury
Listed building	No
Conservation Area	East Canonbury
Development Plan	East Canonbury Conservation Area Crossrail 2 Rail Safeguarding Area
Licensing Implications	None
Site Address	151 Englefield Road, London, N1 3LH
Proposal	Change of use from class B1 (532m ²) to a <i>sui generis</i> mixed use comprising offices, flexible community space, theatre space/community room, counselling and psychotherapy space and associated external alterations.

Case Officer	Rebecca Neil
Applicant	The Big House Theatre Company
Agent	Firstplan

1. RECOMMENDATION

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

2. SITE PLAN AND AERIAL VIEW



3. PHOTOS OF THE SITE



Fig. 1: View of front of building (taken from covered passageway)



Fig. 2: View towards rear of properties on Essex Road (taken from first floor window)



Fig. 3: View of west wing of the building (taken from courtyard)



Fig. 4: Arched window with covered entrance beyond (taken from first floor)

4. SUMMARY

- 4.1 Planning permission is sought for the change of use of the existing building (currently 532m² GIA of Class B1c floor space) to a *sui generis* use consisting of 247m² of office space, 222m² of theatre/performance space and 63m² of common space to be used for purposes such as psychotherapy and wellbeing classes.
- 4.2 The site is a part-one, part-two storey building located in a courtyard to the south of Englefield Road, accessed through a covered passageway between Nos. 149 and 155. The site has no street frontage and is bounded on all sides by other buildings, including several residential properties. The site's last lawful use was a workshop for a company manufacturing mirrors and other items of furniture, falling within use class B1c (light industrial), but has been vacant for over ten years. The site lies within the East Canonbury Conservation Area. It is within close proximity to Essex Road Rail Station, Canonbury Overground station and several bus routes, and has a Public Transport Accessibility Level (PTAL) of 6a (excellent).
- 4.3 The building is to be occupied by The Big House, a charity providing support for young people leaving the care system. The building will contain a theatre/performance space, a flexible common room, offices for The Big House staff and offices which will be rented to external organisations. The theatre/performance space will be used daily by The Big House and will be available for hire by local groups. Theatre productions will be held nightly for approximately 10.5 weeks of the year, and the space will also be used occasionally for private events and the annual Big House gala dinner. The proposal involves the replacement of all windows on the front elevations with black aluminium frames, a new refuse and recycling store, and 14 cycle parking spaces.
- 4.4 The proposed development, particularly the provision of a well-known and valuable charitable use, is welcomed in principle, and brings a dilapidated building on an awkward backland site into productive use. The application has been considered in conjunction with the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 4.5 The proposal is considered acceptable in terms of land use, design, inclusive design, sustainability, waste and recycling and landscaping. Due to the nature of the use and the constraints of the site, the proposal could potentially have an adverse impact on the surrounding area in terms of noise, disturbance, crime and antisocial behaviour. However, following consultation with the Environmental Health Team and Crime Prevention Officer, it is considered that any potential issues can be suitably controlled via planning condition. A full schedule of conditions is attached as **Appendix 1**.
- 4.6 Taking all material considerations into account, it is considered that the proposal is acceptable on balance, and that the application should be approved.

5. SITE AND SURROUNDINGS

- 5.1 The site is a part-one, part-two storey building located in a courtyard to the south of Englefield Road, accessed through a covered passageway between Nos. 149 and 155 (see Fig. 4 above). The site has no street frontage and is bounded on all sides by other building plots. To the north, east and south are the rear gardens of residential properties on Englefield Road and Crowland Terrace, and to the west are commercial properties on Essex Road, including the Lord Clyde public house (which has a beer garden to the rear, directly adjacent to the site). The houses at 141-155 Englefield Road and 8 Crowland Terrace are locally listed.
- 5.2 The application site consists of a roughly L-shaped building facing onto an enclosed courtyard. The building is constructed in London stock brick with a slate roof containing multiple skylights. The building's fenestration varies in terms of profile and detailing but is predominantly timber framed, and includes a large arched window over the building's main entrance (on the north elevation). The site's last lawful use was a workshop for a company manufacturing mirrors and other items of furniture, falling within use class B1c (light industrial). This use vacated the site over ten years ago and the building has remained unoccupied since.

5.3 The site lies within the East Canonbury Conservation Area. It is within close proximity to Essex Road Rail Station, Canonbury Overground station and several bus routes, and has a Public Transport Accessibility Level (PTAL) of 6a (excellent).

6. PROPOSAL (IN DETAIL)

6.1 Planning permission is sought for the change of use of the existing building (currently 532m² GIA of Class B1c floor space) to a *sui generis* use consisting of 247m² of office space, 222m² of theatre/performance space and 63m² of flexible space. The building is to be occupied by The Big House, a charity providing support for young people leaving the care system through engagement with theatre and the arts. The Big House is currently based at the Mildmay Community Centre in Newington Green, but has outgrown the space and is in need of a new base from which to operate its core activities. These include the Open House Theatre Project, a 12-week programme consisting of drama workshops and rehearsals combined with employability workshops, counselling and one-to-one mentoring. The programme culminates in a theatrical production lasting just over three weeks, with tickets being made publicly available. Further information about the charity is provided in para. 10.9 below, the Mission Statement submitted with the application, and on pages 9 and 10 of the Design and Access Statement.

6.2 The Big House's staff will occupy 79m² of the office space on the first floor, with the remaining office space (168m²) being rented out to external organisations. The proposal includes the installation of a new platform lift and nine toilet cubicles, including two accessible WCs.

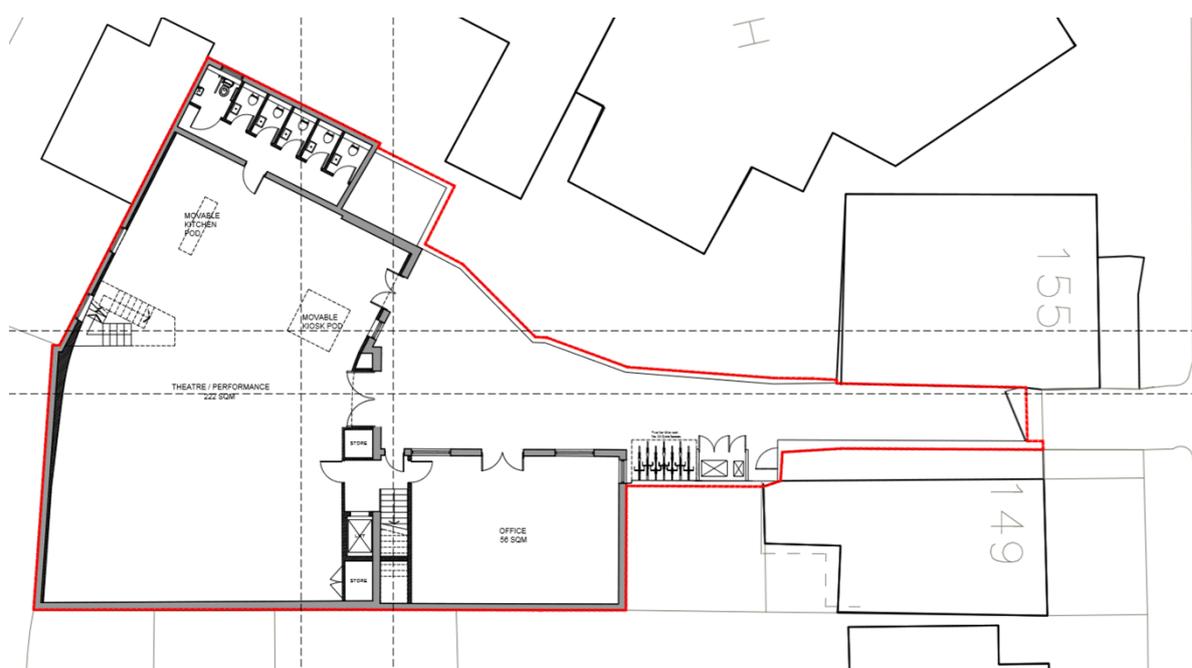


Fig. 5: Proposed ground floor layout

6.2 The part of the building labelled 'theatre/performance space' on the plans (see Fig. 5 above) will be used for a variety of purposes, including as a theatre (for 10.5 weeks of the year) and for associated rehearsals. It will be used during the day as workshop space (for the Big House and for external organisations), and will be available for hire by local groups. In addition to evening theatre performances, the proposal would also involve use of the building for a number of evening events such as The Big House gala dinner, private events (4 per year) and poetry/spoken words events (6 per year). A full breakdown of the proposed uses and their approximate operating times are provided on pages 10 and 11 of the Planning and Heritage Statement (December 2017) and are reproduced after para. 10.19 of this report.

- 6.3 The northern wing of the building (directly behind 149 Englefield Road) will contain two small (56m²) units of office accommodation, one on each floor, to be rented out to external organisations. Both units are off a stairwell accessed from the main courtyard through a new door in the building's west elevation. The ground floor unit also has a set of French doors directly onto the courtyard. The new door and stairwell also serves, on the other side of the corridor, a third office area (56m²) and shared toilet facilities. The offices for The Big House (79m²) are located in the west wing at first floor level, and are connected via an internal stair to the performance space below. A flexible/common space (63m²) is located in the centre of the building at first floor level.

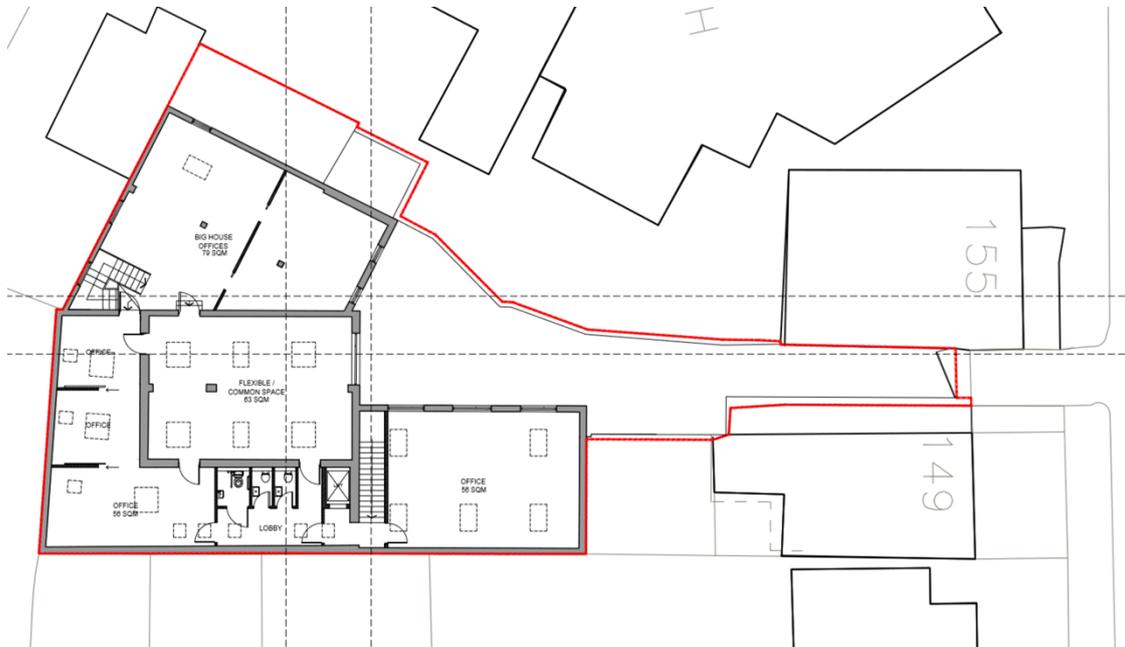


Fig. 6: Proposed first floor layout

- 6.4 The only external alterations to the building proposed by this application are the replacement of the windows and doors with new aluminium frames, and the insertion of a new door on the west elevation (to allow for separate access to the privately-let office space). Refuse storage is provided along the access way to the site, along with 14 cycle parking spaces.



Fig. 7: Computer generated image of building as proposed

7. RELEVANT HISTORY

Planning applications

- 7.1 840265 - New mezzanine floor (99m²) and external alterations to existing industrial building for craft workshops (approved 27 July 1984).
- 7.2 871952 - Erection of additional storey to part of workshop building (approved on 23 August 1988).
- 7.3 P000544 - The insertion of fixed shut, obscure lights to the east and south elevations at ground and first floor levels in connection with the continued use of the property as workshops (refused on 22 December 2000).
- 7.4 P012241 - Installation of new windows in rear boundary walls (refused on 03 December 2001; appeal dismissed in July 2002).
- 7.5 P121352 - Change of use and conversion of industrial building to form two 1- bedroom flats, two 2- bedroom flats and two 3- bedroom flats and associated alterations (refused on 03 October 2013).

Enforcement

- 7.6 E010541 - Concern regarding height of building (no further action taken; case closed 26 April 2002).
- 7.7 E010568 - Change of use to retail (no further action taken; case closed 17 July 2002).
- 7.8 E03/00898 - Unauthorised extension (no breach; case closed 11 November 2004).
- 7.9 E11/05550 - Installation of gate (gate erected over four years ago; case closed 19 May 2011).
- 7.10 E/2013/011 - Unauthorised extension (no breach; case closed 27 June 2013).
- 7.11 E/2013/0559 - Unauthorised building works and wooden fence at rear of the Lord Clyde pub (no breach; case closed 23 October 2013).

Pre-application advice

- 7.12 A pre-application request was submitted in May 2017 (Ref: Q2017/1633/MIN) in relation to a change of use from Class B1(c) to a *sui generis* youth centre with associated café. The proposal at pre-application stage involved various exterior alterations including an external staircase, a contemporary entrance feature and a replacement extraction flue. These alterations attracted objections from the Conservation and Design Team and have all been removed from this application, along with the proposed café use.
- 7.13 The officer also requested that marketing information be submitted with the planning application, as well as detailed information about the floor space covered by each use, how each use would operate, and at which hours. An acoustic assessment and noise management plan was also requested at pre-application stage. Both of these have been provided with this application (see pages 9 and 10 of the Planning and Heritage Statement and the Environmental Noise Survey Report prepared by Hann Tucker, dated 20 December 2017). It is considered that all matters raised by the case officer at pre-application stage have been satisfactorily addressed in this application.

8. CONSULTATION

Public consultation

- 8.1 Letters were sent to occupants of 78 adjoining and nearby properties on Englefield Road, Essex Road and Crowland Terrace on 24 January 2018.
- 8.2 A notice was displayed outside the site on 01 February 2018 and a press notice published in the Islington Gazette on the same day. The public consultation period expired on 22 February 2018, however it is the Council's practice to consider representations made up until the date of a decision.
- 8.3 At the time of writing of this report, a total of 5 objections had been received from members of the public, and one letter of support had been received from a local business. The objections predominantly concern the impact of the proposal on the amenity of neighbouring residential occupiers, and can be summarised as follows:
- Once off Essex Road, the area is residential in character and the proposed use is incompatible with this residential setting (objection addressed in para. 10.8 below)
 - The proposal would result in noise and disturbance to adjoining residential occupiers by virtue of the large number of people arriving at and leaving the premises and potentially congregating outside (objection addressed in paras. 10.19-10.23 and 10.26-10.27 below)
 - The proposal would result in noise and disturbance to adjoining residential occupiers by virtue of noise emanating from the building during performances, which would be exacerbated by the enclosed nature of the site (objection addressed in paras. 10.19-10.23 and 10.26-10.27 below)
 - The area already suffers from noise and disturbance from the Lord Clyde public house and other commercial properties on Essex Road, a problem which would be made worse by this proposal (objection addressed in paras. 10.8, 10.19-10.23 and 10.26-10.27 below)
 - The proposal would result in a loss of privacy to adjoining residential properties (objection addressed in paras. 10.17-10.18 below)
 - The proposal would result in increased crime and antisocial behaviour, adding to the existing antisocial behaviour caused by 'youths from the Marquess Estate' (objection addressed in paras. 10.24-10.25 below)
 - There is no car parking proposed, which means that there would be an accumulation of traffic in the vicinity (objection addressed in para. 10.28 and 10.29 below)
 - If a fire were to break out at the premises, access would be an issue due to the limited height of the arch (objection addressed in paras. 10.37 and 10.38 below)

Internal consultees

- 8.4 **Access and Inclusive Design** – overall, the proposal is positive in inclusive design terms. However, the dimensions for the lifts and WCs should be provided.
- 8.5 **Building Control** – requested robust fire safety strategy plans showing exit (escape) routes. A Fire Safety policy was provided, but was considered inadequate. A further document and a series of drawings showing emergency evacuation plans and distances were provided in May 2018, but the Building Control team still consider that the details provided are insufficient to demonstrate compliance with the Building Regulations (see paras. 10.37 and 10.38 below).
- 8.6 **Crime Prevention Officer** – No response received.

- 8.7 **Design and Conservation Officer** – supports proposal to replace the windows so that frames are consistent across the whole building. Agrees that black aluminium or Crittal frames are acceptable, but has requested a condition requiring the submission of full details.
- 8.8 **Highways Team** - responded with 'no comment from Highways'.
- 8.9 **Licensing Team** - No comments received.
- 8.10 **Planning Policy** - initially objected to the proposal on the grounds of loss of business space, and considered that the applicant's marketing evidence was not sufficiently robust to satisfy the requirements of Policy DM5.2 and Appendix 11 (see paras. 10.4-10.5 below). However, following the submission of further information, the policy team now consider that the majority of criteria in Appendix 11 have been met and that, subject to compliance with the criteria in policy DM4.12 (in relation to cultural facilities), it is acceptable in policy terms.
- 8.11 **Public Protection (Noise Team)** – originally had concerns about the methodology used in the acoustic assessment. A revised assessment and further information was provided by the applicant's consultant, and the Noise Officer no longer has any objection to the proposal subject to conditions to mitigate noise impacts (see para. 10.21 below and Appendix 1). A land contamination survey has also been recommended (see para. 10.36).
- 8.12 **Refuse and Recycling** – no objection to the proposal.
- 8.13 Transport Planning - no comments received.

External Consultees

- 8.15 London Fire and Emergency Planning Authority – no objection, subject to the application meeting the access requirements of Approved Document B5 of the Building Regulations.
- 8.16 The Canonbury Society - no comments received.
- 8.17 The Theatres Trust - supports the application, on the grounds that it brings a vacant industrial building on an awkward site back into use with positive social outcomes. Due to the size and scale of the proposal, access for stage deliveries should not pose a challenge. In light of the site's residential surroundings, a suitable management plan is essential so as to mitigate any risk of noise complaints.
- 8.18 Transport for London - no comment.

9. RELEVANT STATUTORY DUTIES, DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

- 9.1 Islington Council (Planning Committee), in determining this 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). The relevant Development Plan is the London Plan and Islington's Local Plan;
 - To pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area (s72(1)).
- 9.2 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.

9.3 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making 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.

9.4 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees. This report considers the proposal against the following documents:

National Policy

9.6 The National Planning Policy Framework 2012 (NPPF) contains a presumption in favour of sustainable development, which should be seen as '*a golden thread running through both plan-making and decision-taking*' (para. 14). For decision-taking, this means approving development proposals that accord with the development plan without delay. The NPPF is a material consideration in the determination of this application and has been taken into account during the assessment of these proposals.

Development Plan

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

Supplementary Planning Guidance (SPG) / Documents (SPDs)

9.8 The SPGs and/or SPDs which are considered relevant are listed in **Appendix 2** to this report.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and conservation
- Inclusive design
- Neighbouring amenity
- Highways and transportation
- Other issues: sustainability, waste and recycling, landscaping, contaminated land and fire safety.

Land use

Loss of existing business use

- 10.2 Policy CS13 (Part B) of the Islington Core Strategy provides that the council will safeguard existing business space throughout the borough by protecting against changes of use to non-business uses unless exceptional circumstances can be demonstrated. This is reflected in Policy DM5.2 (Part A) of the Islington Development Management Policies, which provides that proposals resulting in a loss or reduction of business floorspace will be refused unless clear and robust evidence is submitted to show that there is no demand for the floorspace. This evidence must demonstrate that the premises have been vacant and continuously marketed for a period of at least two years. In exceptional cases related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable. Appendix 11 to the Islington Development Management Policies provides detailed guidance on what should be submitted as evidence of vacancy and marketing.
- 10.3 The existing lawful use of the site is as B1c (light industrial). Consequently, as a result of this proposal to change the use of the building to a *sui generis* use, a total of 532m² of B1c floor space would be lost. In accordance with Policy DM5.2, the applicant submitted a marketing report (prepared by Currell Commercial) with the planning application. The report explains that Currell were instructed to market the space in February 2009 but ceased marketing in 2010 due to lack of interest. The building was not marketed again until September 2016. The report outlines several measures taken to let the building for commercial use in both 2009 and since September 2016, including displaying a 'To Let' board outside the site and listing the premises on several websites and estate agency portals. The report claims that in 2009, interest was received from one office occupier, two car repair businesses and a hostel, all of whom concluded that the space was unsuitable for their purposes.
- 10.4 The marketing report as initially submitted was scrutinised by the Planning Policy team, who objected to the proposal on the basis that the marketing evidence did not meet all the criteria contained in Appendix 11. In particular, marketing had not taken place for a continuous 2-year period (as marketing had only re-commenced in September 2016), there was no photographic evidence of the 'To Let' board, the use was only marketed for light industrial use (B1c) and not office (B1a) or research and development (B1b) uses, and no details were provided of any enquiries or viewings during the later (2016 onwards) marketing period. Furthermore, no market demand analysis was provided with the initial report.
- 10.5 The applicant subsequently provided additional information confirming that marketing took place for 20 months in 2009 and 2010, and only 15 months on the second occasion (from September 2016 until November 2017). However, due to a right of way dispute with the Lord Clyde public house which lasted several years, the property could not be marketed prior to September 2016, and therefore it is not possible for the applicant to demonstrate a continuous 24-month marketing period. A detailed market demand analysis prepared by Belchak Corin & Co. has been provided, which concludes that 151a Englefield Road would be difficult for a 'normal' office or light industrial occupier to operate from effectively. A copy of the 'To Let' sign has been provided, as well as evidence that the property was in fact marketed as a 'studio', which could encompass B1a and B1b uses. All additional details have been scrutinised by the Policy team, who are now satisfied that, although there are still some minor instances of technical non-compliance, the majority of criteria in Appendix 11 have been met, and the loss of B1c space has been adequately justified.
- 10.6 Furthermore, it is noted that although the premises as a whole would now be in *sui generis* use, the applicant has, in accordance with advice given at pre-application stage, incorporated a significant amount (247m²) of office space into the proposal, 168m² of which will be occupied by external organisations. Furthermore, these spaces are laid out as smaller units (56m²) and would constitute 'small/micro' workspace which, although not required by policy in this instance, are in line with the aspirations of the Islington Local Plan to provide office space suitable for smaller businesses. It is therefore considered that the addition of this office space should weigh in favour of the proposal. Given that changing the use of one or more of these offices in future might not necessarily require planning permission (as whether a material change of use had occurred would

be judged with reference to the *sui generis* planning unit *as a whole*), it is considered appropriate to attach a condition to ensure that these spaces remain in office use (Condition 3).

Proposed sui generis use

10.7 The proposed use of the building falls within the *sui generis* use class, but is considered to be a community facility and therefore constitutes social infrastructure in the context of the local development plan. The London Plan provides that development proposals which provide high quality social infrastructure will be supported (Policy 2.6) and that development proposals should protect and enhance facilities and services that meet the needs of particular groups and communities (Policy 3.1). Policy DM4.12 of the Islington Development Management Policies 2013 provides that new social infrastructure should:

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

10.8 In this instance, criteria i), ii) and iii) are met (see paras. 10.29 and 10.15 of this report respectively). In terms of criterion iv), it is accepted that the areas immediately to the north, south and west of the site are residential in character and that Englefield Road is much 'quieter' when compared with the Essex Road. However, the site itself is not a residential site and bears a relationship to the commercial properties to the west, including the Lord Clyde pub, which has a beer garden to the rear; this, as acknowledged by objectors, already attracts a certain amount of activity in the evenings. It is accepted that the proposal would result in an intensification when compared to the lawful use of the site but it is considered that, subject to suitable conditions to ensure that the site is carefully managed, it can operate in a manner which complements the commercial activity on Essex Road whilst also being compatible with existing residential uses. The impact of the proposal on residential occupiers is discussed in more detail in paras. 10.16-10.27 below.

10.9 The proposed theatre/performance space is to be operated by The Big House, a charity which aims to support young people through engagement with theatre and the arts. The Big House's clients are predominantly young adults in the process of leaving the care system. The core activity of the charity is The Open House Project, a 12-week programme consisting of a combination of drama-based workshops and rehearsals (culminating in a theatre production) and skills and employability workshops aimed at encouraging clients to become self-sufficient and 'job ready'. These workshops cover topics such as how to avoid homelessness, paying bills and accessing social services. Islington has one of the highest child poverty rates in the country and a high number of care leavers, who are at high risk of social exclusion and require support to make the transition to adult life. Of the young people who have been through an Open House project, 67% go on to employment, training and education within 12 months of finishing the 12-week programme. Islington's 'Leaving Care' service – known as Independent Futures Islington – have confirmed that they place approximately 8-10 young Islington care leavers with the charity each year, with a high success rate. The charity therefore directly benefits Islington residents, as well as disadvantaged young people from other parts of London.

10.10 In addition to the Open House project, the performance space would be available for community groups and organisations to hire when The Big House are not using it. The applicant has stated that they expect classes such as yoga, children's dance and boxing classes to operate from the site. Overall, it is considered that the community benefits offered by the use are substantial, and that this should be weighed against any harm identified.

Design and conservation

- 10.11 The National Planning Policy Framework (NPPF) provides that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Para. 132 of the NPPF provides that any harm or loss to the significance of a designated heritage asset (the definition of which includes conservation areas) should require clear and convincing justification, and para. 134 provides that where a development will lead to 'less than substantial harm', this harm should be weighed against the public benefits of the proposal.
- 10.12 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London's Character and Context SPG is also relevant. At the local level, Policy CS9 of the Islington Core Strategy requires new buildings to be sympathetic in scale and appearance and complementary to local identity, and provides that the historic significance of Islington's unique heritage assets and historic environment will be conserved and enhanced. Policy DM2.1 of Islington's Development Management Policies requires new development, *inter alia*, to respect and respond positively to existing buildings, the streetscape and wider context, and to be sustainable, durable, adaptable, safe and inclusive. Policy DM2.3 further provides that the borough's heritage assets should be conserved and enhanced in a manner appropriate to their significance, and that new developments within the borough's conservation areas are required to be of a high quality contextual design so that they conserve or enhance the Conservation Area.
- 10.13 The only external alterations proposed in the application are the replacement of the windows on both elevations (facing the courtyard) with aluminium windows, and the insertion of a new door in the west elevation. The proposal is an improvement on the existing situation in that it results in a consistent fenestration across the whole building. The use of black Crittal-style frames is considered suitable and compatible with the character of the building and the wider conservation area, and therefore causes no harm to the designated heritage asset. The Design & Conservation Team support the proposal, although they have expressed the view that the large arched window over the entrance should be multi-paned to match the other windows and doors, rather than a single expanse of glass. Further details are therefore required in terms of profile and detailing, which will be sought by condition (Condition 4).

Inclusive design

- 10.14 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design, and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires developments to demonstrate that they provide for ease of use and versatility in use, produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of a development from the outset and over its lifetime. Policies on inclusive design are also supported by the Inclusive Design in Islington SPD, adopted in 2014.
- 10.15 All entrances to the building are step-free and level. The proposal involves the installation of a platform lift (where one currently does not exist). This is considered to be a considerable enhancement in terms of the overall accessibility of the building. The proposal includes two accessible WCs which are compliant with the size requirements of the SPD. There is a level change on the first floor between the communal/flexible space and the Big House office accommodation, however this is an existing step and the constraints of the building are such that it would be logistically difficult to fit a ramp or platform lift. It is also noted that this part of the site would not be publicly accessible. In general, it is considered that the development provides inclusive design and is in accordance with Policy DM2.2 and relevant supplementary planning guidance.

Neighbouring Amenity

- 10.16 Policy 7.6 of the London Plan provides that development should not cause unacceptable harm to the amenity of surrounding properties, particularly residential buildings. This is reflected at local level in Policy DM2.1 of the Islington Development Management Policies, which requires developments to provide a good level of amenity, including consideration of noise, disturbance, hours of operation, vibration, pollution, overshadowing, overlooking, privacy, sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.17 As there are no external alterations being proposed which create additional massing, there are no concerns regarding loss of daylight or sunlight, over-dominance, sense of enclosure or loss of outlook. In terms of privacy, the proposal involves no new windows and therefore creates no opportunities for overlooking over and above that which already exist, though the increased number of people using the premises may result in a greater number of people being able to gain a view from those windows and an increased *perception* of overlooking. The windows on the north and west elevations all face into the internal courtyard and, as such, only afford views of the rear of 149-155 Englefield Road, the Lord Clyde pub at 340-342 Essex Road (the upper floors of which are in use as residential accommodation), and three windows at 334-338 Essex Road. The properties at 149-155 Englefield Road are 18 metres away from the windows of the host building, as are the windows serving the residential accommodation above the Lord Clyde.
- 10.18 In terms of 334-338 Essex Road, the first and second floor windows are set back and views into them would only be from an acute upward angle. The basement window is at a downward angle and obscured by the boundary wall. The ground floor window is the only window that could potentially be overlooked, but only by the office units, meaning that the loss of privacy would be no greater than that caused by the building's lawful use (it is also noted that the windows are not directly facing and are still approximately 12 metres apart).
- 10.19 The key issue here, and one which is the focus of all five residents' objections, is the potential for noise and disturbance to neighbouring residential properties. When compared with the lawful use of the building, the proposal would involve a significant intensification of activity on the site. For a maximum of 10.5 weeks of the year, there would be nightly theatre performances with an audience of 80 people and approximately 35 staff and actors, meaning that on these occasions there could potentially be 105 people on site. Performances would commence at 7.30pm and end at 9pm, meaning that guests would be likely to be leaving the premises up until approximately 10pm. In addition, the charity proposes to hold occasional poetry/spoken word events, a small number of private events and its annual gala dinner in the evenings. Daytime activity would be much less intense, and would be akin to that of an 'ordinary' community centre, but nevertheless would involve people coming and going throughout the day, as well as several potentially 'noisy' activities taking place, such as rehearsals and dance classes. A full schedule setting out the uses and approximate times as initially proposed by the applicant is provided below.

Space	Area	Further information on use	Approximate times of use
Office space (for The Big House) Located on first floor	79m ²	Located on first floor For use of The Big House staff, including 10 core staff and 10 freelancers on an ad-hoc basis	Monday- Friday 9am-6pm
Office space (rented to external organisations) Located over both floors	168m ²	Located on ground and first floor, with separate access off courtyard Capacity circa. 20-25 employees	Monday-Friday 9am-6pm
Theatre/performance space		Theatre productions	

Located on ground floor		Approximately 80 audience members	2-3 productions a year, lasting 3.5 weeks each. Evenings 7.30pm-9pm (Monday to Saturday); Saturday matinees 3pm-4.30pm
		Internal Big House workshops Involving 20 young people aged 18-25 and associated facilitators, staff and guests	3 times a week Monday to Sunday 9am to 6pm.
		Life skills and employability workshops Involving 15 young people and 5 staff/facilitators	2-3 times a week Monday to Sunday 9am to 6pm.
		External bookings/workshops Up to 50 people	2-3 times a week Monday to Sunday 9am to 6pm.
		External hire/classes For example yoga, drama for kids, boxing, dance classes Up to 20 people	3-4 times per week
		Rehearsal space 20-30 people	12 weeks a year
		Occasional events Private events, 100 people Gala dinner, 150 people Poetry events, 30-100 people	4 times a year Once a year 6 times a year
Flexible/common space Located on first floor	63m ²	For use of the Big House only, for psychotherapy and wellbeing classes for 2-5 people	2-3 hours per day Monday-Friday 9am-6pm

10.20 Due to the significant number of uses taking place on the site and the hours at which they are proposed to occur, it is crucial that if planning permission is granted for the use, it is carefully managed to ensure that no disturbance is caused to neighbouring residents and, in particular, that Sunday hours are restricted. The potential for disturbance falls into two broad categories - the impact of people arriving at, leaving or congregating outside the premises, and amplified noise caused by the theatre performances, rehearsals and dance classes (which are likely to be the 'noisiest' uses proposed on the site). The likelihood and impact of antisocial behaviour must also

be considered, and the impact of the proposal on parking and the safe operation of the highway is considered in paras. 10.28-10.32 below.

10.21 The applicant has provided an acoustic assessment with this application which has been scrutinised by the Council's Environmental Health team. Though the noise officer has some concerns regarding the methodology used by the applicant to assess 'people noise' (i.e. voices), they have raised no objection to the proposal subject to a number of conditions to mitigate the impact of the noise. The full wording of these conditions can be found in Appendix 1 but, in summary, they are:

- A condition requiring the submission and approval by the local planning authority of a Noise Management Plan (NMP) prior to first occupation. This will require the applicant to provide full details of proposed management measures including a dispersal policy, signage, a 'close-down' policy, delivery and servicing details, and information on how private hire functions will be managed (Condition 5);
- A condition requiring the use to operate only between the hours of 8am and 10pm Monday to Saturday (with half an hour permitted for 'closing down' after theatre performances until 10.30pm) and not at all on Sundays or Bank Holidays (Condition 6);
- A condition limiting the hours of delivery and servicing to between 8am and 8pm Monday to Saturday (Condition 7); and
- A condition requiring the submission and approval by the local planning authority of a sound insulation scheme for the theatre and performance space prior to works commencing on site (Condition 8).

10.22 Although not recommended by the noise officer, it is considered appropriate to attach a condition limiting the amount of theatre performances per annum (see Condition 9). In the absence of such a condition, the applicant would be able to hold an unlimited number of performances, which have a much greater impact in terms of noise and disturbance than the 'ordinary' community centre use. Working on the assumption that there will be three productions each year, each lasting 3.5 weeks (with performances every evening except Sunday, plus a Saturday matinee), 75 performances should be sufficient to ensure that the charity is able to adequately fulfil its functions. In addition, the charity wishes to hold a number of standalone events, such as a poetry/spoken word evenings and the annual gala dinner. It is considered that an additional 10 evening events will be sufficient to enable these functions to take place. Discussions have been held with the planning enforcement team, who consider that whilst conditions limiting numbers of events can often be difficult to enforce, the manner in which this particular applicant operates (with performances coming only at the end of a fixed 12-week programme and the fact that tickets are sold online) renders a breach easier to detect and monitor.

10.23 All details to be submitted pursuant to the aforementioned conditions will be expected to be prepared to an extremely robust standard and rigidly adhered to. Whilst it is appreciated that cumulatively, the conditions place a considerable burden on the applicant (a registered charity), a balance must be struck between the desirability of the use and the likelihood of harm arising to local residents if this permission were approved without them. In this instance, there is strong justification for imposing such stringent controls on the proposed use in order to safeguard the amenity of adjoining residential occupiers.

10.24 Some objectors have expressed concern about a potential increase in criminal and antisocial behaviour as a result of the use. The applicants have submitted a Crime Prevention Strategy with the application. This details a number of measures they will take to reduce the likelihood of their clients being involved in criminal activity or causing antisocial behaviour. These include pairing new members up with a 'buddy' (from The Big House) who will collect them from the station or bus stop and oversee their exit from the site, a strict referral policy and central 'building rules' to be followed by all users of the building. It also sets out a clear antisocial behaviour policy which involves removing disruptive members from the programme. No drugs or alcohol will be permitted on site whilst workshops are taking place. The Crime Prevention Strategy will be

reviewed on a monthly basis by The Big House's senior staff to ensure that the measures contained therein are being met, with any identified issues being rectified.

- 10.25 The applicant has sought advice from the Design Out Crime Officer at the Metropolitan Police, and plans to install CCTV devices and lighting to enhance safety and security. Information on these measures has not been submitted with this application and it is considered appropriate to attach a condition requiring the submission and approval of these details prior to first occupation of the building (Condition 10), so as to ensure that the proposed measures are adequate.
- 10.26 It should be noted that there are two gates located in the wall between the Lord Clyde pub, one double leaf and one single pedestrian gate. The applicant states, in their Crime Prevention Strategy, that the pub is investigating the possibility of offering 'meal deals' to theatre goers, and there is a concern that if these gates are to remain open, the two premises will begin to 'merge', with overspill from the beer garden starting to congregate in the courtyard of 151A. This is likely to compromise attempts by the Big House management staff to control visitors on their own premises and may cumulatively exacerbate 'people noise'. The boundary wall in which these gates are located is contained within the red lined site and is under the control of the applicant (rather than the public house). Therefore, it is possible to attach a condition requiring these gates to remain closed during operating hours (Condition 11).
- 10.27 The applicant is a well-established charity that has been operating since 2012 and has organised several youth theatre programmes across London. The charity has National Lottery funding, has several high-profile trustees and partners with reputable institutions such as the Royal Court Theatre and the Battersea Arts Centre. The Islington 'leaving care' team (Independent Futures Islington) has confirmed that they routinely refer local care leavers to the service and believe it to be a well organised enterprise which has critical social value. It is unlikely – given the bespoke nature of the end user – that any other operator would take control of the site and operate this consent; it is also noted The Big House have chosen the site specifically as its permanent base and is not a 'speculative' developer. Overall, it has been demonstrated to the Council's satisfaction that The Big House is capable of safely and effectively running their operation at this challenging site in a manner which is compatible with the site's residential setting.

Highways and transportation

- 10.28 Policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use, and requiring that all new developments are car-free. Policy DM8.1 provides that the design of new development is required to prioritise the transport needs of pedestrians, public transport users and cyclists above those of motor vehicles. Policy DM8.2 of the Development Management Policies provides that development proposals are required, *inter alia*, to maximise safe and convenient access to, from and within developments for pedestrians and cyclists, provide equal access for all, and adequately address delivery, servicing and drop-off requirements. Policy DM8.6 requires that provision for delivery and servicing should be provided off-street and that delivery vehicles should be able to enter and exit the site in forward gear. Policy DM8.4 requires cycle parking to be provided in accordance with the minimum standards set out in Appendix 6 of the Islington Development Management Policies.
- 10.29 The proposed development is located in an area with a PTAL rating of 6a (excellent). It is highly accessible by public transport, bicycle and on foot, and it is therefore considered that the vast majority of visitors to the site, particularly in the daytime, will arrive via one of these three forms of transportation. The applicant has submitted a Transport Assessment containing an estimation of trip generation, and has demonstrated that the proposal would have little or no impact on the highway or public transport network during peak hours, and neither the Council's highways team nor TFL have objected to the proposals. The application does not propose any vehicle parking, and a total of 14 cycle parking spaces (in excess of that required by policy) are provided (secured by Condition 12). There are also a number of Sheffield stands along Essex Road.
- 10.30 Deliveries and servicing will take place on-street. This is considered acceptable given the constrained nature of the site and narrow access. Along this part of Englefield Road, the road is wide enough to enable vehicles to unload from the double and single yellow lines outside the entrance to the site (the maximum size of delivery vehicle to the site would be 7.5 tonne box van

due to weight restrictions along Englefield Road). It is considered that due to the scale and nature of the proposal, the delivery and servicing requirements would not be particularly intensive, but may become more frequent during periods where productions are being shown. As discussed in para. 10.21 above, full delivery and servicing details will be required as part of the Noise Management Plan required by Condition 5, and a separate condition will restrict delivery and servicing hours to between 8am and 8pm Monday to Friday. No objections have been received from the Islington's Highways or Traffic and Engineering teams.

- 10.31 Due to the high PTAL rating of the site, it is likely that most daytime visitors and a significant proportion of evening visitors will arrive at the site via public transport. The applicant estimates that only 4 cars are likely to attend the site for each theatre performance and that this number of vehicles can be accommodated by the existing parking spaces (there are 'pay and display' parking bays opposite the site and several more a short walk down Englefield Road, which permit parking for 4 hours, with parking controls ceasing at 18.30). Whilst it is considered that this is a realistic assessment in terms of private vehicles attending the site and it is agreed that the impact of parked cars is likely to be minimal, the Transport Assessment does not specifically address the impact of taxis/Uber cars picking up guests after shows and events. Again, this is not considered likely to be significant, given that all guests will have left by 10pm and public transport services will still be operating. The council's Highways and Traffic and Engineering team have not commented on the application; further comments have been requested from the latter (Members will be notified of any comments received between the time of writing and the date of the Planning Committee).
- 10.32 The Big House have confirmed that staff will be on and within and outside the site to manage pick-up/drop-off and to ensure that people are encouraged to move away from the building when they leave. Information about travelling to the site will be provided on the charity's website, and will be attached to any leaflet or ticket associated with such events. The proposed Condition 5 (see para. 10.21 above) includes a requirement to submit a full dispersal policy and associated procedures, and all details will be secured at condition discharge stage.

Other issues

- 10.33 Sustainability: Policy CS10 of the Islington Core Strategy requires developments to address a number of sustainability criteria such as climate change adaptation, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards (provided within Islington's Environmental Design SPD and underpinned by the Mayor's Sustainable Design and Construction Statement SPG). Policy DM7.2 requires developments to achieve best practice energy efficiency standards in terms of design and specification, and Policies CS15 and DM6.5 require development to maximise opportunities to 'green' the borough through measures such as planting and green roofs. As this proposal is of a small scale and relates to a change of use rather than the construction of new buildings, it is not considered reasonable to impose rigid sustainability measures. However, it is noted that the general repair and refurbishment of the site, particularly the replacement of the existing windows, will result in a far more energy efficient building than currently exists.
- 10.34 Waste and recycling: Policy CS11 of the Islington Core Strategy 2013 requires developments to provide waste and recycling facilities which fit current and future collection practices and are accessible to all. The proposal involves a bin store adjacent to the cycle parking, along the access way to the site, which is considered to be a suitable location for the bin store. However, no details have been provided about the size or physical appearance of the bin store, and it is therefore considered appropriate to secure further details by condition (Condition 13). Waste will be collected by private collection operatives. The council's Waste and Recycling Team have been consulted and have raised no objections to the proposal.
- 10.35 Landscaping: Policy DM6.5 (A) stipulates that developments must protect, contribute to and enhance the landscape, and are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation. In this instance, the area of non-built on space is limited to the existing hard-paved courtyard and although this proposal does not incorporate the provision of soft landscaping or propose any trees, it is considered that requiring this would be unreasonable given the site constraints, and disproportionate to the scale of the proposal.

- 10.36 Contaminated land: The Council's Environmental Health officer has advised that the site has a history of potentially polluting uses and has recommended a condition requiring a contaminated land survey (Condition 14).
- 10.37 Fire safety: The London Fire Brigade has raised no objection to the proposal, subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations, which relates to access and facilities for the Fire Service. Our Building Control team have been consulted on the applicant's proposed fire strategy and, despite amendments being received, they remain dissatisfied with the details provided. In particular, they are concerned that the entrance to the premises (which cannot be accessed by a fire brigade appliance due to the constrained nature of the alleyway) is too far away to meet the access requirements of Approved Document B5; that the dry riser inlet is more than 18 metres away from the Fire Brigade appliance, and that the consultant has applied domestic standards to a non-domestic property (such as treating first floor windows as an escape route).
- 10.38 Building Control officers have suggested that these issues might be overcome by a more detailed Fire Safety Strategy and measures such as installing sprinklers. The proposals currently do not have enough information to be able to confirm that the scheme can meet the requirements of Approved Document B or relevant code of practice, and it is considered that this development cannot commence until the Fire Safety Strategy and Fire Brigade access issues have been resolved. A condition is therefore attached requiring the submission (and approval by the local planning authority) of a revised Fire Safety Strategy addressing the issues above (Condition 15). It should be noted that the proposal will still require a separate application for approval under the Building Regulations.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The redevelopment of the site is welcomed in principle. The proposal would make efficient use of an under-utilised site and provide a valuable community facility. The application has been considered with regard to the National Planning Policy Framework (NPPF) and its presumption in favour of sustainable development.
- 11.2 The benefits of the proposed development (including the use of a vacant site and, in particular, the community benefits offered by the scheme) have been considered in the final balance of planning considerations, along with the shortcomings of the proposed development (which include some neighbour amenity impacts). In the final balance of planning considerations as set out above, and having regard to the Council's priorities in respect of ensuring equal life chances for all, the positive aspects of the proposal significantly outweigh the disbenefits. On this basis, approval of planning permission is recommended.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

1	<p>Commencement (Compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.</p>
2	<p>Approved plans (Compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>483.(1).0.000 Existing location plan 483.(1).0.001 Existing ground floor plan 483.(1).0.002 Existing first floor plan 483.(1).0.003 Existing roof plan 483.(1).0.004 Existing north elevation 483.(1).0.005 Existing west elevation 483.(1).0.006 Existing section AA 483.(1).0.007 Existing section BB 483.(1).0.008 Existing section CC 483.(1).0.009 Existing section DD 483.(1).1.000 Proposed location plan 483.(1).1.001 Proposed ground floor plan 483.(1).1.002 Proposed first floor plan 483.(1).1.003 Proposed roof plan 483.(1).2.001 Proposed north elevation 483.(1).2.002 Proposed west elevation 483.(1).3.001 Proposed section AA 483.(1).3.002 Proposed section BB 483.(1).3.003 Proposed section CC 483.(1).3.004 Proposed section DD</p> <p>Design and Access Statement (Lipton Plant, January 2017) Planning Statement (Firstplan, December 2017) Marketing Report (Currell, October 2017) Letter dated 23 April 2018 from Currell Market demand analysis (Belchak Corin & Co., April 2018) Environmental Noise Survey Report (Hann Tucker Associates, January 2018) Transport Statement (Caneparo Associates, January 2018) Crime Prevention Strategy (February 2018) Vision Statement from The Big House (by Maggie Norris, undated)</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

<p>3</p>	<p>Office use (Compliance)</p> <p>CONDITION: The spaces labelled 'OFFICE' on drawings 483. (1).1.001 and 483. (1).1.002 shall remain in use as offices unless otherwise agreed by the Local Planning Authority. For the purpose of this condition, the definition of 'offices' is a use which would ordinarily fall within Class B1a.</p> <p>REASON: In order to retain an element of business use and to ensure that additional uses are not introduced into the building without a proper assessment of their impact.</p>
<p>4</p>	<p>Fenestration (Details)</p> <p>CONDITION: Details of all new windows and the new door on the west elevation of the building shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The details shall include materials, profile, reveal depth and detailing.</p> <p>Double glazing units with unsympathetic/inappropriate proportions will not be considered acceptable. The proposed windows should have a black matt finish and a black spacer bar. No trickle vents will be permitted. The large arched window over the entrance should be a multi-pane window to match the others on the building.</p> <p>The development shall be carried out in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the designated heritage asset.</p>
<p>5</p>	<p>Noise Management Plan (Details)</p> <p>CONDITION: A Noise Management Plan (NMP) shall be submitted and approved by the Local Planning Authority prior to first occupation of the unit hereby approved. The use hereby consented shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. The NMP shall include:</p> <ul style="list-style-type: none"> (a) A full dispersal policy and procedure; (b) A door policy; (c) Signs to request patrons to leave in a quiet manner and not to loiter in the surrounding streets; (d) Servicing and delivery times/arrangements in line with the site-wide plan; (e) Bottling out and waste management noise and times; (f) Control and levels of noise from any amplified music within the unit; (g) Control of any noise from any designated smoking areas or external areas; (h) 'Close-down' policy with amplified music shut-off and increased lighting; (i) Details on the capacity (of each use); (j) Details of private hire facilities/functions. <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>

<p>6</p>	<p>Hours of operation (Compliance)</p> <p>CONDITION: The <i>sui generis</i> use hereby approved shall not operate at all on Sundays or Bank Holidays.</p> <p>On days when theatre productions are taking place, the use shall not operate outside the hours of 08.00 to 22.30. All visiting members of the public must vacate the building before 22.00.</p> <p>On all other days, the use hereby approved shall not operate outside the hours of 08.00 to 22.00.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>7</p>	<p>Deliveries and servicing (Compliance)</p> <p>CONDITION: Deliveries, collections, loading and unloading shall only take place between the hours of 08.00 and 20.00 Monday to Saturday. No deliveries, collections, loading or unloading shall take place on Sundays or Bank Holidays.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>8</p>	<p>Sound insulation (Details)</p> <p>CONDITION: Full particulars and details of a scheme for sound insulation for the theatre/performance space of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby approved, and shall be maintained as such thereafter. No change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>9</p>	<p>Limit on number of performances (Compliance)</p> <p>CONDITION: No more than 75 theatre performances and 10 additional ticketed events shall be held in any one calendar year.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
<p>10</p>	<p>CCTV and lighting (Details)</p> <p>CONDITION: Details of security measures (including CCTV) and any general or security outdoor lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting residential amenity.</p>

11	<p>Gates to remain closed (Compliance)</p> <p>CONDITION: The two gates in the boundary wall between 151A Englefield Road and the rear garden of 340-342 Essex Road shall remain closed at all times during operation of the use hereby permitted.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring residential amenity.</p>
12	<p>Cycle parking spaces (Compliance)</p> <p>CONDITION: The bicycle storage area hereby approved, which shall be covered, secure and provide for no less than 14 bicycle spaces, shall be provided prior to the first occupation of the development hereby approved 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	<p>Details of refuse enclosure (Details)</p> <p>CONDITION: Details of the refuse enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to its construction. The details shall include the materials to be used and the exact dimensions of the enclosure. The works shall be carried out in accordance with these details prior to first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the refuse enclosure is of an acceptable appearance.</p>
14	<p>Contaminated land (Details)</p> <p>CONDITION: Prior to the commencement of development the following assessment in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority.</p> <p>c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b).</p> <p>REASON: Given the history of the site, the land may be contaminated. Investigation and potential remediation is necessary to safeguard the health and safety of future occupants.</p>

15	Fire Strategy (Details)
	<p>CONDITION: Prior to commencement of the development hereby approved, a revised Fire Safety Strategy shall be submitted to and approved in writing by the Local Authority.</p> <p>The Fire Safety Strategy must demonstrate to the satisfaction of the local planning authority that the proposal is capable of providing adequate Fire Brigade access to the building (with reference to Approved Document B, volume 2 or relevant code of practice). The arrangements for Fire Brigade access to the building must be acceptable to the Fire Brigade (such as the installation of a sprinkler system within the building).</p> <p>The development shall be carried out in accordance with the Fire Safety Strategy approved under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure appropriate fire safety measures, in particular adequate access for Fire Brigade appliances.</p>

List of Informatives:

1	Code of Practice for construction sites
	<p>The applicant is advised of the potential impact of any demolition/construction works, to follow the guidance of LBI's Code of Practice for construction sites and site sign up to the CLOCS scheme https://www.clocs.org.uk/ and Non Road Mobile Machinery register http://nrmm.london/.</p>
2	Mechanical plant
	<p>No mechanical plant is proposed as part of this application. The applicant is advised that planning permission would be required for any mechanical plant on site, such as air conditioning units or new extraction plant.</p>
3	Technical note on entertainment premises noise control
	<p>The applicant is advised to follow Islington's technical advice for consultants on sound insulation and noise control criteria for entertainment licensed premises (copy enclosed).</p>

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

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

2. Development Plan

The Development Plan is comprised of the London Plan 2016, the Islington Core Strategy 2011, the Islington Development Management Policies 2013, the Finsbury Local Plan 2013 and the Site Allocations 2013.

A. The London Plan 2016 - Spatial Development Strategy for Greater London

Chapter 3: London's People

- Policy 3.1 Ensuring life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.6 Protection and enhancement of social infrastructure

Chapter 5: London's response to climate change

- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.10 Urban greening
- Policy 5.13 Sustainable drainage
- Policy 5.15 Water use and supplies
- Policy 5.18 Construction, excavation and demolition waste

Chapter 6: London's Transport

- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.13 Parking

Chapter 7: London's Living Spaces and Places

- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.5 Public realm
- Policy 7.6 Architecture
- Policy 7.8 Heritage assets and archaeology

B. Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste

C. Islington Development Management Policies 2013

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

Policy DM4.12 Social and strategic infrastructure and cultural facilities

Policy DM6.5 Landscaping, trees and biodiversity

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

Policy DM8.1 Movement hierarchy
Policy DM8.2 Managing transport impacts
Policy DM8.4 Walking and cycling
Policy DM8.5 Vehicle parking
Policy DM8.6 Delivery and servicing for new developments

3. Designations

East Canonbury Conservation Area
Crossrail Safeguarding Area

4. Supplementary Planning Guidance (SPGs) / Documents (SPDs)

The London Plan

Social Infrastructure (2015)
Character and Context (2014)
Sustainable Design and Construction (2014)

Islington Development Plan

Islington Urban Design Guide (2017)
Inclusive Design in Islington (2014)
Inclusive Landscape Design (2010)
Environmental Design (2012)
East Canonbury Conservation Area Design Guidelines (2002)