



ISLINGTON

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

PLANNING COMMITTEE REPORT

PLANNING SUB-COMMITTEE B		AGENDA ITEM NO:B9
Date:	2 nd October 2018	NON-EXEMPT

Application number	P2018/1744/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Not Listed
Conservation area	St. Luke's Conservation Area
Development Plan Context	Priority Employment Area (Genral) Central Activities Zone (CAZ) Core Strategy Key Area – Bunhill % Clerkenwell
Licensing Implications	N/A
Site Address	Easyhotel House, 80 Old Street, London, EC1V 9AZ.,
Proposal	Change of use of the existing ground floor Use Class A1/A3 retail/café/restaurant unit (163 square metres GIA) to Use Class C3 (hotel) to accommodate 7 additional hotel rooms and separate hotel reception area along with the creation of a new external entrance to the ground floor façade, as well as a change of use of existing ground floor hotel and office reception (Use Class B1(a)/C3) to a separate office reception area (Use Class B1(a)).

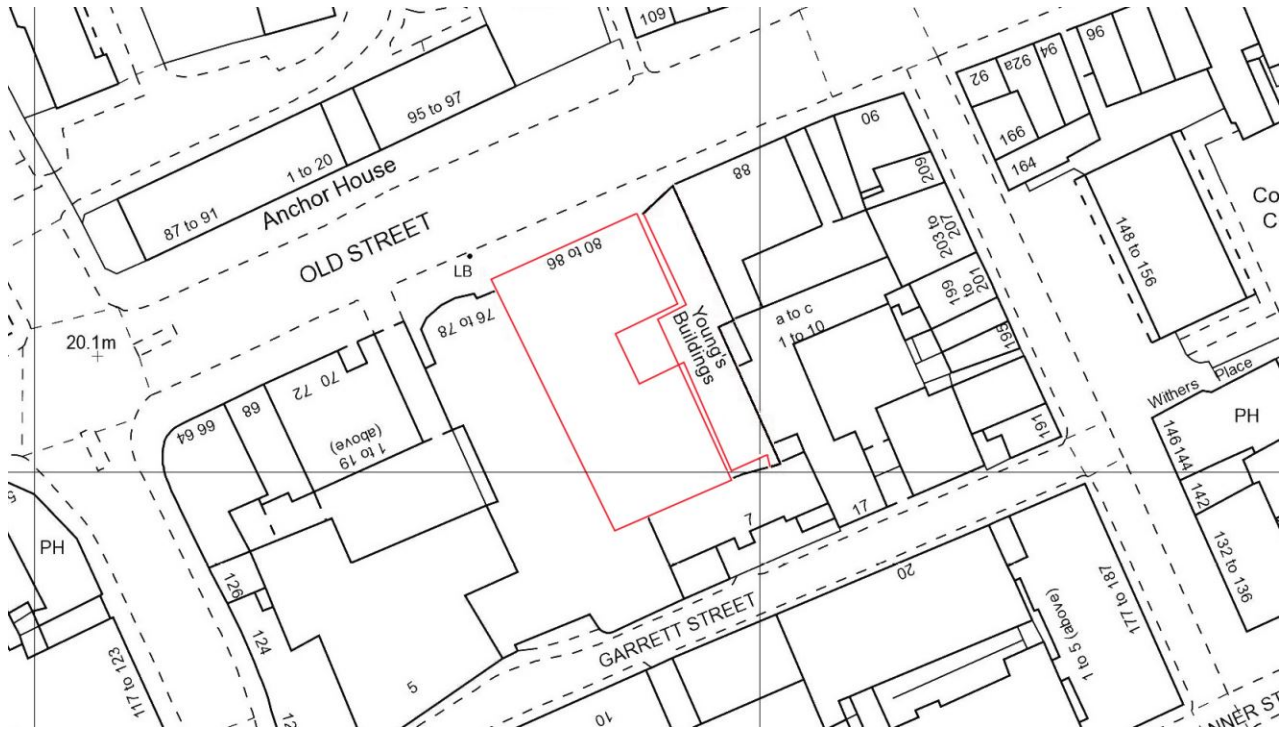
Case Officer	John Kaimakamis
Applicant	easyHotel UK Ltd.
Agent	Savills (UK) Limited - Raymond Tutty

1. RECOMMENDATION

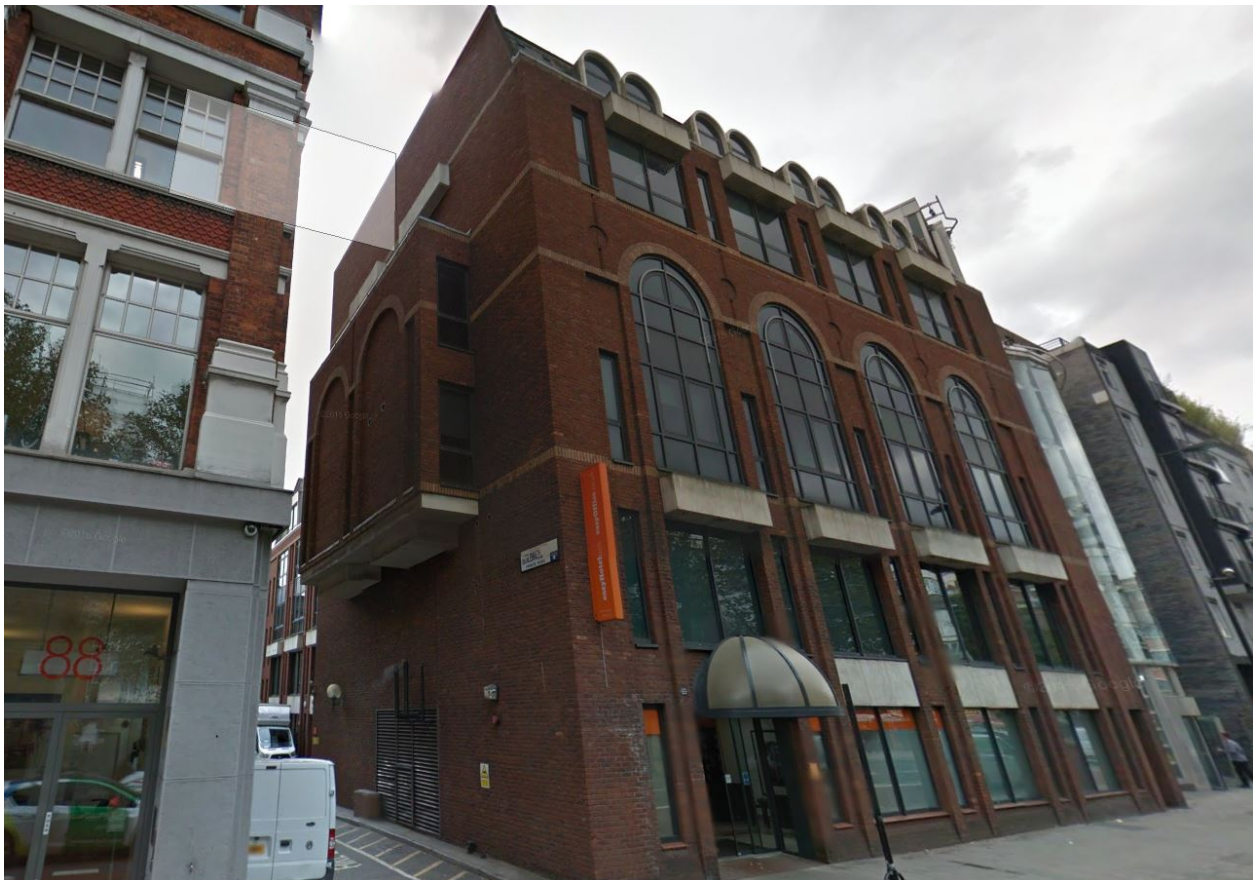
The Committee is asked to resolve to **GRANT** planning permission:

1. subject to the conditions set out in Appendix 1;

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



4. SUMMARY

4.1 The application follows on from a previously refused scheme, which sought permission to change the use of parts of the ground floor, as well as the entire 3rd and 4th floors to hotel rooms. That

scheme was unacceptable, primarily because of the loss of office space and the impacts arising from such large hotel.

- 4.2 It is worth highlighting that Development Plan Policy clearly sets out where hotels will be acceptable in principle, and the site is not within an area where planning policy indicates hotels should be located. However, in this case there are material considerations which would indicate that the additional hotel rooms on the ground floor could be supported.
- 4.3 This current scheme is modest in scale (involving an increase of 7 hotel rooms, of which 3 of them would be accessible hotel rooms). The proposal also includes the addition of 103 square metres of additional office floorspace through the creation of a separate office lobby and reception area at ground floor level where currently it contains a combined office/hotel lobby area. The creation of a separate office reception area would also result in a continuous ground floor frontage of reception and lobby areas, thus resulting in a more active frontage. Additionally, the minor increase in the number of hotel rooms would not result in an over intensification of the use of the site. Nor would the additional rooms displace any business floor space. Subject to conditions to ensure impacts are appropriately mitigated, it is considered that the current scheme can be supported.
- 4.4 The retail/cafe unit has never been implemented and the applicant has submitted a market report that demonstrates that units of this nature and size of 163 square metres in the middle section of Old Street are low in demand and having a negative impact on rental values in the area and leaving parts of the street with empty or underutilised properties. There would still be the accessible provision of essentially daily goods within a short walking distance of the site towards the Old Street roundabout and Goswell Road end of Old Street. Given the above, there is no objection to the loss of the shop/café space (use Class A1/A3).

5. SITE AND SURROUNDING

- 5.1 The site accommodates a 6-storey (plus basement) building located on the southern side of Old Street between the junctions with Whitecross Street and Golden Lane. The building was purpose-built for office use in the 1980s and remained in exclusive office use until 2010. The building is faced in red brick with aluminium windows arranged in four distinct sections, with arched windows at 3rd and 4th levels and a mansard roof at 5th floor level containing 8 dormer windows.
- 5.2 The building itself is of limited architectural merit, but is located within the St Luke's Conservation Area. The building itself covers the majority of the 930m² site. To the east of the site there is a private yard known as 'Young's Buildings' which is shared with the residential dwelling at its southern end, and 15 Garret Street to the east and provides a fire exit from the rear of the building and accessed to a service area with a cycle parking garage and two disabled car parking spaces.
- 5.3 The site has the second highest possible Public Transport Accessibility Level (PTAL) rating of (6a). The site is within the Central Activities Zone (CAZ), and an Employment Priority Area (General). Additionally, the site is set within the St Luke's Conservation Area (CA16) and the Bunhill and Clerkenwell key area.

6. PROPOSAL (IN DETAIL)

- 6.1 In describing the current scheme it is important to note the planning history, which includes a scheme allowed at appeal (Planning ref: P101847, Appeal ref: APP/V5570/A/11/2149827). The appeal scheme permitted the change of use of the ground (part), first and second floors to hotel use (use Class C1). Additionally the appeal scheme approved the change of use of another part of ground floor to a dual retail/café use (use Class A1/A3). Office space was to be retained on the 3rd, 4th, and 5th floors. Alterations were also approved to the street elevation compromising new entrance and two entrance canopies. Overall 80 hotel rooms were approved at appeal.
- 6.2 The approved alterations to the street elevation were not implemented, nor was the retail/café use (use Class A1/A3) at ground level.

- 6.3 In 2014 the Council became aware that the space approved at ground level as retail/café use (use Class A1/A3) had also been converted (without approval) to hotel use. Additionally, the office space to be retained at the 3rd and 4th levels was also converted (without approval) to hotel use.
- 6.4 In June 2016 the Council refused permission (ref: P2015/2680/FUL) for a scheme which sought to regularise the situation on site at the time, seeking approval for:
- the change of use on the ground floor of the area approved as retail/café use (use Class A1/A3) use to hotel use (use class C1).
 - the change of use of office space (use Class B1) on the 3rd and 4th levels of the building to hotel use (use class C1).
- 6.5 That scheme was refused for 5 reasons, which are summarised below:
- the proposal would result in an unacceptable loss of business floor space, detrimental to the areas primary business role and the function of the Central Activities Zone,
 - The intensification of the hotel at the site is considered to be excessive for the site and inappropriate given the location, resulting in the displacement of business floor space, compromising economic function /growth
 - The development fails to provide 10% of the additional hotel rooms as wheelchair accessible,
 - The development results in delivery and servicing vehicles waiting and/or loading/unloading on the adjoining highway or reversing into or out of the site from the highway.
 - In the absence of an appropriate Section 106 legal agreement, the application fails to provide measures to mitigate the impacts of the development through enhancements to services and the environment necessary as a consequence of demands created by the proposed
- 6.6 There was no objection raised in the decision to the additional hotel rooms installed on the ground floor, which replaced space which had been approved for retail/café type uses (use class A1/A3). The current application seeks to regularise the situation (i.e. additional hotel rooms at the ground floor level). The floor area which would change from the Café approved to hotel rooms equates to 163sqm.
- 6.7 This application was dismissed at appeal (Ref: APP/V5570/W/16/3165171) and the owner of the building has since converted the third and fourth levels back into office use. This has left part of the ground floor area unresolved in terms of regularisation as the originally permitted A1/A3 unit did not form part of the refusal reasons above, however as no permission was allowed at appeal, there is no formal consent for the additional hotel rooms that were created within the floorspace allocated to the A1/A3 unit.
- 6.8 Therefore, the current application seeks to permit the change of use of the existing ground floor Use Class A1/A3 retail/café/restaurant unit (163 square metres GIA) to Use Class C3 (hotel) to accommodate 7 additional hotel rooms and separate hotel reception area along with the creation of a new external entrance to the ground floor façade, as well as a change of use of existing ground floor hotel and office reception (Use Class B1(a)/C3) to a separate office reception area (Use Class B1(a)).
- 6.9 In summary, the existing 163 square metres of A1/A3 use would be changed to 103 square metres of office use to create a separate office reception area at ground floor level and the remaining 63 square metres would be changed to hotel use to accommodate 7 additional rooms, of which 2 would be for accessible use.
- 6.10 The creation of a separate office reception area has resulted in a new lift being inserted along the eastern side of the building, which has resulted in some floor layout changes on the upper floors, however there would be no increase in the number of hotel rooms on the first and second floors. The changes have resulted in a further 2 rooms on the upper floors being made for accessible use, whilst showering facilities and cycle storage would be made available for the office users within the basement.

6.11 The only external works would be to the ground floor frontage to accommodate the newly created office reception area.

7. RELEVANT HISTORY:

7.1 The following applications are considered relevant to the proposal currently under determination:

P101482: Change of use of part of the ground floor from B1 to a dual A1/A3 use, replacement of a window with a door, and installation of a flue to the roof

Approved 03/09/2010

P101847: Change of use of the existing 6-storey office building to provide for a 80-bed hotel (use Class C1) at ground, first and second floor levels, provision of a retail/restaurant (use Class A1/A3) unit at ground floor level, retention of office use at third, fourth and fifth floor levels, and associated external alterations in the form of a new entrance and new canopy to existing entrance.

Refused 17 January 2011, **appeal (ref: APP/V5570/A/11/2149827) allowed** 17 August 2011.

P2015/2680/FUL: Application for retrospective planning permission for change of use of part of ground floor to hotel (use Class C1) to provide a further 12 hotel rooms, and change of use of 3rd and 4th floors from office (use Class B1) to hotel (use Class C1) to provide a further 66 rooms (158 in total).

Refused 15 June 2016. **appeal (ref: APP/V5570/W/16/3165171) to be heard** 21 March 2017.

ENFORCEMENT:

7.2 The following enforcement cases are considered relevant to this application:

E11/05360 – unauthorised use of ground, first and second floors as a hotel. This case was closed on 09 September 2011 following the retrospective permission being granted on appeal.

E/2014/0554 – unauthorised change of use of third and fourth floors from offices (use Class B1) to hotel rooms (use Class C1). The case remains open.

CONSULTATION

Public Consultation

7.3 Letters were sent to occupants of 130 adjoining and nearby properties at Old Street, Whitecross Street, Garrett Street, Golden Lane, Helmet Road and Anchor Yard on 21/06/2018. A site notice and press advert also were displayed on 21/06/2018. The public consultation on the application therefore expired on 12/07/2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.

7.4 In response to the consultation 1 submission was received raising objection to the scheme. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

- noise generated by the applicant during construction works would be disruptive (*Paragraphs 10.28 – 10.29*).
- the inconvenience of construction works, including (a) the use or parking of vehicles down Young's Buildings (which is loud and, in the evening, very bright given the use of headlights), (b) loud workmen, (c) inconsiderate workmen (including smoking, loitering outside my kitchen window) etc, and (d) use of Young's Buildings for storage of construction materials.
(*No works are proposed to the side elevation and any works conducted on the site would need to adhere to the submitted Construction Management Plan*)
- The possibility of any new entrance to the hotel / proposed cafe (etc.) being via Young's Buildings.
(*The new entrance to the hotel is along the frontage of the building on Old Street*)

- Damage to my property. As mentioned, my kitchen/lounge, second bedroom and bathroom face Young"s Buildings. The alleyway is very narrow. If it is going to be a construction site, or used for the storage of materials (etc.), there is a high risk of damage to the rear of my property.
(These are not planning matters. The owner of the site would require to adhere to relevant legislation outside of planning should they cause damage to neighbouring properties).

External Consultees

7.5 The application was referred to TfL who raised no objection.

Internal Consultees

7.6 Delivery, Servicing, Waste Collection: No objection

7.7 Public Protection Division: No objection

7.8 Access Advisor: No objection

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES:

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

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- 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)).
- As the development is within or adjacent to a conservation area(s), 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)).

8.2 National Planning Policy Framework (NPPF) (2018): Paragraph 11 states: 'at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...'

8.3 At paragraph 8 the NPPF (2018) states: 'that sustainable development has an economic, social and environmental role'.

8.4 The 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF (2018) is a material consideration and has been taken into account as part of the assessment of these proposals.

8.5 Since March 2014 Planning Practice Guidance for England has been published online.

- 8.6 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.7 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.8 Members of the committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.9 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

- 8.10 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 are considered relevant to this application and are listed at Appendix 2 to this report.

Designations

- 8.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Core Strategy: CS7 - Key Area Bunhill & Clerkenwell
 - Employment Priority Area (General)
 - Central Activities Zone (CAZ)

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ENVIRONMENTAL IMPACT ASSESSMENT

- 9.1 EIA screening/scoping is not required. The proposal is not considered to fall within the regulations requiring an EIA.

10. ASSESSMENT

- 10.1 The main issues arising from this proposal relate to:

- The principle of the development
- Design
- Accessibility
- Neighbouring amenity
- Energy and sustainability
- Highways and transportation matters

Land-use

Retail/cafe space (use Class A1/A3)

- 10.2 Part of the ground floor of the building has approval (via the allowed appeal ref: APP/V5570/A/11/2149827) to operate as a shop/café (use Class A1/A3). Whilst this element of the allowed appeal decision has not been delivered, it formed part of the implemented allowed appeal decision.
- 10.3 This space currently has been fitted out with 15 hotel rooms, which are unauthorised. This application seeks to change the use of the allowed A1/A3 unit (163 square metres) to additional office B1 floorspace (103 square metres) and 7 additional hotel rooms.
- 10.4 Development Management Policies (2013) policy DM4.7 relates to dispersed shops noting that proposals for the change of use of shops located outside of town centres will not be permitted, unless there is no demand for the retail space.
- 10.5 The supporting text to policy DM4.7 notes that local shops can provide a valuable service to the local community by providing for essential day-to-day needs
- 10.6 In this case, the originally permitted alterations to the front elevation (which would have created a separate shop/café entrance) have not been implemented (there has never been access from the street to the shop/café space). There is no evidence that the approved shop/café space (use Class A1/A3) was ever in use as such, and it is not considered that the loss of the retail/café space would result in the loss of a facility providing essential day-to-day needs.
- 10.7 The applicant has no marketing evidence available for the current unit. Nevertheless, the applicant has submitted a market report that demonstrates that units of this nature and size of 163 square metres in the middle section of Old Street are low in demand, having a negative impact on rental values in the area and leaving parts of the street with empty or underutilised properties.
- 10.8 Specifically, it concludes that *“Information from our active agency department from past lettings and rent reviews done has shown that the retailers that trade successfully are located on the busier pitches near Old Street Roundabout and Goswell Road’s main junction. The middle section of Old Street has struggled to obtain occupiers both retail and office users but recently the national showroom occupiers have expanded East down Old Street from the Clerkenwell Road end towards the secondary/tertiary locations near the subject property. Our experience with 64-66 Old Street showed these national showroom occupiers will not continue to rent these units as they believe they will not trade well however smaller, newer brands have & will consider showroom spaces further along Old Street but not with the classic A1 use but with Office/Showroom use that would fall under B1. This can be seen with occupiers such as; Spacecraft, Dynamobel, Ocee Design and Forma 5.*

The general secondary/tertiary retailers on Old Street survive mainly in 500-600 sq.ft ground floor retail units. In our opinion there are few national covenants and a few general retailers who have a desire to acquire retail units of this size in a non-retail location.

Based on our market research and our transactional history over the past 18 months it is clear that the local secondary/tertiary market does not have the same demand for these retail properties with occupiers seemingly less attracted to the location than they were in the past. This is crystallised by the number of properties either on the market or vacant at the moment with little interest from prospective tenants.”

- 10.9 The site is not within a town centre, and as such the absence of retail space at the site would not have a detrimental impact on the vitality or viability of any town centre. Further, 103 square metres of the unit would be changed to office floorspace, which is a use suitable for this site within a designated employment area. The proposal would also improve the current arrangement with a separate office reception area and activate the ground floor frontage across the whole site. Finally, there would still be the accessible provision of essentially daily goods within a short walking distance of the site towards the Old Street roundabout and Goswell Road end of Old Street. Given the above, there is no objection to the loss of the permitted shop/café space (use Class A1/A3) on the ground floor.

Office floorspace (Use Class B1(a))

- 10.10 London Plan (LP) Policy 2.10 recognises the ‘mixed’ nature of much of the CAZ and seeks to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses including: ensuring that development of office provision is made for a range of occupiers, and; supporting and improving the retail offer of the CAZ to meet the needs of its residents, workers and visitors.
- 10.11 Islington Core Strategy Policy CS13 encourages new employment floorspace, in particular business floorspace, to locate in the CAZ and town centres where access to public transport is greatest. Furthermore, it seeks to safeguard existing business spaces throughout the borough by protecting the change of use to non-business uses, particularly in the CAZ. Additionally, development which improves the quality and quantity of existing provision will be encouraged.
- 10.12 The site is located in the Bunhill and Clerkenwell Core Strategy Key area and the provisions of the Finsbury Local Plan are applicable. Policy BC8 of the Finsbury Local Plan supports the provision of a mix of employment uses, (the definition includes offices, industry, warehousing, studios, workshops, showrooms, retail, entertainment and private educational, health and leisure uses). In general terms it encourages office development (i.e. B1 (a) uses) throughout the designated area and the provision of a range of smaller floorplate, flexible and adaptable workspaces, alongside complementary uses. In addition, as the site also lies within the Employment Priority Area (General) (as designated in the Finsbury Local Plan) the policy aims to sustain the existing level of business floorspace to support existing clusters of economic activity.
- 10.13 The proposal would represent an uplift in office floorspace accommodation of 103 square metres resulting in an overall total of 2162 square metres on the site, which is welcomed. Therefore, the proposed development complies with the above policies in so far as providing additional office floorspace at ground level in order to create a separate reception and lobby area. This new entrance would require some external façade alterations that are appropriate in design terms and would assist in providing an improved active frontage along Old Street. Subject to a condition prohibiting obscuring the frontage glass, the proposal would provide natural surveillance and an active frontage to this elevation of the building.
- 10.14 Policy BC8 also stipulates that within the Employment Priority Area (General), the employment floorspace component of a development or change of use proposal should not be “*unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:*
- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or*

- ii. *Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or*
- iii. *Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.”*

10.15 In this instance the two main uses of the site, i.e. hotel and office floorspace, have been previously established at appeal. The permitted scheme allowed for a combined hotel and office entrance and reception area. The current application seeks to create separate entrances for the two uses and providing a separate core for each. Crime prevention encourages separate cores and entrances for security considerations and the proposal rationalises the ground floor frontage to allow for separate entrances and lobby areas. As such, limited ground floor frontage area would be available for A1 use and the wider benefits associated with the separation of the two uses at ground floor level are considered appropriate in this instance. Further, the entire ground floor frontage would be for entrance and lobby areas and as such allow for an active frontage across the entire site.

10.16 The application results in an uplift of 100 square metres of office floor space, which would primarily be used for the creation of the separate office entrance. Given the minimal uplift and its location at the front of the site, it is not considered in this instance that the provision of a portion of this uplift in the region of 5% (equating to 5 square metres) of affordable workspace would result in a space that is manageable and useful for such purposes.

Hotel rooms

10.17 London Plan (2016) policy 4.5 relates to London's visitor infrastructure and notes that within the CAZ smaller scale hotels (i.e. less than 20,000sqm) should be located in CAZ fringe locations. The CAZ SPG (March 2016) notes that when considering potential impacts of new hotel development on the balance of local land uses, boroughs should consider whether additional hotel provision would negatively impact the availability of local employment and commercial floorspace in the area.

10.18 Islington's Core Strategy (2011) policy CS14 directs hotels (as a Town Centre use) to be located within town centres. Policy DM4.11 of the Development Management Policies (2013) sets out the sequentially preferred locations for the provision of hotel accommodation, namely:

- In designated town centres;
- Within areas of the Central Activities Zone which are within the designated City Fringe Opportunity Area or are in close proximity to national railway hubs.

10.19 The site has a planning history which is relevant to this application, namely the refusal of planning application ref: P2015/2680/FUL, which was subsequently considered at appeal (ref: APP/V5570/W/16/3165171). The appeal scheme had been refused in part due to the site being an inherently inappropriate location for any intensification of the hotel use. The Planning Inspector did not agree with this view, and while the appeal was dismissed, this was on the basis of office space being displaced by hotel rooms, rather than any objection in principle to additional hotel rooms being located at the site.

10.20 Policy DM4.11 of the Development Management Policies (2013) notes that hotel development will only be supported where it would not compromise economic function/growth. The previously refused scheme was considered contrary to this policy requirement given the loss of business space involved.

10.21 In this instance, the creation of 7 additional hotel rooms would not displace any office accommodation, as it has arisen from the change of use of an unimplemented A1/A3 unit. The proposal would actually increase the amount of office floorspace by 103 square metres and the creation of a separate office reception area would result in an improvement on the current situation whereby the office and hotel uses share the same entrance area and lifts within the building. The proposal would also help activate the entire ground floor frontage of the site.

10.22 In view of the small size of the increase in hotel rooms, the circumstances of this particular case and the above appeal decision, no objection is raised in principle to the additional hotel rooms at

ground floor level. Further, the increase in hotel rooms at ground floor level would not be so great as to suggest a significant uplift in guests (limiting additional noise and disturbance).

- 10.23 The size, layout and quality of the additional 7 hotel rooms are commensurate with rooms already within the existing hotel. The use of these rooms are for short stay accommodation and transient usage and there are no minimum size standards for such rooms. Additionally, the size and quality of the hotel rooms on the upper floors was no considered inappropriate previously at appeal.

Design, Conservation and Heritage Considerations (including Archaeology)

- 10.24 Planning policies relevant to design and conservation are set out in chapter 7 of the London Plan (2015). Policies CS8, CS9 and CS10 in Islington's Core Strategy (2013), and policies in chapter 2 of Islington's Development Management Policies (2013), are also relevant. In this case the application proposes minimal external alterations, which are limited to the ground floor frontage along the eastern side of the building. The works have been designed in a manner that is respectful to the existing building by bringing down the existing ground floor window to create an additional door entrance. The works would help create an active frontage along Old Street and are considered to be appropriate. All other works as part of the proposal are internal alterations that would not affect the external appearance of the building. As such, it is considered that the proposal would not cause any harm to the street scene or Conservation Area.

Accessibility

- 10.25 Development Management Policies (2013) policy DM2.2 and DM4.11 require development to be inclusive and accessible, with policy DM4.11 requiring 10% of the rooms to be wheelchair accessible. Section 4.8 and 4.9 of the Inclusive Design in Islington Supplementary Planning Document (February 2014) deals with the design of hotel rooms and associated ensuite bathrooms and makes it clear how rooms should be designed in order to comply.
- 10.26 The application was referred to the Council's Access Officer who confirmed that the layout shown on the plans submitted with this application would ensure the ground floor hotel rooms would meet requisite accessibility standards.
- 10.27 The existing part of the site that contains hotel use currently contains 4 accessible hotel rooms. These would be increased to 7 accessible rooms, with 2 being provided within the 7 additional rooms at ground floor level, while another 2 accessible rooms would be provided within the reconfigured layout at first and second floors.
- 10.28 Works are required to change the existing ground floor layout to ensure accessibility standards are met, and subject to a condition being imposed on any consent to ensure the ground floor layout accords with the approved plans, no objection would be raised to this scheme in terms of accessibility.

Neighbouring Amenity

- 10.29 London Plan (2015) Policy 7.15 states that development proposals should minimise the existing and potential adverse impacts of noise. Development Management Policy DM2.1 confirms that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.30 Islington's Development Management Policies (2013) policy DM4.11 requires that hotel development not result in adverse impacts on residential amenity, and for major hotel proposals to be accompanied by information detailing how any impacts on residential amenity will be mitigated. The application relates to the change of use of 163sqm of existing space in the building to additional office floorspace (103 square metres) and 7 additional hotel rooms.
- 10.31 Compared to the previously refused scheme dismissed at appeal, involving an increase 78 room (nearly doubling the size of the hotel), the current scheme would add 7 additional hotel rooms, and

the scheme is accompanied by a information regarding the management procedures which would be put in place to ensure impacts associated with the operation of the hotel are mitigated. Subject to a condition being imposed on any consent to require adherence to these procedures, no objection would be raised.

Energy and Sustainability

- 10.32 Development Management Policies (2013) policy DM7.1 sets out the energy and sustainability standards that development of different sorts must comply with.
- 10.33 The policy notes that sustainability requirements need to be commensurate with the scale of development proposed. In this case the scale of proposed works is minimal (limited to some internal configuration of the ground floor hotel rooms). In view of the minor scale of the proposed works, no objection is raised in terms of sustainability.

Highways and Transportation

- 10.34 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies (2013). Policy DM8.2 is clear that in order for development to be acceptable they are required to fully mitigate impacts on cycle routes and have no negative impacts on the safe and efficient operation of transport infrastructure. The policy also requires development to adequately address delivery and servicing requirements. Policy DM8.4 requires that development demonstrate that there will be no road safety conflicts between pedestrians and cyclists, and vehicles entering and servicing a development. Policy DM8.6 requires servicing and delivery vehicles to be able to enter and leave a site in forward gear. The policy goes onto require details to show that any on street servicing will be safe and not cause any obstruction or nuisance.
- 10.35 The delivery and servicing plan proposes that servicing take place outside of the peak hour (so as to minimise conflicts with cyclists and other road users), and additionally at times when nearby residents are less likely to be asleep.
- 10.36 Subject to the development according with the servicing strategy contained within the Access Statement submitted, and this being secured by way of a planning condition on any consent, there would not be an objection in relation to servicing.

Contaminated Land

- 10.37 The site is covered with buildings or hard surfaced area, limiting access to the ground (thereby limiting access to any contamination could potentially be present). It is worth noting that the development is largely retrospective, while there would be some minor work required, construction impact (including on air quality) would be minimal, and no objection is raised to the proposal in this regard.

National Planning Policy Framework

- 10.38 The NPPF requires that Local Planning Authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It also advises that Local Planning Authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible.
- 10.39 In this case, taking account of the planning history and minor scale of the proposal, it is considered that the determination of the application has been approached in a positive way. In the final balance of planning considerations set out below, officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The site has a planning history which is directly relevant to the assessment of the current scheme. There has not been an objection to the loss of the café/retail space (use Class A1/A3) at ground floor level raised in previous decisions. This is due in part because the café/retail space (use Class A1/A3) was never actually implemented. The addition of 7 hotel rooms and the addition of 103 square metres of office floorspace to accommodate the creation of a separate office reception and lobby area is not considered to overly intensify the use of the site in an inappropriate manner and would allow for a sensible solution to the regularisation of the ground floor areas. Additionally, the creation of the new separate office entrance would assist in creating a continuous active frontage along Old Street.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

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

List of Conditions:

1	<p>Approved Plans and Documents</p>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>15126-AEX (03)-001_00 - Site Location Plan; 15126-AEX (03)-009_01 - Existing Basement Plan; 15126-AEX (03)-010_02 - Existing GF Plan; 15126-AEX (03)-011_01 - Existing 1F Plan; 15126-AEX (03)-012_01 - Existing 2F Plan; 15126-AEX (03)-013_01 - Existing 3F Plan; 15126-AEX (03)-014_01 - Existing 4F Plan; 15126-AEX (03)-015_01 - Existing 5F Plan; 15126-AEX (03)-016_01 - Existing Roof Plan; 15126-AEX (05)-002_00 - Existing North Elevation; 15126-AEX (05)-003_00 - Existing East Elevation; 15126-AEX (05)-004_00 - Existing West Elevation; 15126-AEX (05)-005_00 - Existing South Elevation; 15126-APL (03)-309_00 - Proposed Basement Plan; 15126-APL (03)-310_01 - Proposed GF Plan; 15126-APL (03)-311_01 - Proposed 1F Plan; 15126-APL (03)-312_01 - Proposed 2F Plan; 15126-APL (03)-313_01 - Proposed 3F Plan; 15126-APL (03)-314_01 - Proposed 4F Plan; 15126-APL (03)-315_01 - Proposed 5F Plan; 15126-APL (03)-316_01 - Proposed Roof Plan; 15126-APL (05)-302_01 - Proposed North Elevation; 15126-APL (05)-303_00 - Proposed East Elevation; 15126-APL (05)-304_00 - Proposed West Elevation; 15126-APL (05)-305_00 - Proposed South Elevation; Design and Access Statement dated 11 May 2018 prepared by tatehindle; Commercial Market Report dated 29 January 2018 prepared by Goodsir Commercial; and Construction Management Plan Revision 00 dated 13 August 2018 prepared by tatehindle.</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>
2	<p>Accessibility</p>
	<p>CONDITION: Within 4 months of the date of this consent, the internal layout of the ground floor hotel rooms development shall be altered to accord with approved plan ref: 15126-APL (03)-310_01 - Proposed GF Plan.</p> <p>Thereafter the development layout of the hotel shall accord with approved plans and accessible facilities shall be maintained in good working order for the life of the development.</p> <p>REASON: To ensure the development provides adequately for disabled persons.</p>
3	<p>Loading, unloading and servicing</p>
	<p>CONDITION: Loading, unloading and servicing of the development shall be undertaken strictly in accordance with the details set out in the Access Statement within the Design and Access Statement dated 11 May 2018 prepared by tatehindle and the Construction Management Plan Revision 00 dated 13 August 2018 prepared by tatehindle.</p> <p>REASON: In the interests of protecting adjoining residential amenity and preventing undue noise nuisance.</p>
4	<p>No Obscuring of Ground Floor Frontage</p>
	<p>CONDITION: The window glass of all ground floor frontage shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p>

REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2. Development Plan

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

A) **London Plan (2016)**

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

3 London's people

Policy 3.1 Ensuring equal life chances for all

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.5 London's visitor infrastructure

Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment provision

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging economic sectors

Policy 4.11 Encouraging a connected

Policy 5.3 Sustainable design and construction

Policy 5.4 Retrofitting

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.8 Coaches

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

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

Policy 7.13 Safety, security and resilience to emergency

economy
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon emissions

Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency

8 Implementation, monitoring and review

Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

B) Islington's Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)
Policy CS8 (Enhancing Islington's Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing Challenge)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies 2013

Design and Heritage

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

Shops, culture and services

DM4.1 Maintaining and promoting small and independent shops
DM4.2 Entertainment and the night-time economy
DM4.3 Location and concentration of uses
DM4.5 Primary and Secondary Frontages
DM4.6 Local shopping Areas
DM4.7 Dispersed shops
DM4.8 Shopfronts
DM4.9 Markets and specialist shopping areas
DM4.10 Public houses
DM4.11 Hotels and visitor accommodation
DM4.12 Social and strategic infrastructure and cultural facilities
Employment
DM5.2 Loss of existing business floor space
DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.2 New and improved public open space
DM6.3 Protecting open space
DM6.4 Sport and recreation
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses
BC10 Implementation

Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013:

Core Strategy: CS7 - Key Area Bunhill & Central Activities Zone (CAZ)
Clerkenwell
Employment Priority Area (General)

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Central Activities Zone Supplementary Planning Guidance (2016)
- Accessible London: Achieving and Inclusive Environment
- Sustainable Design & Construction
- Planning for Equality and Diversity in London