



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
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PLANNING COMMITTEE REPORT

PLANNING COMMITTEE		
Date:	4 September 2014	NON-EXEMPT

Application number	P2014/0782/S73
Application type	Section 73 Application
Ward	Finsbury Park
Listed building	Adjoins locally listed building at 4-5 Goodwin Street Southeast of Grade II Listed Park - Finsbury Park Northeast of Grade II Listed Rainbow Theatre
Conservation area	Site is not within Conservation Area but adjoins the Stroud Green Conservation Area (within LB Haringey) to the northeast and adjoining the latter to its northeastern end lies the Council's Stroud Green Conservation Area. To the northwest lies the Tollington Park Conservation Area.
Development Plan Context	Finsbury Park Core Strategy Key Area Adjoins Locally Listed Building at No. 4 Goodwin Street Finsbury Park Town Centre Rail Safeguarding Area Thameslink 2000
Licensing Implications	Not Applicable
Site Address	City North Islington Trading Estate, Fonthill Road & 8-10 Goodwin Street, Islington, London, N4
Proposal	Variation of Condition 2 (Approved Plans) of Planning Permission Ref: P092492 dated 19th November 2010 that granted demolition of existing buildings and the construction of a mixed use development comprising two 21 storey buildings; 10 storey building; and 3 storey building for 355 residential dwellings (use class C3); 2172sqm (GEA) of office floor space (use class B1); 436sqm (GEA) of restaurant and café floor space (use class A3); 9665sqm (GEA) of flexible floor spaces for uses within use classes A1-A4 and/or gym (use class D2) and/or including up to 2000sqm (GEA) of office floor

	space (B1 use class) at first floor only; together with associated disabled and car club parking spaces, cycle spaces, storage, associated access, public realm and private and public amenity space. The amendments propose to amend the external elevations of the proposed buildings including alterations to the top three floors of the towers, increase in lift shaft width from 4.4m to 4.95m, creation of a new western station entrance to Finsbury Park Station and step free access to station platforms, the re-arrangement of the consented uses at basement, ground, first and second floors with no alterations to the consented floor space figures, along with associated amendments to access arrangements.
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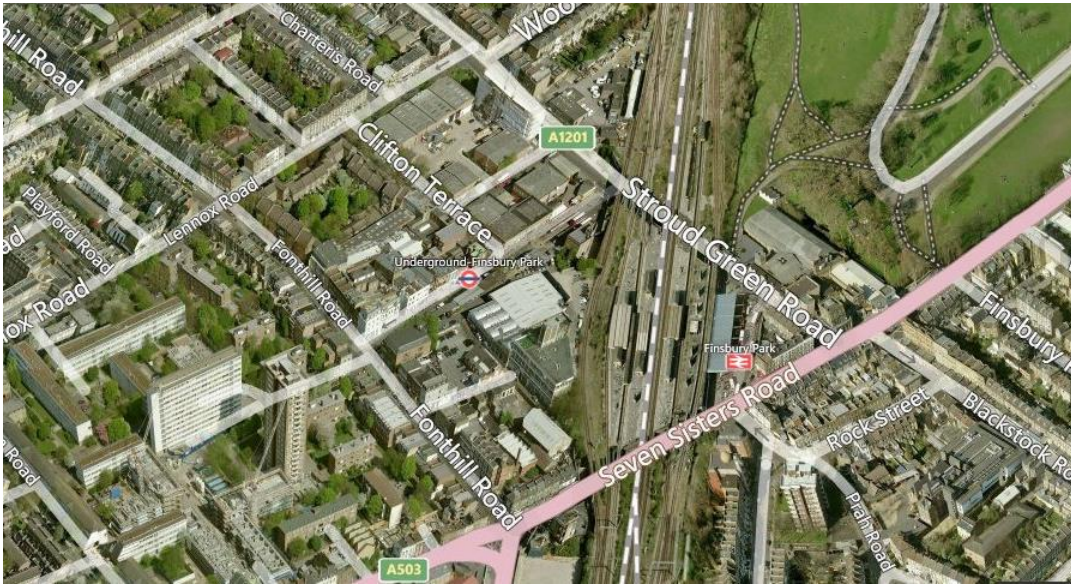
Case Officer	John Kaimakamis
Applicant	City North Finsbury Park Ltd
Agent	United Housing

1. RECOMMENDATION

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

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

2. SITE PLAN



3. SUMMARY

- 3.1 The consented development was considered overall to have a significantly positive regenerative impact on the immediate surrounding area. Its high quality design, permeable and appropriate layout would ensure that it is a welcomed addition to the existing townscape. The proposed overall mixture of land uses was considered to be beneficial to the area and would also create many local employment opportunities. The accommodation is of a high standard of design and appropriate layout.
- 3.2 The proposed amendments do not seek to alter the maximum floorspace granted for each individual use class but to re-arrange the location of some of these uses at basement, ground, first and second floors. The amended layouts do not compromise the positives achieved under the consented scheme and also provide for an improvement because of the relocation of the restaurant as its consented location on the second floor had greater potential to impact on the residential uses above.
- 3.3 The design of the proposed buildings under the consented scheme were considered appropriate in mass and scale when viewed from the surrounding area, whilst the design achieved a high quality appropriate to the streetscape. The proposed amendments do not compromise the design intent of the consented scheme and also offer enhancements to the high quality design with the introduction of reglit glazing and ceramic cladding in place of previously rendered areas.
- 3.4 The consented scheme relied on access from the northwest of the site from the existing entrance at Wells Terrace. The amendments seek to create a new western station entrance to Finsbury Park Station from the new internal road within the site and to close down the Wells Terrace entrance. The

amendments will also see the introduction of step free access to station platforms. This is in accordance with the site's allocation whereby it will offer an improvement to the public realm, including routes to the station, and provision of public space adjacent to the station for future connection to a new western station entrance from Goodwin Street.

4. SITE AND SURROUNDING

- 4.1 The application site (0.86ha) is located to the north of the borough, adjacent to Finsbury Park Station. The site is close to the borough boundaries with Haringey to the northeast and Hackney to the southeast. The site fronts Wells Terrace to the north, with the railway line and Finsbury Park Station to the east. The boundary to the west faces the rear commercial properties on Fonthill Road open car park of the disused Sorting Office and properties which front Goodwin Street. Vehicle access to the site is from Goodwin Street and Fonthill Street. The existing four storey building faces Goodwin Street to the south of the site and is adjoined by a two storey building. Two single storey warehouse buildings face onto the railway lines. The Wells Terrace frontage is formed by single storey buildings. The existing land uses comprise of a mix of Business/Light Industry (B1), Storage and Distribution (B8) and Non-residential institutions (D1), totalling 8855m².
- 4.2 To the north and adjacent to the site (along Wells Terrace) is one of the two western entrances to Finsbury Park Station. The entrances (other off Seven Sisters Road) are linked by the tunnels running beneath the site which connect with the central and eastern concourse of the Finsbury Park Station. On the opposite side of Wells Terrace are three and four storey buildings. These comprise a variety of uses at ground floor and are generally used as offices and residential at upper floors. The Bus Station is also located opposite the site with buses entering via Wells Terrace and exiting via Stroud Green Road. Clifton Terrace leads off Wells Terrace to the north with a mix of two to four storey buildings used as commercial and further north as residential. To the west (along Goodwin Street) are two, three and four storey buildings. The disused 20th century sorting office adjacent to the site is designated as a locally listed building. Further west lies Fonthill Road comprising three, four and five storey terraced buildings, with a variety of uses at ground floor and offices and residential at upper floors.
- 4.3 The immediate area is characterised by the strong fashion-orientated trade with a number of independent clothing retailers and wholesalers along Fonthill Road and Seven Sisters Road. Further north, the area becomes predominantly residential with typical four storey terraces and then to the east with the Tollington Estate and Andover Estate, which comprise a mix of 4 to 6 and 12 storey buildings. To the south lies Seven Sisters Road which forms part of the greater London distribution network. The three storey terraced properties along Seven Sisters Road comprise mainly retail at ground floor and residential or offices at upper floors. East lies the Finsbury Park Station, one of the busiest transport interchanges in London outside Zone 1. Further east lies Stroud Green Road with two and three storey terraced buildings comprising retail or commercial at ground floor and residential above. North

east lies the Grade II listed Finsbury Park, with approximately 45ha of open space used for recreation, leisure and events.

4.4 The site does not fall within a designated Conservation Area. However, the Stroud Green Conservation Area (within LB Haringey) lies to the northeast. Adjoining the latter to its northeastern end lies Islington Council's Stroud Green Conservation Area. Northwest lies the Tollington Park Conservation Area.

4.5 None of the existing buildings on the site form statutory listed buildings; or are noted on the Council's register of locally listed buildings. As mentioned, the locally listed Sorting-Office (4-5 Goodwin Street) adjoins the site to the west and although not immediately adjoining the site, particular reference is made to a number of statutory and locally listed buildings within the vicinity of the site at:

- Grade II Rainbow Theatre, Seven Sisters Road;
- Locally listed 149 Fonthill Road;
- Locally listed 240 Seven Sisters Road; and
- Locally listed 254-256 Seven Sisters Road.

5. PROPOSAL (IN DETAIL)

5.1 The proposal seeks the variation of condition 2 (approved plans) of planning permission reference: P092492, dated 19th November 2010.

5.2 Specifically, *"Variation of Condition 2 (Approved Plans) of Planning Permission Ref: P092492 dated 19th November 2010 that granted demolition of existing buildings and the construction of a mixed use development comprising two 21 storey buildings; 10 storey building; and 3 storey building for 355 residential dwellings (use class C3); 2172sqm (GEA) of office floor space (use class B1); 436sqm (GEA) of restaurant and café floor space (use class A3); 9665sqm (GEA) of flexible floor spaces for uses within use classes A1-A4 and/or gym (use class D2) and/or including up to 2000sqm (GEA) of office floor space (B1 use class) at first floor only; together with associated disabled and car club parking spaces, cycle spaces, storage, associated access, public realm and private and public amenity space. The amendments propose to amend the external elevations of the proposed buildings including alterations to the top three floors of the towers, increase in lift shaft width from 4.4m to 4.95m, creation of a new western station entrance to Finsbury Park Station and step free access to station platforms, the re-arrangement of the consented uses at basement, ground, first and second floors with no alterations to the consented floor space figures, along with associated amendments to access arrangements."*

5.3 In summary, the application seeks amendments to the consented scheme, which are as follows:

- amend the external elevations of the proposed buildings;
- create a new western station entrance to Finsbury Park Station and step free access to station platforms;

- the re-arrangement of the consented uses at basement, ground, first and second floors with no alterations to the consented floor space figures; and associated amendments to access arrangements

6. RELEVANT HISTORY:

Planning Applications

6.1 Details of the original planning application are summarised below:

LBI Ref: P092492: "Demolition of existing buildings and the construction of a mixed use development comprising two 21 storey buildings above ground and first floor plinth; 10 storey building above ground and first floor plinth; and 3 storey building above ground floor plinth for: 355 residential dwellings (Use Class C3); 2172sq.m (GEA) of office floor space (Use Class B1); 436 sq.m (GEA) of restaurant and cafe floor space (Use Class A3); 9665 sq.m (GEA) of flexible floor space for uses within Use Classes A1 - A4 and / or gym (Use Class D2) and / or including up to 2000 sq.m (GEA) of office floor space (Use Class B1) at first floor only; together with associated disabled and car club parking spaces, cycle spaces, storage, associated access, public realm and private and public amenity space."

6.2 This application was granted consent on 19 November 2010 and has since been implemented

6.3 A number of details have been submitted to discharge conditions relating to the above consent and these are reflected in the wording of the proposed conditions contained within Appendix 1.

6.4 A section 73 application was subsequently approved (LBI Ref: P2013.2785/S73) to amend the mix of residential units on the site in both the private and affordable sectors, however the total number of units remained unchanged. This was granted on 14 April 2014.

6.5 The originally consented mix of accommodation was as follows:

Private: 8 X studio, 130 X 1-bed, 119 X 2-bed, 47 X 3-bed and 4 X 4-bed (total of 308)
 Social Rented: 2 X 3-bed, 14 X 4-bed and 12 X 5-bed (total of 28)
 Intermediate: 2 X 1-bed, 11 X 2-bed and 6 X 3-bed (total of 19)

6.6 The subsequently approved mix under the section 73 application was as follows:

Private: 9 X studio, 131 X 1-bed, 127 X 2-bed, 38 X 3-bed and 3 X 4-bed (total of 308)
 Social Rented: 2 X 2-bed, 18 X 4-bed and 8 X 5-bed. (total of 28)
 Intermediate: 2 X 1-bed, 15 X 2-bed and 2 X 3-bed (total of 19)

Enforcement:

- 6.7 There are no enforcement cases that are relevant to the application site.

Pre-application Advice:

- 6.8 The applicant has discussed the current application extensively with Islington Council Officers in a pre-application capacity and the current application generally responds/follows the discussions held. These discussions were intensified after the Members Forum in June 2014, and the amendments made to the originally submitted plans since then reflect advice provided by officers to address initial concerns.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of over 3000 letters adjoining and nearby properties on 01 May 2014. Site notices and a press advert were displayed on 01 May 2014.
- 7.2 Amended plans were also submitted after the initial consultation period, and a further round of consultation was conducted. The public consultation of the application therefore expired on 21st August 2014, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.3 At the time of the writing of this report a total of 8 objections had been received from the public with regard to the application. Following the re-consultation after amended plans were submitted one further objection was submitted by one of the original 8 objectors reiterating the points made in the original representation. There has also been 1 letter of support
- The cumulative height, mass and bulk of the development is excessive and is out of character resulting in an adverse impact on setting of Finsbury Park;
 - concerns with regard to scale of development and its impact on character of area and the associated impacts due to increase in pedestrian and traffic flow, impact on existing public transport network, increase in noise outside the site and loss of privacy;
 - loss of residential amenity in terms of impact on microclimate, daylight and sunlight, loss of privacy, undue noise and sense of enclosure;
 - failure to maximise energy savings, in particular renewable technologies;
 - undue impact during construction by reason of noise and traffic.
- 7.4 Officer Comment: The above objections relate to the originally consented scheme and not to the amendments being made under this section 73 application. This application does not represent an opportunity to revise or reconsider the original grant of planning permission under P092492. This

application only relates to the consideration of the variation of condition 2 as indicated in the proposal. Whilst objections have been received the current application proposes no changes to bulk and massing and therefore would introduce no new amenity impacts over and above those generated by the implemented scheme.

External Consultees

- 7.5 English Heritage were consulted and advised that they did not wish to make any comment.
- 7.6 English Heritage (Greater London Archaeology Advisory Service) raised no objection to the proposal and concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. They also noted that the original planning permission had a condition imposed relating to archaeological matters which has already been satisfied and as such recommend that no further assessment or conditions are necessary.
- 7.7 Thames Water have raised no objection to the application.
- 7.8 Transport for London (TfL) have stated that the proposed changes to the consented development is unlikely to result in significant changes to traffic and highway impact to TfL's highway network compared with the original proposal; however the proposed provision of the new station entrance for Finsbury Park station would need to be further considered by London Underground.
- 7.9 London Underground have stated that they are working closely with the developer to ensure plans for the new Underground station entrance - as part of the wider City North Finsbury Park Limited regeneration scheme - will offer customers an improved journey experience. They have also worked with the developer in providing additional information for the section 73 application.
- 7.10 Network Rail have stated that they are in communication with the developer in regards to the development of the site. Due to the nature of the development and its close proximity to operational railway infrastructure, Network Rail have advised that the developer should continue to correspond with Network Rail in relation to design and construction methods, in particular the Block B balcony situation. Further, Network Rail have requested that the developer continues to discuss details of the development, including the creation of a new western station entrance to Finsbury Park Station and step free access to station platforms, with Network Rail's Asset Protection LNE team. (Informatives).
- 7.11 London Fire and Emergency Planning Association (LFEPA) raised no objection and stated they are satisfied with the proposals.
- 7.12 Natural England stated they have no comment to make.
- 7.13 The London and Middlesex Archaeological Society stated they had no reason to comment given the lack of heritage assets.

7.14 The Civil Aviation Authority raised no objection

Internal Consultees

7.15 Conservation and Design Officer initially expressed concerns on the submission as originally submitted when assessed against the approved design commenting that the approved design had a certain clarity of form, and large areas of glazing provide it with a lightweight appearance in places to positive effect. Consequently amendments were made to the scheme, and design officers recommended the retention of existing conditions on materials to secure a high quality design.

7.16 Energy Conservation Officers have reviewed the information and stated that it does not have an impact on the Energy Statement/Strategy, and as such provided no further comments.

7.17 Spatial Planning and Transport (Transport Officer) have commented that the amendments are considered acceptable in principle subject to the following being secured via conditions.

- Station design – The Council should have an opportunity to review and comment on the detailed design of the entrance arrangement and internal layout of the Western Station Entrance and this should be secured via condition.
- Toilet facilities – One unisex disabled toilet is unlikely to meet the demands of a station of this size and conditions should be attached to increase provision.
- Matchday provision – Detailed design and landscaping should include passive provision for matchday crowds to use the Goodwin Street approach to the Western Station Entrance. This would provide resilience on matchdays and flexibility for future access.
- Servicing the station – The applicant states, 'LU is proposing all servicing is carried out via the new entrance, in engineering hours'. The applicant should confirm that 'servicing within engineering hours', will meet the restrictions of the condition that prevents servicing on Sundays and bank holidays and Monday to Saturday between 2000 – 0800.

Other Consultees

7.18 Members' Pre-application Forum – The proposal was presented to the Forum on 23 June 2014.

8. RELEVANT POLICIES

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

National Guidance

- 8.1 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.

Development Plan

- 8.2 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 policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

Planning Advice Note/Planning Brief

- 8.3 A Planning Advice Note/ Planning Brief titled City North Planning Brief was published in November 2007.
- 8.4 The brief sought to secure the following key development objectives:
- Redevelopment of the site to provide the opportunity to act as a catalyst for the wider regeneration and improve the image of Finsbury Park;
 - To allow for new pedestrian routes through the site, strengthening links with the transport interchange and Fonthill Road. Opportunity to enhance views into and out of the site with opportunity to provide improved public realm and areas of high quality public space which will act as a focus within and around the Site. Also to offer the opportunity for London Underground Limited to provide a new station entrance and ticket hall on the western side of the station;
 - A diverse mix of uses with active frontages will increase the vibrancy and vitality of the site, enhance the night-time economy and provide opportunities for local residents to live, work and shop at Finsbury Park. This will also provide employment opportunities and promote further economic investment;
 - The brief indicates that a tall building may be acceptable providing that this is of exemplary design and appropriately located within the site;
 - Opportunity to create high quality mix use development, acknowledging the needs of uses through exemplar design and the creation of a new and recognisable identity for Finsbury Park;
 - Opportunity exists to create a high quality sustainable development which minimises waste, encourages reuse of water, addresses air quality and seeks to encourage biodiversity; and
 - achieve a development which is compatible with surrounding residential areas.

Designations

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

- Finsbury Park Core Strategy Key Area
- Finsbury Park Town Centre
- Rail Safeguarding Area Thameslink 2000
- Adjoins Locally Listed Building at No. 4 Goodwin Street

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ENVIRONMENTAL IMPACT ASSESSMENT

9.1 The original permission application had been accompanied by an Environmental Statement (ES), as required by the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. The ES considered the impact of the proposals in a wide range of areas and it was considered that the ES was sound and met the requirements of the Environmental Impact Assessment Regulations.

9.2 The National Planning Practice Guidance states that *“A section 73 application is considered to be a new application for planning permission under the 2011 Environmental Impact Assessment Regulations. Where the development is listed under either Schedule 1 or Schedule 2 to the Regulations, and satisfies the criteria or thresholds set, a local planning authority must carry out a new screening exercise and issue a screening opinion whether Environmental Impact Assessment is necessary. Where an Environmental Impact Assessment was carried out on the original application, the planning authority will need to consider if further information needs to be added to the original Environmental Statement to satisfy the requirements of the Regulations.”*

9.3 It is considered that the proposed development under this application is a Schedule 2 section 10(b) "Urban Development Project" under the EIA Regulations. However, given its size and nature of the changes sought by this application, it is not considered that it would cause significant environmental effects as to require submission of a further Environmental Statement or supplemental information to the Statement submitted as part of the original permission application.

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Acknowledgement of the scope of what may and may not be considered under Section 73 of the Town and Country Planning Act 1990

- Nature of the variation and whether the change(s) materially/adversely alter the nature of the scheme
- Any significant material alterations since the original grant of planning permission.

Scope of the Consideration of the Case Under Section 73 of the T&CPA

- 10.2 Section 73 of the Town and Country Planning Act 1990 concerns 'Determination of application to develop land without compliance with conditions previously attached'. It is colloquially known as 'varying' or 'amending' conditions. Section 73 applications also involve consideration of the conditions subject to which planning permission should be granted. Where an application under s73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.
- 10.3 It is important to note that when assessing s73 applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original application has been implemented, or if the permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish.
- 10.4 Alterations to planning policy and other material considerations since the original grant of planning permission are relevant and need to be considered. However, these must be considered in light of the matters discussed in the previous paragraphs and the applicant's ability to complete the originally approved development.

The Variation

- 10.5 Planning Permission Reference No: P092492 granted consent for the demolition of existing buildings and the construction of a mixed use development comprising two 21 storey buildings above ground and first floor plinth; 10 storey building above ground and first floor plinth; and 3 storey building above ground floor plinth for: 355 residential dwellings (Use Class C3); 2172sq.m (GEA) of office floor space (Use Class B1); 436 sq.m (GEA) of restaurant and cafe floor space (Use Class A3); 9665 sq.m (GEA) of flexible floor space for uses within Use Classes A1 - A4 and / or gym (Use Class D2) and / or including up to 2000 sq.m (GEA) of office floor space (Use Class B1) at first floor only; together with associated disabled and car club parking spaces, cycle spaces, storage, associated access, public realm and private and public amenity space.
- 10.6 The application seeks amendments to the consented scheme, which are as follows:
- the re-arrangement of the consented uses at basement, ground, first and second floors with no alterations to the consented floor space figures;

- amend the external elevations of the proposed buildings;
- create a new western station entrance to Finsbury Park Station and step free access to station platforms; and
- associated amendments to access arrangements.

10.7 Land Use

- 10.8 The amendments do not seek to alter the maximum floorspace granted for each individual use class. However, the amendments seek to re-arrange the location of some of these uses at basement, ground, first and second floors.
- 10.9 The consented scheme provided for a mix of uses at basement, ground and first floor levels with Use Class A1-A4 (Retail, Financial Services, Restaurants, Cafes and Drinking Establishments) and D2 (Assembly & Leisure). These uses were also located at ground level fronting the newly created internal road in order to maintain active frontages. In the northeast corner of the site, adjacent to the Wells Terrace entrance, there was also Use Class B1 (Office) approved in an area over the ground and first floor.
- 10.10 The amendments seek to move the office space entirely to the first floor. As such, the basement and ground floors will comprise of Use Class A1-A4 (Retail, Financial Services, Restaurants, Cafes and Drinking Establishments) and D2 (Assembly & Leisure).
- 10.11 Moreover, a restaurant (Class A3) that was proposed on the second floor has now been relocated to the first floor adjoining the office space. The relocation of the restaurant is considered appropriate as its consented location on the second floor had greater potential to impact on the residential uses above. The move would therefore be beneficial to future residential amenity.
- 10.12 The consented quantum and land uses which comprise the mixed-use offer are listed below

Land Use	GEA (sqm)	No. of units
Flexible Class (A1-A4), Assembly and Leisure (D2), and/or Business (B1)	9,665 including 2,000 of B1	
Business/Office (B1)	2,172 with potential addition of 2,000	
Restaurant (A3)	436	
Residential (C3)	38,044	355
TOTAL	48,145	355

- 10.13 The proposed accommodation would be of a variety of sizes and good layout and is considered to cater for a broad range and type of users. The proposed business/office accommodation is considered to be of a high standard of

layout and design and with proposed serving arrangements would be attractive to a broad range of occupiers.

10.14 Overall the mix of land-uses suggested is considered appropriate for the site and supports the policy aims and objectives of the Development Plan for the improvement and development of the area earmarked for redevelopment.

10.15 Design

10.16 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).

10.17 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.

10.18 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.

10.19 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.

10.20 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).

- 10.21 The site is of an imperfect triangular shape comprising of an assortment of buildings, all of which are proposed to be demolished. Works have commenced on site with a number of buildings already demolished. The proposal provides for a new L-shape street layout that continues Goodwin Street eastwards and then links north with Wells Terrace. The built form continues at the perimeter and internally frames the new street with the ground and first floors creating a plinth for the taller elements of the scheme. These taller elements are arranged into four tall buildings, which are described below. Of these, the Linear Terrace Building of 10 storeys, the Cylindrical building of 21 storeys and the Rectangular Building of 21 storeys are considered as the landmark elements of the scheme.
- 10.22 The design of the proposed buildings under the consented scheme was considered appropriate in mass and scale when viewed from the surrounding area, and achieved a high quality appropriate to the streetscape.
- 10.23 The section 73 application as originally submitted proposed amendments to the external elevations of the consented scheme that included changes in the levels of glazing and amendments to some of the materials. No changes were introduced to the bulk and massing of the scheme other than an increase in the width of the lift shaft tower adjacent to the Cylindrical building. Planning and Design officers expressed concerns with the initially submitted plans in relation to the reduction in the level of glazing (particularly to the west elevation of the podium block and the west and north elevation to the round tower) and with the introduction of more solid elements. This undermined the positive qualities of the approved design. Furthermore, in places the proposed arrangement of solid to void often appeared overly fussy and undermined the quality of the consented scheme, which had certain clarity of form, and large areas of glazing to provide it with a lightweight appearance in places to positive effect.
- 10.24 Furthermore, the approved north elevation to Wells Terrace showed an architecturally satisfying arrangement of solid to void producing an almost 'abstract' architectural form whereas the initial proposed alterations resulted in a less appealing elevation (especially to the main tower) with a more conventional (as seen on post-war tower blocks) repetitive horizontal fenestration pattern which does little to enhance the townscape.
- 10.25 As a result of the above concerns, the developer entered into constructive and positive discussions with officers in order to address the above concerns and made amendments to the current section 73 application which reflect the intent of the design quality achieved under the consented scheme. This included the reintroduction of glazed areas so that the solid to void area reflected the original proposals. Furthermore, improvements have also been made to the consented scheme with better fenestration patterns along elevations, and the introduction of new materials that further enhance the design intent of the original proposal. Large expanses of glass on the main elevations are to consist of reglit glass cladding, while ceramic cladding has also been introduced as a replacement for previously rendered areas. Both of these materials are considered to be of a high quality and assist in the proposals achieving design excellence. These amendments have been

reviewed by Design officers, who consider the changes appropriate and help enhance the design quality achieved of the consented scheme.

- 10.26 The plinth part of the building contains a ground and first floor (with basement level) provides for the non-residential floor space, access cores for the residential elements within each building and the associated facilities. The elevations comprise façade treatment to maximise transparency as far as possible by using aluminium framed glazed units, with louvre systems at high level. The entrances will be visually distinguished from the main to assist with way finding and orientation. It is proposed that lighting reinforce the appearance and orientation. On 2nd floor (roof of the plinth), the proposal provides for communal open space.
- 10.27 The Wells Terrace building takes its scale from the junction between Fonthill Road and Wells Terrace. The building is four storeys where it adjoins the four storey blank wall of existing property (the proposed building appears as a five storey building by reason of the high ground floor and modern height standards). As with the façade details of the plinth along the new street, the ground floor façade continues the glazed transparent treatment. The upper floors are separated from the plinth with a 'split/set in' with aluminium louvre system. The upper floors comprising the residential element with large glazing to living areas with render system elsewhere. At plinth and top roof level, the building provides for communal amenity space arranged with ancillary play space.
- 10.28 The Linear Terrace building is located on the plinth to the west of the north/south axis of the new L-shaped street. This element of the scheme provides for a 10 storey building (71m high – with plinth it is 12 storeys in total). The building crosses the new street at the Goodwin Street end and then projects above the plinth. The top floor is set back with spaces used for communal and private amenity space. The building continues the elevation treatment of the Wells Terrace Building, with the top floor set back and constructed in combination of insulated render and metal/glass curtain wall system. The precast projecting balconies to east and west elevations comprise glass and precast vertical screening between, which seek to inform the appearance of the elevations. The south elevation comprises recessed openings which provides for shaded balconies. Along the north elevation the proposed building creates a break from the Wells Terrace building with similar setback as with the plinth. The resulting spaces are used as private amenity space.
- 10.29 The Cylindrical building is a 21-storey tower (106m high – with plinth it is 23 storeys in total) is located to the southern end of the site, south of the new street. Its position provides for a vertical counterpoint to the horizontality of the Linear Terrace Building. This presents the building as a marker for the site adjacent to the Finsbury Park Station with prime views towards the City southwards. This tall building comprises a cylinder form with an external rectangular circulation core. The cylinder is constructed in a combination of ceramic cladding and metal/glass curtain wall system. The cylinder comprises a 'split/set in' at the parapet height of the Linear Terrace Building where the

elevation treatment continues to the top. The design incorporates Brise-soleil to offer solar shading to the south elevation.

10.30 The external circulation core comprises the lifts and the stairs have glazed facade providing a sense of connection within the building and its surrounding. Under the consented scheme, the width of this external circulation core was proposed at 4.4 metres wide. The originally submitted plans under section 73 application sought to increase the width of this element of the scheme to 5.8 metres wide. Planning and Design officers raised concerns with this increase in width as it made the external circulation core much more prominent given its overall height and less of a complimentary structure to the Cylindrical tower.

10.31 As such, the applicant has sought to reduce this external circulation core to the minimum possible width but still able to achieve the double lift core originally consented. Information has been submitted from three different lift providers demonstrating the minimum widths required to accommodate the two lifts that would service a building of 23 storeys (including plinth). As such, the width of the external circulation core has been reduced to 4.95 metres wide, which is an increase of 550mm from the consented scheme. This accommodates the narrowest lifts possible, whilst the applicant has chosen a single sliding lift door as opposed to double doors to minimise the extent of built form necessary. Given the structural constraints in order to achieve appropriate access arrangements and the fact that the consented scheme had not made appropriate allowances for the inclusion of such lifts, the increase in 550mm is considered acceptable. Given the lifts chosen are the smallest possible for such a building, it is not considered that this additional width in the context of the overall scheme would have a negative impact on the bulk and massing of the proposal. Furthermore, this increase in the external circulation core would not make this element appear as a dominant feature and would still appear complementary to the main Cylindrical tower.

10.32 The Rectilinear building is located to the northeast of the site facing Wells Terrace and extends to 21-storeys (105m high – with plinth it is 23 storeys in total). Similar to the Cylindrical Building, the main elevation faces south to present its narrow elevations to Finsbury Park on the west and the residential areas east. The facing materials with elevation treatment match that of the Cylindrical Building and Linear Terrace Building. The building also comprises a 'split/set in' at upper floors and set back top floors.

10.33 The proposed choice of materials is considered appropriate in design terms and the use of such materials and cladding systems would be important to the success of the elevations and resulting appearance of the buildings described above. Consequently conditions are attached which require the submission of samples and details of not only all facing materials but also the treatment of surfaces, enclosures (e.g. lifts) and design finishes (e.g. roof top finishing).

10.34 Transport And Highways

10.35 The consented scheme relied on access from the northwest of the site from the existing entrance at Wells Terrace. The amendment relates to the

provision of a new street and western entrance and ticket hall for Finsbury Park Station, to replace the Wells Terrace entrance and the covered corridor leading to the station platforms. The application has consequential changes to disposition of permitted commercial accommodation.

- 10.36 The amendment does not increase the approved gross commercial area, change the approved commercial uses or increase the quantum of each approved commercial use. The provision of parking for cycles, blue badge holders and car clubs remain unchanged.
- 10.37 The application is for changes to the permitted layout of the lower floors to incorporate the change of use from the previously permitted commercial area to form a new London Underground station entrance, together with the reciprocal change of use of the areas currently occupied by the station access tunnel from Wells Terrace.
- 10.38 The amendments will also see the introduction of step free access to station platforms.
- 10.39 Currently, station users approaching the station from the west or from the Wells Terrace bus station access Finsbury Park Station via a ticket hall on Wells Terrace. Finsbury Park Station has three other entrances: an entrance to the Underground from Seven Sisters Road, an entrance to the Underground from Station Place and an entrance to mainland rail services from Station Place.
- 10.40 Bus services at Finsbury Park Station operate from three main locations: from the Wells Terrace Bus Station (Routes 210, W3 and W7); from the Station Place Bus Station (Routes 4, 19, 106, 153 and 236) and from Seven Sisters Road (Routes 29, 253, 254 and 259).
- 10.41 At present it is possible for bus passengers and local pedestrians to pass freely, without a valid ticket, through the pedestrian passageways through the station to travel between the three main bus stop locations.
- 10.42 The Council's Site Allocation (2013) document designates the site as Site FP1 – Finsbury Park Core Site. The site allocation states that there should be improvement of the public realm, including routes to the station, and the environment underneath the railway bridges is a high priority. Development will be expected to facilitate the following public realm improvement priorities:
- Footway renewal, de-cluttering of street furniture, lighting enhancements, accessibility improvements, tree planting, and public art along principal routes to the station (particularly on Seven Sisters and Stroud Green Roads).
 - Provision of public space adjacent to the station for future connection to a new western station entrance from Goodwin Street within Site A.
- 10.43 The consented scheme proposed the creation of a new L-shaped street to link Goodwin Street and Wells Terrace. The basement would provide 630

residential and 65 commercial cycle spaces, 15 car-parking spaces (13 of which are for disabled parking and two for car club), 6 mobility scooter spaces, refuse/recycling enclosures, general plant rooms, plant rooms associated with energy efficiency/renewable energy and storage rooms. The new street would be pedestrianised except for servicing, delivery, emergency vehicles, pick up/drop off for taxis and disabled users accessing the disabled parking spaces. The one-way route will be controlled by rising bollards and be controlled by on-site management. Except for the disabled parking spaces, the development is car free and the developer has agreed to a clause to the legal agreement which will remove the right of residential properties to apply for on-street parking permits.

- 10.44 Furthermore, the consented scheme made allowance for safeguarding part of the ground floor space to provide for a future link from the new street to the existing underground pedestrian tunnel accessing the Finsbury Park Station. Additional floor space was designated for a potential western station ticket hall as part of the London Underground Limited investment programme for Finsbury Park Station. This safeguarding is in line with the site's allocation, notwithstanding its impact on the viability of the scheme. TfL supported this approach to safeguard the floor space which will be integrated with the access routes when the general station improvement works commence. A clause under the legal agreement required the safeguarding and release of the floor space to TfL should improvement works commence.
- 10.45 The proposed amendments under this section 73 application to accommodate the new station entrance are considered acceptable subject to the following matters being secured via conditions.
- 10.46 The station design entrance arrangements are currently indicative and a condition has been imposed for the detailed design of the entrance arrangement and internal layout of the Western Station Entrance to be submitted when finalised. Furthermore, the provision of one unisex disabled toilet is unlikely to meet the demands of a station of this size and as such a condition has been imposed to increase the provision of such facilities.
- 10.47 Matchday crowds and their controlled access to the station has a significant impact on Finsbury Park Station and the surrounding area. The provision of a new station entrance and public space, combined with the internal station improvements provide an opportunity to re-examine matchday operations at Finsbury Park.
- 10.48 The new entrance and the opening of passageway four within the station could provide opportunities to better manage matchday crowds (e.g. by separating of national rail and Underground passengers).
- 10.49 In partnership with the Council and the Metropolitan Police, the applicant, LUL, Network Rail and the Met Police should review matchday operations in relation to the development and proposed changes to Finsbury Park Station. Both the Servicing and Delivery Plan and the construction phasing should include arrangements for matchdays. A condition relating to a Servicing and Delivery Plan that was imposed on the original consent is maintained under

this application in order for such details to be submitted regarding match day provisions. Furthermore, a landscaping condition for the newly created internal street is maintained, which should include passive provision for matchday crowds to use the Goodwin Street approach to the Western Station Entrance. This would provide resilience on matchdays and flexibility for future access.

10.50 The proposed documentation states that London Underground servicing access to the station would be required at all times, including overnight, if necessary for engineering works. A condition of the existing planning permission prevents servicing on Sundays and bank holidays and Monday to Saturday between 2000 – 0800.

10.51 Maintenance activities and the presence of maintenance vehicles on the 'new street' could potentially have a negative impact on the adjacent residential and commercial uses. Station maintenance activities should not be carried out from the new western station entrance. LUL servicing and maintenance activities should not be permitted outside the servicing times defined by the existing planning permission unless LUL provides details under servicing and deliveries plan secured by condition to outline how LUL maintenance activities will not conflict with the neighbouring uses. Should this require a variation to the above time restrictions, then a subsequent section 73 application will be required for submission outlining how such activities can take place outside of the above hours demonstrating there would be no impact on the amenity of neighbouring uses.

10.52 The station will not be closed at any stage during the constructions works. It is proposed to close the Wells Terrace entrance only until the new western entrance is completed and open. The closure of the Wells Terrace entrance for the duration of the works before the new western entrance is opened could potentially impact on the local business close to this entrance, however it should be noted that this is not a planning matter under consideration of this application. Nevertheless, TfL have advised that they have enhanced way-finding signage directing people to Wells Terrace from Seven Sisters Road in order to encourage continued footfall to the area.

10.53 TfL have provided the following update with regards to their timetable to implement changes to Finsbury Park Station (subject to planning consent being granted):

Key benefits for customers and current delivery timeframes include:

- *Introduce ticket gates at station entrances to improve security and reduce fare evasion, Summer 2014*;*

- *Replace the existing Wells Terrace entrance with a larger, more accessible Western station entrance,*

 - o Wells Terrace station entrance closure, Summer 2014**

 - o New Western station entrance, Spring 2017**

- *Install lifts, providing step-free access from street to Piccadilly and Victoria line platforms, Summer 2018**

Planning Obligations, Conditions, Community Infrastructure Levy and local finance considerations

- 10.54 The conditions of the previous decision notice shall be re-imposed to the decision notice.
- 10.55 Condition number 1 relates to the timeframe for implementation. Usually this is a 3-year time frame from the date of issue in accordance with Section 91(1)(a) of the Town and Country Planning Act 1990 (as amended). In this instance, the proposal has already been implemented and as such there is no need for the condition.
- 10.56 Condition 32 requested details of the proposed flues/extraction systems for Restaurant/cafe (A3) unit/s prior to the commencement of works. Given it would be unknown as to where the restaurant uses would be specifically located within the non residential uses at such an early stage, the trigger requiring this information has been altered to prior to any superstructure works commencing on the buildings to which they relate. This ensures that such details can still be provided prior to any such uses being implemented and ensuring that they do not have a negative impact on the amenity of any residential uses on or surrounding the site.
- 10.57 The original application was subject to a legal agreement to mitigate against the impacts of the development. As this application requires the issue of a new/fresh planning permission the applicant has agreed to re-apply the agreed Heads of Terms of the original legal agreement to the new planning permission. This is important as it ensures those obligations originally agreed are met in the case of the implementation of the current application.
- 10.58 The application would be subject to a Deed of Variation to the original section 106 legal agreement.

National Planning Policy Framework

- 10.59 The proposed development would bring an underutilised building back into active employment use and that is directly in accordance with the aims of chapter 1 'building a strong, competitive economy' as well as addressing the planning policy requirements of the Local Development Plan.
- 10.60 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth.

Other Matters

- 10.61 This application does not represent an opportunity to revise or reconsider the original grant of planning permission under P092492. This application only relates to the consideration of the variation of condition 2 as indicated.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The new entrance and re-disposition of consented land uses on the site is acceptable subject to conditions for the exact detail to be provided before the commencement of works on these elements of the scheme, as they would be in compliance with the site allocation.
- 11.2 Further, the design changes to the consented scheme are considered appropriate as they maintain the design intent of the consented scheme and offer a high quality design.
- 11.3 The proposed development is subject to appropriate conditions that were previously imposed along with some additional conditions as a result of the amendments, which seek to facilitate the development and mitigate its potential impacts. Obligations and financial contributions that were secured towards environmental, infrastructure and services required to facilitate and also mitigate potential impacts of the proposed development have been retained.

Conclusion

- 11.4 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

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

1. Affordable housing provision of 21% (on habitable rooms basis), with a tenure split of 72% social rented and 28% intermediate to be provided on site.
2. An environmental contribution of a total of £1,165,380 toward:
 - Transport and public realm (£393,750 and £100,000 to be allocated to TfL);
 - Sport and recreation (£250,000);
 - Open space improvements (£100,000);
 - Playspace facilities (£71,630); and
 - Community improvement schemes (£250,000).
3. A contribution of £46,000 for the provision of accessible transport bays or alternative accessible transport measures.
4. The facilitation of 17 work placements during the construction phase of the development, lasting a minimum of 13 weeks, or equivalent fee to be paid to LBI and a contribution of £60,000 towards construction training upon implementation of first phase.
5. Compliance with the London Borough of Islington (2006) Noise Service: Code of Practice for Construction Sites, including a monitoring fee of £15,000.
6. Contribution of £55,825 towards training and support, and to enhance the prospects of local people obtaining employment relating to the end use of the building.

7. The developer shall in consultation with the Council's Arts officer appoint an artist to develop a public art scheme to be incorporated within the public space prior to implementation. To include a national artist competition and involvement of the local community. The public art scheme shall be integrated within the public open space and shall include features such as: water features, power points, sculpture, lighting schemes. Arrangements shall be made for artwork on the development hoardings during the construction phase of the development which shall include the involvement of the community. The public art should be provided at a cost of no less than £134,896 including artist fees additional to the costs of public open space of the development towards public art. The public art is to be provided in accordance with a timetable to be agreed with the council.
8. The repair and reinstatement of the footways and highways in the vicinity of the development, including the submission of pre and post construction conditions surveys for approval by the Council. Works to be costed by LBI Public Realm;
9. To meet the costs of the delivery of the new City North development and its impact on the public highway. To include all associated construction, signage, demarcation, monitoring, any necessary amendments to Traffic Management Orders (estimated at £2,000 per Traffic Order) and administration costs to be provided LBI Public Realm. Any works to be carried out by the applicant are to subject to approval by LBI Public Realm, details of which are to be included in a S278 agreement.
10. The developer to enter into an agreement with TfL prior to implementation which should include the following should TfL wish to implement this: details of safeguarding of access and works to facilitate link access to new entrance to Finsbury Park Station; details of safeguarding of access and works to facilitate provision of new Western Station Concourse to Finsbury Park Station; and any other TfL costs including repair and reinstatement.
11. The removal of the rights of future residents within the development to apply for residential parking permits.
12. The submission of the final component to the Green Travel Plan for the residential floor space to the Council for approval 6 months after the development has reached 75% residential occupancy and the final component to the Green Travel Plan for the office / retail floor space to the Council for approval 6 months after the development has reached 50% retail / office floorspace occupancy. An update on progress will be submitted to the Council on the 3rd anniversary of the development reaching 75% residential occupancy and 50% retail / office occupancy respectively.
13. Compliance with the Council's Code of Local Procurement, conditional on products / services of a suitable quality, design and cost being available in the 'local' area as defined by the Code.
14. The areas of publicly accessible space within the development will be provided in accordance with the drawings approved and will be retained as publicly accessible spaces.
15. The submission of a Site Management Plan to the Council for approval prior to commencement of works: specifying arrangements for maintenance, servicing, security, fire safety, public access, including maintenance and management of public art and complaints. The Site Management Plan will be made available to residents of the development on request. The final Plan to be submitted and approved prior to first occupation of the development.

16. The submission of a site specific response document to and approved in writing by the Council prior to the implementation of the development in accordance with the Council's Code of Practice for Construction Sites.
17. The submission to and approval in writing by the Council of a Construction Traffic Management Plan (TMP) prior to works commencing, which shall include details of haulage routes, hours of operation including how school start and finish times will be avoided in the adjacent area, how operators will be required to comply with the TMP, where and how vehicle holding areas would be managed. Also to include details of existing traffic calming measures along the designated haulage route. The costs of any necessary modification, removal or replacement traffic calming (e.g. to reduce noise and vibration) to be met by the applicant. The plan and the costs to be received before implementation.
18. Provision of a central CHP system sized to meet the heat requirements of the development, future proof the site with link to site boundary for future network, and to provide the oversized plant room (the additional 390 sq m) to accommodate further CHP plant to serve surrounding sites.
19. Written evidence to the Local Planning Authority's reasonable satisfaction that the CHP system is fully operational and is being used in accordance with the planning permission should be submitted to the Local Planning Authority for approval 2 years after first occupation of the development. This should include copies of GQCHP (Good Quality Combined Heat and Power) annual returns.
20. A detailed feasibility study, to be assisted by the council, evaluating the market opportunities, technical feasibility and financial viability of a district heating network, which would connect neighbouring schemes into the Development's combined heat and power network (the network) shall be submitted to and approved in writing by the Local Planning Authority (trigger for submission and approval to be agreed at later stage) Should the market response demonstrate that connecting one or more schemes to the Development's network would be technically feasible and financially viable in comparison to the alternative energy solution for the development (see below), the Developer shall in conjunction with the relevant neighbouring sites and the Council, produce the delivery of the district heating network to enable their heating and hot water requirements to be supplied by the network; and if technically feasible and financially viable to enable the delivery of electricity to the buildings via the public utility network. In the event that the appropriate schemes are not available to connect to the Development's network prior to completion of construction, such schemes will be allowed to connect to the network at a later stage if sufficient capacity still exists in the network or if further expansion is possible for such schemes allowing for their connection. Should the feasibility study demonstrate that a district heating network is not deliverable, a further feasibility study must be undertaken to identify the most suitable renewable technology, which could then make use of the additional plant space. The results and recommendations of this study must be agreed in writing with the Local Planning Authority and will be implemented by the applicant.
21. Evidence that the green roof has been maintained in accordance with the planning permission, including photographic evidence, should be submitted to the Local Planning Authority for approval 2 years following occupation of the development.

22. Council's legal fees and in preparing the S106 and officer's fees for the monitoring and implementation of the S106.

All payments to the Council to be index linked from the Committee date.

That, should the **Section 106** Deed of Planning Obligation not be completed before the expiry of the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION C

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

List of Conditions:

CONDITIONS:

1	<p>Drawings and Documents</p> <p>CONDITION: The development hereby approved is comprised of the following drawings and documents:</p> <p>[LBI Reg: 24921]: E/SP/A/DR/101/00; E/SP/A/DR/102/00; E/LG/A/DR/001/00; E/LM/A/DR/002/00; E/UG/A/DR/003/00; E/UM/A/DR/004/00; E/1/A/DR/005/00; E/2/A/DR/006/00; E/3/A/DR/007/00; E/R/A/DR/008/00; E/S/A/DR/201/00; E/S/A/DR/202/00; E/S/A/DR/203/00; M/SP/A/DR/001/P0; M/SP/ADR/002/00; M/B/A/DR/0030/00; M/O/A/DR/001/00; M/S/A/DR/200/00; M/S/A/DR/201/00; M/S/A/DR/202/00; M/S/A/DR/203/00; M/S/A/DR/204/00; M/S/A/DR/205/00; M/S/A/DR/206/00; M/E/A/DR/100/00; M/E/A/DR/101/00; M/E/A/DR/102/00; M/E/A/DR/103/00, all dated 22/10/09; M/-/A/DR/025/01; A_-_90_03 Rev A; A_-_20_P01 Rev M; A_-_20_P02 Rev K; A_-_20_P03 Rev J; A_-_20_P04 Rev J; A_-_20_P05 Rev H; A_-_20_P06 Rev J; A_-_20_P07 Rev H; A_-_20_P08 Rev G; A_-_20_P09 Rev G; A_-_20_P10 Rev H; A_-_20_P11 Rev G; A_-_20_P12 Rev G; A_-_20_P13 Rev G; A_-_20_P14 Rev G; A_-_20_P15 Rev G; A_-_20_P16 Rev G; A_-_20_P17 Rev G; A_-_20_P18 Rev G; A_-_20_P19 Rev G; A_-_20_P20 Rev G; A_-_20_P21 Rev G; A_-_20_P22 Rev G; A_-_20_P23 Rev E; A_A_70_S_T02 Rev E; A_A_70_1B_T01 Rev D; A_A_70_1B_T01a Rev C; A_A_70_1B_T03 Rev E; A_A_70_1B_T04 Rev E; A_A_70_1B_T05 Rev E;</p>
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A_A_70_1B_T06 Rev E; A_A_70_1B_T07 Rev D; A_A_70_1B_T08 Rev F; A_A_70_2B_T01 Rev F; A_A_70_2B_T01 Rev F; A_A_70_2B_T02 Rev F; A_A_70_2B_T03 Rev D; A_A_70_2B_T04 Rev D; A_A_70_2B_T05 Rev E; A_A_70_2B_T05a Rev C; A_A_70_2B_T07 Rev D; A_A_70_2B_T08 Rev G; A_A_70_2B_T09 Rev F; A_A_70_2B_T10 Rev D; A_A_70_2B_T11 Rev E; A_A_70_2B_D01L Rev E; A_A_70_2B_D01U Rev E; A_A_70_3B_T01 Rev F; A_A_70_3B_Do1L Rev G; A_A_70_3B_D01U Rev G; A_A_70_3B_D02L Rev F; A_A_70_3B_D02U Rev E; A_A_70_4B_T01 Rev D; A_B_70_1B_T01 Rev E; A_B_70_1B_T02 Rev F; A_B_70_1B_T03 Rev F; A_B_70_1B_T04 Rev F; A_B_70_2B_T01 Rev F; A_B_70_2B_T02 Rev E; A_B_70_2B_T03 Rev F; A_B_70_2B_T04 Rev F; A_B_70_2B_T05 Rev E; A_B_70_2B_D01L Rev E; A_B_70_2B_D01U Rev E; A_B_70_2B_D02L Rev E; A_B_70_2B_D02U Rev E; A_B_70_2B_D04L Rev C; A_B_70_2B_D04U Rev C; A_B_70_3B_T01 Rev D; A_B_70_3B_T02 Rev E; A_B_70_3B_D01L Rev F; A_B_70_3B_D01U Rev E; A_B_70_3B_D02L Rev E; A_B_70_3B_D02U Rev D; A_C_70_S_T01 Rev E; A_C_70_S_T02 Rev E; A_C_70_1B_T01 Rev E; A_C_70_1B_T01a Rev C; A_C_70_1B_T01b Rev C; A_C_70_1B_T02 Rev D; A_C_70_1B_T03 Rev E; A_C_70_2B_T01 Rev D; A_C_70_2B_T01a Rev C; A_C_70_2B_T08 Rev E; A_C_70_2B_T09; A_C_70_2B_T10; A_C_70_2B_D01L Rev E; A_C_70_2B_D01U Rev E; A_C_70_2B_D01aL Rev D; A_C_70_2B_D01aU Rev D; A_C_70_3B_T01 Rev E; A_C_70_3B_T01a Rev D; A_C_70_3B_T01b Rev D; A_C_70_3B_T01c Rev A; A_C_70_3B_T02 Rev E; A_C_70_3B_T04 Rev F; A_C_70_3B_T05 Rev G; A_C_70_3B_T06 Rev E; A_C_70_3B_T07 Rev F; A_C_70_3B_T08 Rev E; A_C_70_3B_T09 Rev C; A_C_70_3B_T10; A_C_70_3B_D01L Rev F; A_C_70_3B_D01U Rev F; A_C_70_4B_D01L Rev G; A_C_70_4B_D01U Rev H; A_C_70_1B_A01 Rev D; A_C_70_2B_A01a Rev A; A_C_70_2B_A02 Rev D; A_C_70_2B_A03 Rev C; A_C_70_2B_A04; A_C_70_2B_A05; A_C_70_2B_A06; A_C_70_2B_A07; A_C_70_3B_A09 Rev A; A_C_70_3B_A10; A_C_70_4B_A03 Rev A; A_C_70_4B_A03a Rev A; A_C_70_4B_A03b Rev A; A_C_70_4B_A03c Rev A; A_C_70_4B_A04W Rev A; A_C_70_4B_A04aW Rev A; A_C_70_4B_A05 Rev A; A_C_70_4B_A05a Rev A; A_D_70_4B_A01W; A_D_70_4B_A03; A_D_70_4B_A04; A_D_70_5B_A01 Rev C; A_D_70_5B_A02 Rev C; A_D_70_5B_A05 Rev C; City North Finsbury Park Environmental Impact Assessment Non - Technical Summary, dated November 2009; City North Finsbury Park Environmental Impact Assessment Volume 1; 2 and 3, dated November 2009; Design and Access Statement, dated November 2009; Planning Statement, dated November 2009; Transport Assessment, Issue 1, dated 23/11/2009; Travel Plan, Issue 2, dated 27/11/2009; Management Strategy, dated November 2009; Retail Assessment, dated November 2009; Consultation Statement, dated November 2009; Viability Report, ref: JGK/cf01/02A935691, dated 27/11/09; Ecology Assessment, ref: ECO1838.EcoAs.vf, dated November 2009; Arboricultural Assessment, dated November 2009; and Sustainable Design and Construction Statement, dated November 2009

[LBI Reg: 24922]: City North Draft Heads of Terms

[LBI Reg: 24923]: Cover letter, dated 26 January 2010 with Disabled Parking at Car Free Developments Technical Note ref: 16636-01-1, dated 13/01/2010

[LBI Reg: 24924]: City North Addendum to the Townscape, Built Heritage & Visual Assessment, dated 22/02/10

[LBI REG: 24925]: Design and Access Statement – Addendum, dated February

	<p>2010; and Cover letter, dated 9 March with Table of Response; Technical Note – Response to transport and highway comments, ref: 16636-01-1, dated 24/02/2010</p> <p>[LBI Reg: 24926]: Cover letter - Housing Mix by Units, dated 16 March 2010</p> <p>[LBI Reg: 24927]: Cover letter – GLA REF: PDU/1810a/MA06, dated 18 March 2010</p> <p>[LBI Reg: 24928]: Cover letter - Housing Mix by habitable room, dated 18 March 2010</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended, the Reason to Grant and to ensure that the development is built in accordance with the drawings and documents so approved.</p>
2	Design and Method Statement for Foundations
	<p>CONDITION: The development hereby permitted shall not be commenced until design and method statements (in consultation with London Underground, Network Rail and Thames Water - the relevant parties) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved) in writing by the local planning authority (in stages (i) and (ii)) as highlighted below which:</p> <ul style="list-style-type: none"> a) provide details on all structures; b) accommodate the location of the existing London Underground and Network Rail structures and tunnels; c) accommodate the location of the existing subsurface water or sewerage infrastructure d) accommodate ground movement arising from the construction thereof and; e) mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>Design and method statements shall be submitted for approval as follows;</p> <ul style="list-style-type: none"> (i) before commencement of any works on site - design stage assessments and method statements. These should be sufficient for the relevant parties to identify those works that might impact upon Thames Water, London Underground or Network Rail infrastructure (relevant works) and provide a detailed strategy for ensuring that such infrastructure is adequately protected; (ii) before commencement of each element of the relevant works- detailed design and construction method statements. These should provide detailed proposals for ensuring that Thames Water, London Underground or Network Rail infrastructure is adequately protected during the works and thereafter. <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p>

	<p>Reason: To prevent pollution of groundwater and to ensure that the development does not impact on existing underground transport infrastructure.</p> <p>The details submitted to the Local Planning Authority on 11 April 2013 pursuant to condition 3 (i) of planning permission reference: P092492 [LBI ref: P2013/0925/AOD] and approved by the Local Planning Authority on 31 July 2013 are deemed to form the approved details for the purposes of this part of the condition.</p>
3	Water Infrastructure
	<p>CONDITION: No superstructure works shall be commenced unless and until impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by the Local Planning Authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point(s).</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.</p> <p>The details submitted to the Local Planning Authority on 21 January 2013 pursuant to condition 4 of planning permission reference: P092492 [LBI ref: P2013/0054/AOD] and approved by the Local Planning Authority on 19 April 2013 are deemed to form the approved details for the purposes of this condition.</p>
4	Green Procurement Plan
	<p>CONDITION: A Green Procurement Plan shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including by use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste. The development shall not be carried out otherwise than in accordance with the particulars so approved in this Plan.</p> <p>REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction.</p>
5	Site Waste Management Plan (SWMP)
	<p>CONDITION: Full particulars and details of a Site Waste Management Plan (SWMP) which ensures waste produced from any demolition and construction works is minimised shall be submitted to and approved in writing by the local planning authority before the development hereby permitted is commenced and the development shall not be carried out otherwise than in accordance with the particulars so approved.</p>

	<p>The SWMP shall identify the volume and type of material to be demolished and or excavated and include an assessment of the feasibility of reuse of any demolition material in the development. The SWMP shall also consider the feasibility of waste and materials transfer to and from the site by water or rail transport wherever that is practicable.</p> <p>REASON: To maximise resource efficiency and minimise the volume of waste produced, in the interest of sustainable development.</p> <p>The details submitted to the Local Planning Authority on 11 December 2012 pursuant to condition 6 of planning permission reference: P092492 [LBI ref: P2012/0223/AOD] and approved by the Local Planning Authority on 16 May 2013 are deemed to form the approved details for the purposes of this condition.</p>
6	<p>Updated Basement Layout Drawing</p>
	<p>CONDITION: Notwithstanding the drawings hereby approved, a revised basement layout as updated in the Design and Access Statement-Addendum dated February 2010, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The basement layout shall be accompanied by details of the:</p> <ul style="list-style-type: none"> a) design of the vehicle access ramp from the new Street extending Goodwin Street to the basement of the Plinth, communal circulation areas and staircases, their material, treatment and any railings; b) design, layout and allocation of 13 disabled car parking spaces, 2 car club bays, 6 mobility scooter bays, with associated electrical charging facilities; c) design, layout and allocation of the 630 residential and 65 non-residential cycle storage spaces with ancillary shower facilities; d) layout of the flexible A1-A4 floor space; e) layout of the energy plant space (390 sq m), which includes the additional space safeguarded for future energy plant; and f) layout of non-residential storage rooms. <p>The layout and spaces/enclosures within the updated basement plan shall be line marked / demarcated in accordance with the revised drawing and be installed and provided prior to the first occupation of the relevant Building to which they form part.</p> <p>The revised basement layout shall be provided and carried out strictly in accordance with the details so approved, kept free of obstruction at all times, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure details of the revised basement layout, including: the provision of ramped routes which are appropriately designed, the appropriate provision of car-parking bays and mobility scooter bays, cycle storage and facilities, layout of usable floorspace and storage and plant areas.</p>
7	<p>Refuse and Recycling and Waste Management</p>
	<p>CONDITION: A Waste Management Strategy and details of the dedicated</p>

	<p>refuse/recycling enclosures (which shall provide adequate circulation space in accordance with BS8300:2009) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite; and the approved enclosures shall be provided/erected prior to the first occupation of the Buildings which they serve.</p> <p>The development shall be carried out strictly in accordance with the details and waste strategy approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p> <p>The details submitted to the Local Planning Authority on 11 December 2012 pursuant to condition 8 of planning permission reference: P092492 [LBI ref: P2012/0214/AOD] and approved by the Local Planning Authority on 17 January 2013 are deemed to form the approved details for the purposes of this condition.</p>
8	Code of Sustainable Homes and BREEAM
	<p>CONDITION: Evidence confirming that the development achieves a Code of Sustainable Homes rating of no less than 'Level 4', and achieves a BREEAM: 'Office' and 'Retail' ratings of no less than 'Very Good' shall be submitted to and approved in writing by the Local Planning Authority. The evidence shall be provided in the following formats and at the following times:</p> <ul style="list-style-type: none"> a) design stage assessments, supported by relevant BRE interim certificates, shall be submitted at pre-construction stage prior to works commencing on the Buildings to which they relate; and b) post-construction assessments, supported by relevant BRE accreditation certificates, shall be submitted following the practical completion of the Buildings to which they relate. <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
9	Active and Passive Cooling
	<p>CONDITION: Details of the measures proposed to avoid overheating in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include:</p> <ul style="list-style-type: none"> a) the active cooling system(s) - including machinery/apparatus location, specification and operational details - to provide cooling to the ground and first floors only; b) an assessment demonstrating why active cooling is required and that the energy efficiency of the system has been maximised and carbon dioxide

	<p>emissions minimised;</p> <p>c) the passive design and ventilation features proposed to avoid summertime overheating in areas without mechanical ventilation;</p> <p>d) a follow-up to the Internal Temperature Analysis demonstrating that the passive design and ventilation features proposed are sufficient to minimise overheating risk in areas without mechanical ventilation.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that the need for active cooling systems has been minimised as far as possible, that the energy use and carbon emissions of the cooling system has been minimised and that the development is adapted to future summer temperatures (as predicted with climate change).</p>
10	<p>Rainwater Harvesting</p> <p>CONDITION: Details of the rainwater harvesting and recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing on site. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development and how and where it will be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the sustainable use of water.</p>
11	<p>Sustainable Urban Drainage Systems</p> <p>CONDITION: No superstructure works shall be commenced until such time as a scheme detailing the sustainable urban drainage system (SUDS) for the site to demonstrate how the proposal maximises source control to ensure that at least the target of 50% attenuation is met has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To prevent pollution of the water environment.</p>
12	<p>Materials</p> <p>CONDITION: Details and samples of all facing materials of each of the buildings - Plinth; Linear Terrace; Rectilinear; Cylindrical and Wells Terrace, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the relevant Building. The samples and details shall include:</p>

	<p>a) Aluminium framed units, including insulated glazed units and colour insets, with supports;</p> <p>b) Insulated render system with board on 'metsec' or similar steel stud system, with coping, sill and drip details;</p> <p>c) Insulated render and aluminium/metal/glass curtain wall system (including overall composition/arrangement);</p> <p>d) Staircase and lift enclosures;</p> <p>e) Staircase for Cylindrical Building;</p> <p>f) all window treatments (including sections and reveals);</p> <p>g) Undercrofts of Linear Terrace Building;</p> <p>h) Mezzanine floors of Plinth;</p> <p>i) Louvres;</p> <p>j) Brise soleil;</p> <p>k) Pegola screens;</p> <p>l) Pre-case concrete balconies with stainless steel support and glass frames (including lamination details and sections);</p> <p>m) Glass balustrade screens;</p> <p>n) Glazed elevation screens at lower levels;</p> <p>o) Hardwood timber decking and reinforced concrete paving;</p> <p>p) In-situ concrete wall to boundary with railway line;</p> <p>q) External supporting concrete columns;</p> <p>r) any other materials to be used; and</p> <p>s) a sustainable procurement plan outlining commitments to sustainable sourcing materials.</p> <p>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
13	Landscaping Strategy
	<p>CONDITION: Details of the Landscaping scheme relating to the Amenity spaces, as set out in the Design and Access Statement and its Addendum hereby approved:</p> <p>a) new street and ground floor areas (Area A);</p> <p>b) Wells Terrace Building (Areas D and H);</p> <p>c) 2nd floor Terrace Amenity space (Area E);</p> <p>d) Linear Terrace Building (Area F)</p> <p>e) Linear Terrace Building/ Cylindrical Building (Areas I and J); and</p> <p>f) Rectilinear Building (Areas B and M).</p> <p>shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site for the relevant Buildings/areas. The detailed landscaping schemes shall include the following details:</p>

	<p>i) existing and proposed underground services and their relationship to both hard and soft landscaping;</p> <p>ii) trees: their location, species and size;</p> <p>iii) tree-pits: their exact location, depth, design and irrigation system;</p> <p>iv) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>v) the water feature(s);</p> <p>vi) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</p> <p>vii) enclosures and boundaries: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, bollards, retaining walls and hedges;</p> <p>viii) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces;</p> <p>ix) a revised Access Statement detailing routes through the landscape and the facilities it provides; and</p> <p>x) any other landscaping feature(s) (including the 10 cycle spaces) forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the relevant Building/area hereby approved. The landscaping and tree planting shall have a two year maintenance/watering provision following planting and any trees or shrubs which die within five years of completion of the development shall be replaced with the same species or an approved alternative and to the satisfaction of the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place within the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
14	Residential access provided to separate private amenity spaces
	<p>CONDITION: Details of the landscaping scheme relating to the private amenity spaces for the Affordable Housing Units without balconies, as set out in the Design and Access Statement and its Addendum hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site for the relevant Buildings. The schemes shall include the following details:</p> <p>i) Access Statement detailing allocation, access and management of the space;</p> <p>ii) soft plantings: including grass and turf areas, shrub and herbaceous areas;</p> <p>iii) enclosures and boundaries;</p> <p>iv) hard landscaping; and</p> <p>v) any other landscaping feature(s) forming part of the scheme.</p> <p>REASON: To ensure that residents have access to private amenity space.</p>
15	Biodiversity Roofs
1	CONDITION: Notwithstanding the drawings hereby approved, details of the

	<p>extent and design of the biodiversity/Sedum Green roofs with an area of no less than 2426 sq m shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the buildings on which they are proposed. Details shall demonstrate the following:</p> <p>a) The biodiversity roofs shall be biodiversity based with extensive substrate base (depth 80-150mm);</p> <p>b) The roof shall maximise biodiversity benefit, including by incorporating heaped areas of substrate base or other features such as log piles in areas where a higher loading can be supported.</p> <p>c) roof shall be laid and be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works.</p> <p>The green roof(s) shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>d) Evidence that the roof has been installed in accordance with sub-points a) to c) above shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p> <p>The details submitted to the Local Planning Authority on 6 December 2012 pursuant to condition 16 (a), (b), (c) of planning permission reference: P092492 [LBI ref: P2013/0220/AOD] and approved by the Local Planning Authority on 24 May 2013 are deemed to form the approved details for the purposes of these parts of the condition.</p>
16	Playspace Provision and Design
	<p>CONDITION: Details of the onsite children's playspace provision, which shall provide for no less than 500sq m of playspace (as shown within the 'Design and Access Statement' hereby approved) and shall be contained within:</p> <p>a) 2nd floor Terrace Play Space (430 sq m); and</p> <p>b) 4th floor Play space of Wells Terrace Building (70 sq m).</p> <p>shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the relevant part of the development or Building. The children's playspace shall be provided prior to the first occupation of the residential elements which it provides for, in the case of the 2nd floor Terrace its for the Linear Terrace Building, Cylindrical Building and Rectilinear Building. The details shall include the location, layout, design of the playspace and its proposed equipment/features.</p>

	<p>The children's playspace shall provided strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure the appropriate provision and design of children's playspace.</p>
17	<p>Bird and Bat Boxes</p> <p>CONDITION: Details of the scheme of bird nesting boxes/bricks and bat boxes/roost shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the relevant part of the development to which it is contained or Building to which it forms. The details shall include the exact location, specification and design of the habitats. The boxes/bricks/roosts shall be installed with the development or Building prior to the first occupation of the Building to which it forms part or the first use of the space in which it is contained.</p> <p>The bird nesting boxes/bricks and bat boxes/roosts shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p> <p>The details submitted to the Local Planning Authority on 10 April 2013 pursuant to condition 88 of planning permission reference: P092492 [LBI ref: P2012/0221/AOD] and approved by the Local Planning Authority on 24 May 2013 are deemed to form the approved details for the purposes of this condition.</p>
18	<p>Lifetime Homes Standards</p> <p>CONDITION: The residential units hereby approved shall be constructed to the standards for flexible homes in Islington ('Accessible Housing in Islington' SPD) and incorporating all Lifetime Homes Standards. Confirmation that these standards have been met shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site and provided in the following format:</p> <p>a) An accommodation schedule documenting, in relation to each dwelling, how the Islington's standards for flexible homes criteria and lifetime homes standards have been met.</p> <p>The development shall be constructed strictly in accordance with the details so approved.</p> <p>REASON: To ensure flexible, visitable and adaptable homes appropriate to diverse and changing needs.</p>
19	<p>Sound insulation between ground and first floor uses</p> <p>CONDITION: Full particulars and details of a scheme for sound insulation</p>

	<p>between the proposed ground floor A1 (shop), B1 (office) and A3 (restaurant/cafe) and residential use of the buildings above hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the Building to which they relate, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of protecting future residential amenity against undue noise and nuisance arising from non-residential uses.</p>
20	<p>Anti-terrorist security features</p>
	<p>CONDITION: Notwithstanding the drawings hereby approved, details of physical anti-terrorist security measures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the buildings to which it relates, including to the new street. The details shall also indicate methods for preventing vehicle borne improvised explosive devices from entering / accessing the basement, new street and ground floor units accessed from the new street.</p> <p>The measures shall be installed prior to the first occupation of the Building to which it relates and be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: The development, due to the inclusion of a tower and capability to attract people, might also attract terrorist interest. The additional details would ensure the safety of the development as a whole.</p>
21	<p>CCTV, lighting, security lighting</p>
	<p>CONDITION: Details of the schemes of:</p> <p>a) CCTV; b) general lighting; and c) security lighting</p> <p>shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the relevant buildings:</p> <ol style="list-style-type: none"> 1. Basement level and Plinth; 2. Linear Terrace Building; 3. Rectilinear Building; 4. Cylindrical Building; and 5. Wells Terrace Building. <p>The schemes shall be installed prior to the first occupation of the Building to which it relates. The details shall include the location and full specification of: all</p>

	<p>lamps; light levels/spill; cameras (detailing view paths); lamps and support structures.</p> <p>The security features shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure the appropriate provision of general lighting, security lighting and CCTV cameras which are appropriately located, designed, not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
22	<p>Delivery and Servicing Plan (DSP)</p> <p>CONDITION: A final Delivery and Servicing Plan (DSP) detailing all servicing and deliveries arrangements to/from the site, including location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any servicing of, or the first delivery to the development. The development shall thereafter be operated strictly in accordance with the final DSP.</p> <p>REASON: To ensure that the resulting deliveries and servicing activities of the development at undertaken in a neighbourly fashion and do not adversely impact on vehicle or pedestrian safety or disrupt the free-flow of traffic.</p>
23	<p>Parking Management Plan</p> <p>CONDITION: Details of a Parking Management Plan relating to the management, operation, access and use of the basement vehicle-parking spaces shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the buildings hereby approved.</p> <p>The use of the basement car-parking shall be carried out strictly in accordance with the Parking Management Plan so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the vehicle parking spaces approved are appropriately used and managed; and that disabled parking spaces are made available to hotel guests.</p>
24	<p>Design of entrances</p> <p>CONDITION: Notwithstanding the plans hereby approved, full details of the ground floor elevations including:</p> <ul style="list-style-type: none"> a) residential entrances and lobbies; b) main office entrances and lobbies; c) retail shopfronts; d) restaurant shopfront; and e) servicing areas. <p>shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced on that relevant aspect of the scheme. The</p>

	<p>details shall include: doors, sections, elevational and threshold treatments, all to be shown in context and to a scale of 1:50.</p> <p>The ground floor elevations shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the Authority may be satisfied with the access arrangements and the street level external appearance / interface of the buildings.</p>
25	<p>Secure entry systems for residential</p>
	<p>CONDITION: Details of the secure entrance systems for each of the residential buildings shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the installation of the entrances within the elevations to which they relate.</p> <p>The secure entrance systems shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of the future personal security of the occupants of the development and to ensure that the secure entrance systems provided for the residential, student and hotel accommodation are suitable and appropriate for their purpose.</p>
26	<p>Wheelchair Units</p>
	<p>CONDITION: The 31 wheelchair/wheelchair adaptable housing units (24 affordable housing habitable rooms and 84 market housing habitable rooms) hereby approved, as set out in the Design and Access Statement-Addendum dated February 2010, shall be provided as part of the development. The wheelchair/wheelchair adaptable housing units shall be provided prior to the first occupation of the relevant Building to which they form part.</p> <p>Prior to the first occupation of the units hereby approved within the particular buildings, the following audit shall be submitted to and approved in writing by the Local Planning authority:</p> <p>a) an as built Wheelchair Accessible Housing checklist completed by a suitably qualified 3rd party.</p> <p>The development shall be constructed strictly in accordance with the details so approved and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure provision of wheelchair housing as agreed, in a timely fashion and to: address the backlog of and current unmet housing needs; produce a sustainable mix of accommodation; and provide appropriate choices and housing opportunities for wheelchair users and their families.</p>

27	<p>Bollard Details</p> <p>CONDITION: Details of bollards or other such devices that prevent unregulated (excluding non-emergency) vehicular entry or exit to the pedestrianised area of the new street, including management for their control and operation shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity or the free-flow of traffic.</p>
28	<p>Disabled toilet facilities</p> <p>CONDITION: The Business (B1), Flexible (A1 - A4) and Restaurant (A3) accommodation shall be designed in accordance with the principles of Inclusive Design. To achieve this disabled toilet facilities shall be provided within each individual unit prior to first occupation.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
29	<p>Visual screens provided as shown</p> <p>CONDITION: The precast/visual screens separating the roof terraces and balconies shown on the plans hereby approved shall be installed prior to the first occupation of the Building to which they relate.</p> <p>The visual screens shall be installed strictly in accordance with the details approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To prevent undue overlooking (oblique, backwards or otherwise) between the resulting dwellings.</p>
30	<p>Provision of defensible space</p> <p>CONDITION: Notwithstanding the plans hereby approved, areas of defensible space no less than 1.0m deep shall be provided outside the residential windows that face communal amenity spaces. The defensible space shall be delineated structure or soft planting that shall stand no higher than 1.0m in height. The spaces shall be provided prior to the first occupation of those dwellings.</p> <p>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: The rear facing first floor habitable room windows within Buildings B, D and E do not benefit from any defensible space that would adequately divorce them from the communal open space; the arrangement would result in an undue loss of privacy to those future residential dwellings.</p>

31	Residential access provided to amenity spaces
	<p>CONDITION: Notwithstanding the plans hereby approved, entrance/resident's access for the Linear Terrace, Rectilinear and Cylindrical Buildings shall be provided from the residential stair-cores to the 2nd floor level 'Terrace' communal amenity space. The entrances/resident's accesses from the residential stair-cores to the 2nd floor 'Terrace' communal amenity space as shown on the plans hereby approved shall be provided prior to the first occupation of the dwellings within the relevant Building.</p> <p>The entrances/accesses shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that all residents are able to access the 2nd floor 'Terrace' communal amenity spaces.</p>
32	Details of flues to A3 units
	<p>CONDITION: Details of the proposed flues/extraction systems for Restaurant/cafe (A3) unit/s hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on the Buildings to which they relate. The filter systems of the approved flue / extraction units shall be regularly maintained and cleaned; and any filters and parts requiring cleaning or replacement shall be easily accessible.</p> <p>The flue/extraction systems shall be installed/carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of protecting future residential amenity and the appearance of the resulting buildings.</p>
33	Hours of operation A1 and A3 units
	<p>CONDITION: Should the ground floor flexible commercial units be taken up for Retail (A1) or Restaurant/cafe (A3) use and 2nd floor Restaurant (A3) shall not operate except between the hours of 07:00 - 23:00 on any day.</p> <p>REASON: To ensure that the proposed development does not have an adverse impact on neighbouring or future residential amenity.</p>
34	Overall scheme of sound insulation
	<p>CONDITION: A scheme for sound insulation and noise control measures shall be installed and shall achieve the following internal noise targets (in line with BS 8233:1999):</p> <p>Bedrooms (23.00-07.00 hrs) 30 dB LAeq, and 45 dB Lmax (fast) Living Rooms (07.00-23.00 hrs) 30 dB LAeq, Kitchens, bathrooms, WC compartments and utility rooms (07.00 ?23.00 hrs) 45 dB LAeq</p>

	<p>The sound insulation and noise control measures shall be implemented prior to the first occupation of the Building to which they relate, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
35	Fixed plant
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
36	Energy Efficiency Measures
	<p>CONDITION: The energy efficiency measures shall be implemented in accordance with the approved Energy Strategies as set out in the approved Sustainable Design and Construction Statement, dated November 2009. The measures shall thereafter be retained for so long as the development shall exist except to the extent approved in writing by the local planning authority.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
37	Hours of servicing
	<p>CONDITION: All deliveries/collections/visits from service vehicles shall only take place between the hours of:</p> <p>Monday to Saturday - (08:00 - 20:00) Sundays/Bank Holidays - not at all</p> <p>REASON: To ensure that resulting servicing arrangements do not adversely impact on existing and future residential amenity or the free-flow of traffic.</p>
38	Restricted vehicular access to new street
	<p>CONDITION: The new street leading from Goodwin Street to Wells Terrace shall not be used / access by any vehicles other than for those set out in the plans required under conditions and essential maintenance and repair and emergency vehicles in the case of an emergency unless otherwise agreed in writing with the Local Planning Authority.</p> <p>REASON: In the interest of protecting future amenity, pedestrian safety and in the interest of site security.</p>
39	Water conservation residential element

	<p>CONDITION: The new residential development shall be designed to achieve a whole home water standard of 105 litres/head/day in accordance with the 'City North Environmental Statement' hereby approved.</p> <p>REASON: To ensure that the development achieves an appropriate level of water efficiency/conservation and in the interest of sustainable development.</p>
40	Archaeology
	<p>CONDITION: No development (excluding demolition works) shall take place until the applicant, their agent or successors in title has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority.</p> <p>REASON: Important archaeological remains may exist on this site. Accordingly the planning authority wishes to secure the provision of archaeological investigation and the subsequent recording of the remains prior to development.</p> <p>The details submitted to the Local Planning Authority on 24 January 2013 pursuant to condition 41 of planning permission reference: P092492 [LBI ref: P2013/0057/AOD] and approved by the Local Planning Authority on 21 March 2013 are deemed to form the approved details for the purposes of this condition.</p>
41	Land Contamination
	<p>CONDITION: No development (excluding demolition works) shall be commenced unless and until the following assessment in response to PPS23 shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) A proposal to undertake an intrusive investigation at the site based on the findings of the Environmental Statement hereby approved; b) A 'site investigation report' to investigate and identify potential contamination; c) A risk assessment of the site, including details on pollution of the water environment; <p>Following the agreement to details relating to points a, b and c); 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> <ul style="list-style-type: none"> d) Proposals for any necessary remedial works to contain, treat or remove any contamination; e) Proposals to prevent pollution of ground water and surface water, including monitoring; and f) Where remediation is required, it shall be carried out before the site is occupied and a certificate or validation report stating that remediation has been completed as agreed with the local planning authority must also be prepared by a suitably qualified person and submitted to the local planning authority for written approval. Occupation of the site must not occur until the certificate or validation report has been approved by the local planning authority. <p>The development shall be carried out strictly in accordance with the investigation</p>

	<p>and any scheme of remedial works so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To safeguard the health and safety of future occupants as the site may be contaminated due to the previous use.</p>
42	No amalgamation of Restaurant (A3)
	<p>CONDITION: The 2nd floor Restaurant/cafe (A3) unit hereby approved shall be laid out as shown on drawing M-02-A-DR-003-00, dated 22/10/2009 hereby approved and shall not be subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The consideration of the acceptability of the use was based on the proposed size of unit as shown on the approved plans; the amalgamation or further subdivision of the unit is likely to have operational, security and amenity implications, which would need to be tested under a separate planning application.</p>
43	Window cleaning apparatus
	<p>CONDITION: Should window cleaning apparatus be required, details thereof and of associated goods, their operation and housing shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on the roof-top enclosures of the buildings comprising a system.</p> <p>The window cleaning apparatus and associated goods shall be installed strictly in accordance with the approved plans, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>When not in operation/use the window cleaning apparatus and any associated goods shall be returned to, and housed entirely within the dedicated roof-top enclosure</p> <p>REASON: In the interest of the good appearance of the Tower and to ensure that the resulting window cleaning apparatus and any associated goods are appropriately housed and kept out of view when not in use.</p> <p>The details submitted to the Local Planning Authority on 11 December 2012 pursuant to condition 44 of planning permission reference: P092492 [LBI ref: P2013/0215/AOD] and approved by the Local Planning Authority on 07 March 2013 are deemed to form the approved details for the purposes of this condition.</p>
44	Wind Mitigation
	<p>CONDITION: The physical features and wind mitigation measures (including: landscaping, recessed entrances and screening) as detailed within the 'City North, Finsbury Park, Environmental Impact Assessment' hereby approved shall be implemented in full and prior to the first occupation of the Building to which they relate.</p> <p>REASON: To ensure that the development provides for acceptable</p>

	environmental standards in terms of resulting wind conditions.
45	Lift provision
	<p>CONDITION: All lifts serving the residential units hereby approved shall be installed and operational prior to the first occupation of the units within each the respective Buildings to which they relate.</p> <p>The development shall be carried out strictly in accordance with the details so approved, maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that adequate access is provided to the residential units at all floors.</p>
46	Obscuring ground floor levels
	<p>CONDITION: The window glass of all ground floor 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> <p>REASON: In the interest of pedestrian security and to secure an appropriate street frontage and appearance.</p>
47	Vehicle movement on site
	<p>CONDITION: Vehicles shall only enter or exit the site in forward gear.</p> <p>REASON: To ensure that the traffic generated by the proposed development does not prejudice the free flow of traffic nor public safety along the neighbouring highway.</p>
48	Obstruction of public highway
	<p>CONDITION: No doors or gates shall be erected in a way that enables them to be opened over or across the adjoining footways, carriageways and rights of way.</p> <p>Reason: To prevent the surrounding streets from being blocked, protect public safety.</p>
49	Details of station ticket hall
	<p>CONDITION: Notwithstanding the drawings hereby approved, a revised ground floor layout and elevation shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The ground floor layout shall be accompanied by details of the:</p> <p>a) the design details and layout of the station ticket hall including elevations of the entrance;</p> <p>b) increased provision of public toilet facilities included in the detailed layout of the new station ticket hall.</p> <p>The layout of the updated ground floor plan shall be line marked/demarcated in</p>

	<p>accordance with the revised drawing and be installed and provided prior to the first occupation of the relevant Building to which they form part.</p> <p>The revised ground floor layout shall be provided and carried out strictly in accordance with the details so approved, kept free of obstruction at all times, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure details of the revised ground floor layout, including: the provision of public toilet facilities and the design detail and layout of the new station ticket hall and entrance.</p>
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List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p> <p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
4	<p>Design and method statement for foundations</p> <p>Piling into the Chalk or within 5m of the base of the London Clay using penetrative methods shall only be permitted as part of the further submission of details where it is demonstrated that there is no resultant unacceptable risk to</p>

	<p>ground water. These would also need to be backfilled to avoid any potential contamination. It is advised to contact the Environment Agency in advance of</p> <p>Should the applicant propose to discharge water to a surface watercourse during construction a Discharge Consent will be required. The applicant is advised that the Water Act 2003 contains provisions requiring developers to apply for a licence to transfer water when dewatering. This requirement is not yet in place but the applicant should contact the Environment Agency six months before commencement of dewatering activities to check whether an application is required.</p>
5	Network Rail
	The applicant is advised to contact Network Rail in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting.
6	Structure of 90 meters or more height
	The applicant is advised to contact the Directorate of Airspace Policy, Room K6 Gate 3, CCA House, 45-59 Kingsway, London WC2B 6TE.
7	London Fire and Emergency Planning Authority
	The applicant is advised to contact the London Fire and Emergency Planning Authority with regard to details of fire fighting shafts; ventilation systems and sprinkler system to residential accommodation.
8	Roof Plant
	<p>ROOF PLANT</p> <p>The scheme hereby approved does not suggest the installation of external roof plant to any of the roof areas. The applicant is advised that the council would consider the installation of external plant and associated enclosures/structures to be a material alteration to the scheme and therefore constitute development. Should external roofplant be proposed a new planning application must be submitted for the council's formal consideration.</p>
9	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</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 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

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

A) The London Plan 2011 - Spatial Development Strategy for Greater London

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 2.5 Sub-regions
Policy 2.9 Inner London
Policy 2.14 Areas for regeneration
Policy 2.15 Town centres

3 London's people

Policy 3.1 Ensuring equal life chances for all
Policy 3.2 Improving health and addressing health inequalities
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people's play and informal recreation facilities
Policy 3.7 Large residential

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
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 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.19 Hazardous waste

developments
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 3.14 Existing housing
Policy 3.15 Coordination of housing development and investment
Policy 3.16 Protection and enhancement of social infrastructure
Policy 3.17 Health and social care facilities
Policy 3.18 Education facilities
Policy 3.19 Sports facilities

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.3 Mixed use development and offices
Policy 4.4 Managing industrial land and premises
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 economy
Policy 4.12 Improving opportunities for all

Policy 5.20 Aggregates
Policy 5.21 Contaminated land
Policy 5.22 Hazardous substances and installations

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 6.4 Enhancing London's transport connectivity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.6 Aviation
Policy 6.7 Better streets and surface transport
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
Policy 6.14 Freight
Policy 6.15 Strategic rail freight interchanges

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 7.7 Location and design of tall and large buildings
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.10 World Heritage Sites
Policy 7.11 London View Management Framework
Policy 7.12 Implementing the London View Management Framework
Policy 7.13 Safety, security and resilience

to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.16 Green Belt
Policy 7.17 Metropolitan Open Land
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature
Policy 7.20 Geological conservation
Policy 7.21 Trees and woodlands
Policy 7.22 Land for food
Policy 7.23 Burial spaces
Policy 7.24 Blue Ribbon Network
Policy 7.25 Increasing the use of the Blue Ribbon Network for passengers and tourism
Policy 7.26 Increasing the use of the Blue Ribbon Network for freight transport
Policy 7.27 Blue Ribbon Network: supporting infrastructure and recreational use
Policy 7.28 Restoration of the Blue Ribbon Network
Policy 7.29 The River Thames
Policy 7.30 London's canals and other rivers and waterspaces

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS2 (Finsbury Park)
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 CS13 (Employment Spaces)
Policy CS14 (Retail and Services)
Policy CS15 (Open Space and Green Infrastructure)
Policy CS16 (Play Space)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact)

C) Development Management Policies June 2013

Design and Heritage

- DM2.1** Design
- DM2.2** Inclusive Design
- DM2.3** Heritage
- DM2.4** Protected views
- DM2.5** Landmarks

Housing

- DM3.1** Mix of housing sizes
- DM3.4** Housing standards
- DM3.5** Private outdoor space
- DM3.6** Play space
- DM3.7** Noise and vibration (residential uses)

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
- DM4.4** Promoting Islington's Town Centres
- 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

- DM5.1** New business floorspace
- DM5.2** Loss of existing business floorspace
- DM5.3** Vale Royal / Brewery Road Locally Significant Industrial Site
- 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
- DM7.2** Energy efficiency and carbon reduction in minor schemes
- 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 for new developments

Infrastructure

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

D) Site Allocations June 2013

Site FP1 – Finsbury Park Core Site

3. Planning Advice Note/Planning Brief

A Planning Advice Note/ Planning Brief titled City North Planning Brief was published in November 2007.

The brief sought to secure the following key development objectives:

- Redevelopment of the site to provide the opportunity to act as a catalyst for the wider regeneration and improve the image of Finsbury Park;
- To allow for new pedestrian routes through the site, strengthening links with the transport interchange and Fonthill Road. Opportunity to enhance views into and out of the site with opportunity to provide improved public realm and areas of high quality public space which will act as a focus within and around the Site. Also to offer the opportunity for London Underground Limited to provide a new station entrance and ticket hall on the western side of the station;
- A diverse mix of uses with active frontages will increase the vibrancy and vitality of the site, enhance the night-time economy and provide opportunities for local residents to live, work and shop at Finsbury Park. This will also provide employment opportunities and promote further economic investment;
- The brief indicates that a tall building may be acceptable providing that this is of exemplary design and appropriately located within the site;
- Opportunity to create high quality mix use development, acknowledging the needs of uses through exemplar design and the creation of a new and recognisable identity for Finsbury Park;
- Opportunity exists to create a high quality sustainable development which minimises waste, encourages reuse of water, addresses air quality and seeks to encourage biodiversity; and
- achieve a development which is compatible with surrounding residential areas.

4. Designations

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

The site has the following designations under the London Plan 2011 and Islington Core Strategy (2011):

- Finsbury Park Core Strategy Key Area
- Adjoins Locally Listed Building at No. 4 Goodwin Street
- Finsbury Park Town Centre
- Rail Safeguarding Area Thameslink 2000

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

The following SPG's and/or SPD's are relevant:

Islington UDP

- Accessible Housing in Islington
- Car Free Housing
- Green Construction
- Inclusive Landscape Design
- Planning Standards Guidelines
- Planning Obligations and S106
- Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction