

PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration
PO Box 3333
Islington Town Hall
London N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:B1
Date:	15 th October 2019	NON-EXEMPT

Application number	P2019/0194/FUL
Application type	Full Planning Permission
Ward	Bunhill
Listed building	None
Conservation area	St Luke's Conservation Area
Development Plan Context	Central Activities Zone, Bunhill & Clerkenwell Key Policy Area Archaeological Priority Area, St Luke's Conservation Area Employment Priority Area (General), Local Cycle Routes Local Shopping Area – Whitecross Street Article 4 Direction A1-A2 Use
Licensing Implications	None
Site Address	141 - 157 Whitecross Street, London, EC1Y8JL
Proposal	Retrospective application for a second level basement and extended first level basement as well as change of use of the rear of the approved retail areas to office (B1a Use Class) and ground floor rear extensions to provide 1,412sqm of office floorspace. The application also includes the retention of retail frontages, changes to the internal layout of the retail floorspace and other minor shopfront alterations.

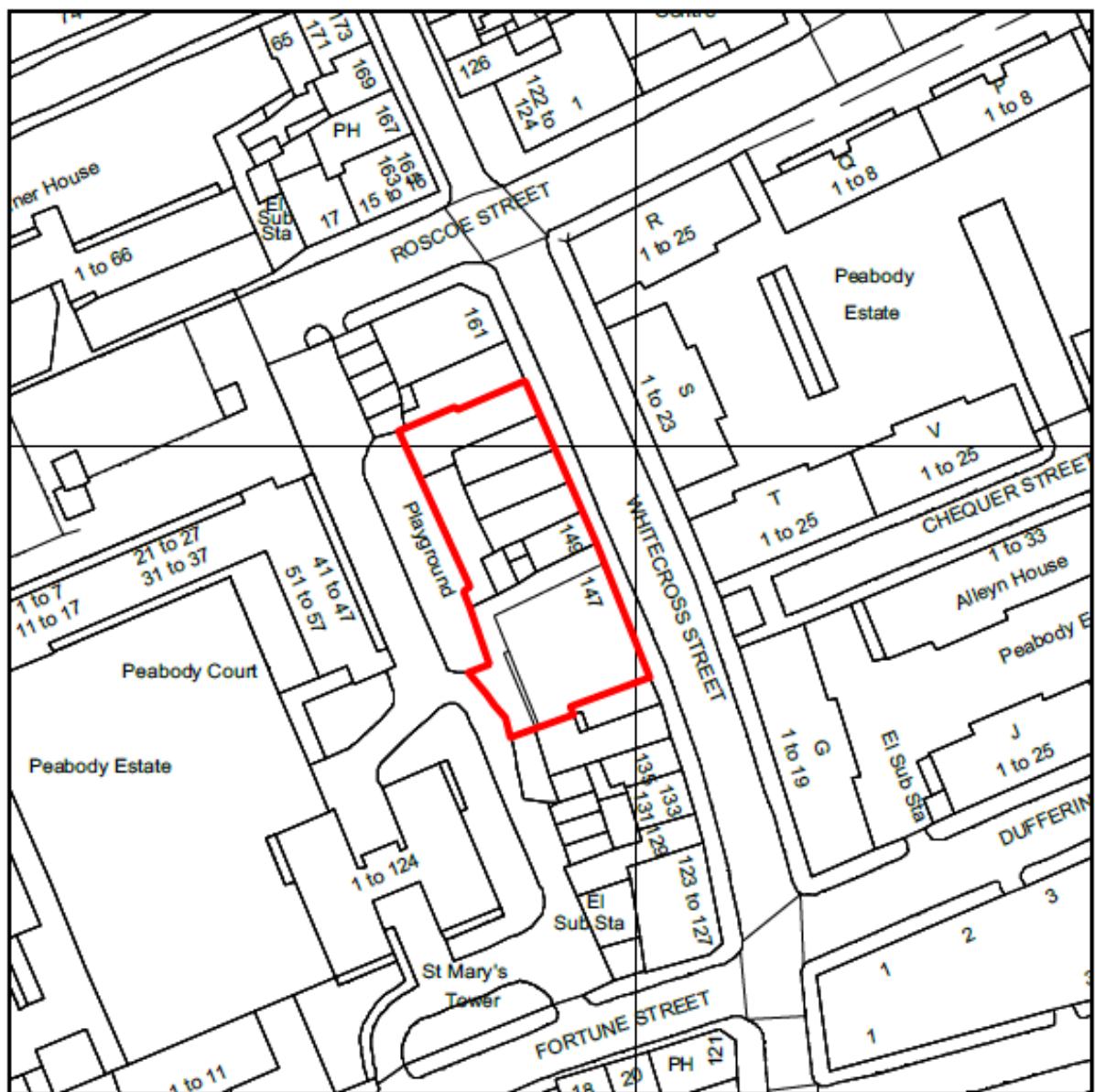
Case Officer	Stefan Sanctuary
Applicant	Phyford Properties Limited
Agent	Barnaby Collins – DP9

1. RECOMMENDATION

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

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

2. SITE PLAN (SITE OUTLINED IN RED)



Site Plan



Birds-Eye View

3. PHOTOS OF SITE/STREET



View of 141-157 Whitecross Street – Front Elevation



Rear Elevation

4. SUMMARY

- 4.1 The subject site is situated on the western side of Whitecross Street within the St Luke's Conservation Area and comprises two recently-rebuilt terraces (separated by a narrow gap) with retail on the ground floor and dwellings above. There are also office uses at ground floor level to the rear and basement level, for which retrospective permission is being sought. The buildings are four storeys in height (including mansard roof) and have been rebuilt in a period-style typical of the area.
- 4.2 Retrospective planning permission is sought for a second level basement and extended first level basement as well as a change of use of the rear of the approved retail areas to office (B1a Use Class) and ground floor rear extensions to provide 1,412sqm of office floorspace. The application also includes the retention of retail frontages, changes to the internal layout of the retail floorspace and other minor shopfront alterations.
- 4.3 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations set out later in this report. The reduction in retail floorspace has been suitably justified through marketing evidence and retail assessments in accordance with Policy DM4.6.
- 4.4 The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9,

Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide. It is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.

- 4.5 The development includes level access and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. Further details of all-inclusive design features would be secured by condition to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.
- 4.6 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to meet sustainability objectives, in accordance with relevant planning policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable workspace and carbon offsetting.

5. SITE AND SURROUNDINGS

- 5.1 The application site is situated on the western side of Whitecross Street within the St Luke's Conservation Area. The site is occupied by two recently-rebuilt terraces (separated by a narrow gap) with retail on the ground floor and dwellings above. There are also office uses at ground floor level to the rear and basement level, for which retrospective permission is being sought. The buildings are four storeys in height (including mansard roof) and have been rebuilt in a period-style typical of the area.
- 5.2 The site is bordered to the north and south by a continuation of the terrace, brick-built buildings of a similar vernacular and style. To the north, the neighbouring building comprises a slightly taller part 4-, part 5-storey terraced building while to the immediate south is a 3-storey brick building with commercial uses on the ground floor and residential above. To the east of the site, on the opposite side of Whitecross Street, is a 19th century Peabody housing estate while to the west lies a post-war housing estate including a 13-storey residential tower.
- 5.3 Whitecross Street is within the CAZ (London's Central Activities Zone) and is home to a successful street market and commercial shopping area. The surrounding area contains a mix of commercial and residential uses. The site is in a very accessible location close to Old Street, Barbican and Moorgate Underground stations as well as several bus stops, bus routes and cycle lanes.

6. PROPOSAL

- 6.1 The application involves retrospective permission for the following at ground floor level:

- Change of use of the rear part of originally approved retail floorspace to office floorspace;
- Creation of a new office entrance from Whitecross Street;
- Single-storey glazed extensions at ground floor level to create office floorspace to the rear;
- New ancillary spaces such as bicycle storage and lift and stair access to the basement levels;

6.2 The application also seeks retrospective permission for the following changes at basement level:

- Linking of the two basement spaces;
- Change of use of the existing basement space from A1 retail to B1 office floorspace;
- Creation of additional basement space to provide additional office accommodation, involving the excavation of the whole site;
- Creation of a new 2nd basement level to provide additional office accommodation.

6.3 The proposal would essentially result in a reduction of 729sqm of A1-A3 floorspace across ground and basement levels. At the same time the proposal would result in the creation of some 1,412sqm of new B1 office floorspace. There are also some minor changes to the residential entrances and ancillary spaces.

7. RELEVANT HISTORY:

7.1 The application site was previously treated as two sites. As such, the following is the relevant site history for 149-157 Whitecross Street:

P082359 – Full planning application for the erection of extensions at first floor level and construction of mansard roof extensions to numbers 149 to 157. Internal alterations and conversion of properties to provide a total of seven units across 149 to 157 (3 x 2 bed, 1 x 1 bed and 3 x 3 beds). Use of flat roofs to create terraces to all properties. Application approved 29/04/09.

P110942 – Conservation area consent application for the demolition of the existing site buildings being considered in conjunction with P111218. Approved on the 19th March 2012.

P111218 - Redevelopment of site following demolition of the existing site buildings to create a basement and four storey terraced block with a total of nine flats on the first, second and third floors and four basement and four ground floor commercial units, three of which are allocated for A1 use (retail) and one unit as flexible A1/A2/A3 use (retail/financial and professional services/restaurant and cafe). Approved on the 19th March 2012.

P2013/3448/FUL - Installation of 11 x photovoltaic panels to the mansard roofs on the granted development at 149-157 Whitecross Street (reference P111218). Approved on the 2nd December 2013.

The residential component of P110942 has been implemented, though the commercial element across ground and basement levels has not been implemented in accordance with the permission. It is this for which retrospective permission is being sought.

7.3 The relevant site history for 141-147 Whitecross Street is as follows:

Planning permission (ref. **900044**) was granted in July 1990 at 141-143 Whitecross Street for erection of a first and second floor rear extension and erection of a third floor roof extension, together with the conversion of the upper floors to provide 2x1-bed flats and 2x2-bed maisonettes. The permission expired unimplemented.

Planning permission (**P082361**) and conservation area consent (**P082362**) was granted in April 2009 at 145-147 Whitecross Street for the demolition of the existing rear extensions, erection of rear extensions at ground and first floor level to No. 145, the rebuilding of No. 147 to three-storeys incorporating a two-storey extension and mansard roof extension, together with internal alterations and lateral conversion of properties to provide a total of four residential units, comprising two x one-bedroom and two x two bedroom. This permission was not implemented, and has since expired.

Planning permission (**P120513**) for works to No. 141 comprising: demolition of existing rear extension, erection of two storey rear extension with second floor roof terrace, erection of third floor mansard roof extension, replacement of windows and shopfront. Works to Nos. 143 & 145 comprising: demolition of existing rear extension, excavation to create rear basement extension, erection of two storey rear extension with first and second floor roof terraces, erection of third floor mansard roof extension, replacement of windows and shopfront. Works to No.147 comprising: demolition of existing single storey building, excavation to create rear basement extension; erection of four-storey end of terrace building with two storey rear projection including first and second floor roof terraces. Erection of single storey bin stores building and cycle stores enclosure on Warwick Yard with installation of gate to Warwick Yard access. In association with creation of two commercial units (one x A1 unit and one x A1/A2/A3 unit) at ground floor and basement level; together with lateral conversion of the upper floors to create seven residential units (comprising one x three-bedroom, two x two-bedroom, and four x one-bedroom flats) – was approved on the 8th January 2013.

This residential component of this permission has been implemented. However, the commercial component of the development across ground and first floors has not been implemented in accordance with the permission and it is this for which retrospective permission is being sought.

8. PRE-APPLICATION ADVICE

- 8.1 The Council's pre-application response highlighted that the excavation of an additional basement level was a breach of the approved planning permission, and that it was essential that the situation be remedied.
- 8.2 The applicants were advised of the process involved in seeking consent for the additional basement excavations and office floorspace, including the financial contributions towards affordable workspace, affordable housing as well as other additional section 106 contributions. It was confirmed by the Council that any future

planning application for the retention of the lower basement level would need to be supported by extensive engineering information. At a minimum, a retrospective structural method statement (SMS) would be required and will need to contain the information outlined in Appendix B of Islington's Basement Development SPD.

9. CONSULTATION

Public Consultation

- 9.1 Letters were sent to occupants of 156 adjoining and nearby properties on Whitecross Street, the Peabody Buildings on Roscoe Street and Dufferin Street on the 10th July 2019. Site notices and press adverts were displayed on the 11th July 2019. The public consultation of the application therefore expired on the 4th August 2019, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 9.2 At the time of the writing of this report no responses had been received from the public.

External Consultees

- 9.3 London Fire and Emergency Planning Authority did not comment on the current application.
- 9.4 Thames Water offered no comment on the proposal.
- 9.5 The Design Out Crime Officer offered the following comments on the proposal:
- The main communal entrance door should be LPS1175 SR2 or STS 202 security rated with encrypted fob access control on a self-closing self-locking system.
 - Post should be delivered through the wall to mailboxes security tested to TS008
 - If CCTV is present at the communal entrance it should be in a position to capture a clear facial image of those entering and exiting the building, at a height not to be tampered with and compliment any lighting present.
 - The main entrance should be lit from dusk until dawn, bulk head or wall mounted lighting which compliments CCTV.
 - Internally the second line of defence, entrances to offices and cycle store should all be to a minimum of PAS24, self-closing, self-locking, with P1A glazing and encrypted fob access.
 - Concerns raised regarding how future tenants would manage the access to office space. It would work well if it was one company using the space but if it was to be let to two or more different parties then how would access be controlled with such an open plan layout.
 - There is no mention of security provisions in the Design and Access statement and it is strongly recommended that areas be compartmentalised if they have the potential to be used by different companies. This would include security rated doors to PAS24 2016, self-closing and self-locking and encrypted fob entry system as detailed in my recommendations to Buckley Gray Yeoman Architects in March 2018.

- Cycle areas should also be protected by a security rated door to a standard of PAS24 2016 which is self-closing and self-locking and within the cycle store there should be the opportunity to lock to pedal cycle to a secure stand.
- Externally - The main communal entrance door should be security rated to LPS 1175 SR2 as a minimum with encrypted fob access and all accessible doors and windows should be PAS24 2016. There should also be separate entrance points for retail, residential and office space.

It is considered that these measures can be addressed as part of a planning condition (18) in the event of permission being granted.

- 9.6 Historic England (GLASS) noted that the proposals are unlikely to have a significant effect on the heritage assets of archaeological interest and therefore recommended no archaeological requirement.

Internal Consultees

- 9.7 Inclusive Design Officer welcomed the attention given to inclusive design features, such as the correct ramp gradients, level access, lift provision and accessible toilet facilities. The following additional points were raised:

- Concerns raised over how the evacuation of disabled people in the case of a fire emergency would work in practice
- The need for there to be fire separation of mobility scooter storage.

- 9.8 Design and Conservation Team Manager: The D&C team noted that the development could not be seen from any public vantage point and raised no objection.

- 9.9 Energy Conservation Officer initially requested that more detail should be provided on:

- Further potential reductions to CO₂ emissions;
- Potential further improvements to energy efficiency parameters;
- Dynamic thermal modelling and use of active cooling;
- Decentralised energy networks and future-proofing for connection;
- Potential for additional renewable energy technologies;
- Green Performance Plan.

The further information was provided and the energy officers now (subject to conditions and planning obligations, which are recommended) raises no objection to the scheme.

- 9.10 The Council's Policy team were consulted on the application. It was noted that marketing evidence was acceptable. No objections were raised to the proposed land uses on site.

- 9.11 The Council's Transport and Highways Teams were consulted on the application. It response it was confirmed that there would be no adverse impact on the surrounding highways infrastructure as a result of the proposed development.
- 9.12 The Council's Sustainability Officer made no comment on the application.
- 9.13 The Council's Pollution Control were consulted on the application raising no objection to the proposal.

10.0 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES

- 10.1 Islington Council (Planning Committee), in determining the planning application has the following main statutory duties to perform:
 - To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (*Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.*); and
 - *As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).*
- 10.2 The updated National Planning Policy Framework (NPPF) 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.
- 10.3 Paragraph 14 of the NPPF states that: "*at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.* At paragraph 7 the NPPF states: "*that sustainable development has an economic, social and environmental role*".
- 10.4 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 10.5 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 10.6 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 10.7 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

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

Designations

- 10.9 The site has the following designations under the London Plan 2016 and Islington Local Plan suite of documents which consist of the Islington Core Strategy 2011, Development Management Policies 2013, Site Allocations June 2013 and the Finsbury Local Plan:
- Adjacent to Bunhill Fields and Finsbury Square CA;
 - Employment Priority Area (General);
 - Archaeological Priority Area (Moorfields);
 - Bunhill and Clerkenwell Core Strategy Key Area;
 - Cycle routes (local);
 - Finsbury Local Plan Area;

- Central Activities Zone;
- Article 4 Directions (A1-A2, B1c-C3)
- Local Shopping Area (Whitecross Street)

Supplementary Planning Guidance (SPG) / Document (SPD)

10.10 The SPGs and SPDs which are considered relevant are listed in Appendix 2.

11 ASSESSMENT

11.1 The main issues arising from this proposal relate to:

- Land Use;
- Quality of the Basement;
- Design and Conservation;
- Neighbour amenity;
- Transport and Servicing;
- Accessibility;
- Sustainability and energy efficiency;
- Fire Safety;
- Planning Obligations.

Land Use

11.2 London Plan Policies 2.10 and 2.11 encourage development proposals to maximize office floorspace within the Central Activities Zone and seek solutions to constraints on office provision and other commercial development imposed by heritage designations without compromising local environmental quality. Moreover, Policy 4.2 of the London Plan supports mixed use development and redevelopment of office provision to improve London's competitiveness and to address the wider objectives of this Plan, including enhancing its varied attractions for businesses of different types and sizes including small and medium sized enterprises. The policy goes on to confirm support for the consolidation of the strengths of the diverse office markets in the capital by promoting their competitive advantages, focusing new development on viable locations with good public transport, enhancing the business environment including through mixed use redevelopment, and supporting managed conversion of surplus capacity to more viable, complementary uses.

11.3 Islington Core Strategy Policy CS7 states that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy, which supports and complements the central London economy. Moreover, Policy CS13 encourages new employment floorspace to locate in the CAZ where access to public transport is greatest, and for new office provision to be flexible to meet future business needs.

11.4 Within Employment Priority Areas (General) designated within the Finsbury Local Plan (FLP), Policy BC8 states that the employment component of a development should not be unfettered commercial office (B1(a)) uses, but where appropriate should also include retail or leisure uses at ground level, alongside:

- A proportion of non-B1(a) business or business-related floorspace, and/or
- Office/Retail floorspace that is suitable as accommodation for micro or small businesses, and/or
- Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.

11.5 The site is located within a Local Shopping Area, namely that of Whitecross Street. Local Shopping Areas are designated on the Policies Map and described in Appendix 3 of Islington's Development Management Policies. In accordance with Policy DM4.6, within these designated areas:

A. Proposals will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area, is retained.

B. Existing ground floor retail units will be protected from Change of Use unless all of the following criteria are satisfied:

- i) The premises has been vacant for a continuous period of at least 2 years and continuous marketing evidence for this 2 year vacancy is provided which demonstrates that there is no realistic prospect of the unit being used in its current use in the foreseeable future;*
- ii) The proposal would not result in a harmful break in the continuity of retail frontages; and*
- iii) Individually, or cumulatively, the proposed replacement use would not have an adverse effect on the vitality, viability and predominantly retail function of the Local Shopping Area.*

C. The Change of Use of ground floor units to residential use will generally be resisted. Such proposals will only be considered acceptable where Parts A and B of this policy are satisfied, and where high quality dwellings with a high standard of residential amenity will be provided consistent with other policies and standards relating to housing and design.

11.6 The application involves provision of 1,412sqm of office floorspace (B1a) in a highly-accessible area within the London Plan's Central Activities Zone and Islington Core Strategy's Bunhill and Clerkenwell Key Area. As such, the application complies with the strategic intentions of London Plan Policies 2.10, 2.11 and 4.2 as well as Islington Core Strategy Policy CS7 and CS13, on the basis of the application's maximisation of employment floorspace, in particular office accommodation.

11.7 FLP Policy BC8 also states that proposals should incorporate the maximum amount of business floorspace reasonably possible on site, which the application is considered to successfully achieve. As well as this however, Part B of Policy BC8 states that the employment floorspace component of a development should not be unfettered office (B1a) use and must, where appropriate, include retail or leisure uses at ground floor alongside specified other uses such as non-B1 business or business-related floorspace (e.g. workshops, galleries); and/or small retail units/offices; and/or affordable workspace. The application site is part of a development which includes retail uses at ground floor level fronting Whitecross Street, all of which are below the 80sqm threshold which defines 'small' retail units. Given the nature and arrangement of the proposed office accommodation and the limitations of only one entrance, it is considered appropriate to seek off-site contributions towards affordable workspace.

The applicants have agreed to a contribution of £286,273 towards affordable workspace off-site and this will form part of the section 106 agreement.

- 11.8 The proposal results in a reduction in retail floorspace (729sqm) in the Local Shopping Area, which is inconsistent with DM Policy 4.6. The loss of retail floorspace is mainly as a result of the loss of ancillary basement spaces rather than retail frontage itself. A Retail Assessment has been submitted with the application which finds that, in their approved configuration with large, ancillary back of house space and full-cover basements, the units (which featured large basement spaces) would be out of line with current retail occupier trends both in a general sense and specifically in this location. In commenting on the specifics of the local context, the Retail Assessment states that:

"The characteristics of the street and the wider market context mean that retail demand for the units is likely to come from quirky, independent businesses rather than large, national chains. These occupiers are highly cost-sensitive and need their retail space to be utilised as efficiently as possible. As a result, the proposed reconfiguration which makes the units smaller and therefore cheaper whilst still retaining the key Zone A retail space is much more suitable for potential tenants."

- 11.9 It is acknowledged that 3 of the 5 existing retail shops are currently let and operating successfully. The application seeks permission to convert 145 Whitecross Street to become the main entrance / lobby of the office accommodation that is subject of this application. In response to this, the applicant's Retail Assessment also points out the significant challenges facing the occupational retail market:

"from the existential threat of online shopping to a weak pound, political uncertainty and a squeeze in consumer spending power, difficult trading conditions and the high-profile collapse of established chains mean that occupiers are being more cautious than ever."

- 11.10 It is also argued that far from reducing the vitality and vibrancy of the shopping area, the reduction in the unit sizes and the introduction of significant office accommodation on Whitecross Street would result in a more vibrant shopping area by increasing footfall and bringing more people to the area. In line with this argument, Policy DM4.6 states that proposals involving a loss of retail will only be permitted where an appropriate mix and balance of uses within the Local Shopping Area, which maintains and enhances the retail and service function of the Local Shopping Area, is retained. Given the retention of five out of the six consented retail units, the retail and service function of the LSA would be retained. Moreover, the supporting text of the policy contends that the provision of community and/or non-retail commercial uses may be appropriate to support the viability and vitality of the Local Shopping Area in preference to a Change of Use to residential.

- 11.11 In order to further justify the loss of retail floorspace within the Local Shopping Area as a result of the application, the applicants have submitted relevant marketing evidence demonstrating lack of demand as well as unsuccessful marketing of one of the retail units for over two years. Throughout the marketing of this retail unit, the floorspace has remained vacant and it is considered that the submitted evidence is sufficient to justify the loss of one of the retail units in order to accommodate an office entrance. It is worth noting that the marketing adheres to the requirements of

Appendix 11 of the Development Management Policies 2013. The change is considered acceptable as it would not harm the retail and service function of the area, not result in a harmful break in the continuity of the shopfront and would result in a overall increase in employment opportunities in the area.

- 11.12 Part D of the Policy states that where major development proposals result in a net increase in office floorspace, housing should be included. While residential uses are found on the upper levels, the application being considered here is purely for office accommodation.
- 11.13 If housing comprises less than 20% of the total net increase in office floorspace, an equivalent off-site contribution will be sought. In this case, the policy position is clear and the requirement applies to the specific office (B1a) floorspace uplift proposed in the application (1,412sqm), using the formula in the Planning Obligations SPD. The application thus includes a contribution towards the provision of affordable housing off-site of £120k.
- 11.14 In line with the Policy CS13(C) (Employment Spaces) the development will see contributions totalling £16,750 secured through S106 for local employment and training opportunities.
- 11.15 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations set out later in this report. The loss of retail floorspace has been suitably justified through marketing evidence and is considered to comply with relevant policies.

Quality of the Basement Office

- 11.16 In accordance with Islington's Basement Development SPD (2016) a Structural Method Statement (SMS) would need to prepared and submitted to the Council as part of any development involving basement development or excavation. In the context of this retrospective planning application, a retrospective SMS has been prepared by the applicants.
- 11.17 The Structural Method Statement has been independently assessed and verified by an appropriately qualified structural engineer (Alan Baxter Ltd) who have confirmed that the details submitted cover the requirements of Islington's Basement Development SPD and demonstrate the constructed basement to be of sound construction. The document submitted conveys a clear design and construction process and states how ground conditions, trees, infrastructure, drainage, flooding, vertical and lateral loads, movements and the integrity of existing structures have been considered and addressed.
- 11.18 Based on the information provided and the subsequent independent review, it is considered that the procedures used in the construction of the basement was well-considered and in accordance with good engineering practice. The basement has now been constructed for about 5 years and is performing satisfactorily. It has been

confirmed by Baxter Ltd that there had not been any indication of significant movement in the adjacent buildings.

- 11.19 The details submitted have satisfied the Council that the basement has been well-constructed and though the Council's Basement SPD had not yet been adopted when the basement was constructed, the retrospective SMS outlines the design and process involved in the constructing the basement which in line with the requirements of the now adopted SPD.
- 11.20 It is clear from the layout and design of the building, in particular the provision of an atrium space, which allows natural daylight to penetrate into the basement levels, that the spaces have been designed in order to optimise natural daylighting and provide good quality office accommodation. The proposed office accommodation is comparable to other recent office developments in the area and overall would provide a good level of amenity to future occupiers.

Design, Conservation and Heritage Considerations (including Archaeology)

- 11.21 The following requirements are necessary for Local Planning Authorities when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: '*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses*'.
- 11.22 Section 72(1) of the Act states: '*In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area*'. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 11.23 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, *inter alia*, that:

'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting

the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'

- 11.24 Relevant Development Plan Guidance is provided by London Plan Policy 7.8 which is concerned with heritage assets and states, inter alia, that 'development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.'
- 11.25 Equally the Council also attach great importance to design and heritage impacts. Policy DM2.3 on heritage encourages development that makes a positive contribution to Islington's local character and distinctiveness. More general design guidance is put forward in Development Plan policies, Policy DM2.1 which states that all forms of development are required to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. To emphasise this Policy CS7 of the Islington Core Strategy states that the character-defining attributes of Bunhill and Clerkenwell will be protected and enhanced. Core Strategy Policy CS9 states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.
- 11.26 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy 7.4 is concerned with Local Character and states, inter alia, that: '*Buildings, streets and open spaces should provide a high quality design response that allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.*'
- 11.27 Policies CS8 and CS9 in Islington's Core Strategy are also relevant. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and Conservation Area Design Guidelines for the St Luke's Conservation Area, and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.
- 11.28 The application site is in a moderately sensitive location with regards to heritage assets as it lies within the St Luke's Conservation Area but is not within the setting of any listed or locally listed buildings. St Luke's Conservation Area is an important surviving part of historic Finsbury, with a special character and appearance which is desirable to preserve and enhance. Whitecross Street is a medieval lane which ran from the Cripplegate to Old Street, home of London's oldest surviving street market and fronted by a number of domestic-scale properties from the 18th and 19th centuries. Either side, the narrow side streets contain a wide range of 19th century commercial buildings and one of the largest late 19th century Peabody housing estates. While the local area is characterised by a relatively diverse mixture of building styles, the application site itself sits within a fairly cohesive 19th century terrace with shops on the ground floor and residential above.

- 11.29 The proposal is quite modest in terms of the proposed changes that are actually visible from street level and only involves some quite minor changes to the front elevation. The original consent sought to preserve and enhance the special historic character of the terrace and this retrospective application is also considered to uphold its historic character. Moreover, the proposed shopfronts are considered to broadly follow Islington's Shopfront Design Guide and Islington's Urban Design Guide SPD, incorporating well-proportioned stall-risers, window opening, entrances, fascia, cornice and pilasters. As such, the proposal is considered to enhance the character and appearance of the St Luke's Conservation Area. The previous shopfronts, originally consented and now proposed shopfronts are compared below.



Original Front Elevation



Consented Front Elevation



Proposed Front Elevation

- 11.30 As can be seen from the comparisons above, there are no changes from the original consent to the front elevation of the buildings in the right-hand section of the terrace (149-157 Whitecross Street) and no proposed changes to 141/143 Whitecross Street. However, it is proposed to change the shopfront of 145/147 Whitecross Street, largely involving the introduction of a double door and the removal of mullions. However, the

historic character of the shopfronts would remain in-tact and are considered to preserve and enhance the character of St Luke's Conservation Area.

- 11.31 While the rear elevation would remain as per the original consent above first floor level, the application does propose a single-storey rear extension at ground level with a glazed pitched roof. Its design is sympathetic in appearance to the host buildings and the surrounding area and would in any case be largely hidden behind the rear boundary wall. The rear elevation is shown below:



Proposed Rear Elevation

- 11.32 In terms of archaeology, archaeological desk-based assessments were carried out for the previous planning permissions for 141-147 Whitecross Street (P120513) and 149-157 Whitecross Street (P111218). The assessments looked at the potential for finding archaeological remains on site are thus relevant to the application being considered here.
- 11.33 The assessments, which were submitted to and approved by the Council in the context of planning conditions relating to archaeology, concluded that there would be limited evidence of any remains from the Neolithic, Bronze or Iron Age period. There would also be low potential for Roman or medieval features. These would have been removed by the construction of the basements below the original shops and the creation of the basements approved in 2012 and 2013. Surveys for the surrounding area indicate made ground between 1.8m and 2.6m thick below ground level. It is within this made ground that any archaeological deposits, if any, are likely to be found. As such, the construction of the 2nd level basement, which is considerably below this level would be unlikely to disrupt any archaeological deposits.
- 11.34 In conclusion, the proposal is considered to be well-designed while enhancing the setting of the adjacent Conservation Area and neighbouring heritage assets. The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9, Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide.

Neighbouring Amenity

- 11.35 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, outlook, privacy and sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy 7.14 and 7.15 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.
- 11.36 **Daylight and Sunlight:** In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 11.37 BRE Guidelines paragraph 1.1 states: '*People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by.*' Paragraph 1.6 states: '*The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.*'
- 11.38 **Sunlight:** The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: '*If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*
- Receives less than 25% of annual probable sunlight hours, or less Than 5% of annual probable sunlight hours between 21 September and 21 March and*
 - Receives less than 0.8 times its former sunlight hours during either period and*
 - Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.'*
- 11.39 **Assessment:** The only extensions to the building's footprint and massing involves a single-storey rear extension, which is limited to the height of the existing boundary walls. Moreover, all of the adjacent buildings have commercial uses on the ground floor with residential above. It is clear and unambiguous from the context of the site and parameters of the development that there would be no adverse impacts as a result of the development on residential amenity in terms of loss of daylight, sunlight, overshadowing or an increased sense of enclosure. Moreover, the extension has already been built which enables a clear assessment of the development's impacts. Finally, no objections have been received to the development by any neighbouring impacts despite a full and comprehensive consultation exercise.

- 11.40 **Overlooking/Noise:** As the development for which retrospective planning permission is being sought is mainly confined to the basement levels, it is not considered that there could be any overlooking issues. The development on the ground floor is largely hidden behind the existing boundary walls, and thus it is not considered that there would be any privacy issues as a result of the development.
- 11.41 In terms of noise, there would be an increased footfall as a result of the enlarged office and new office accommodation. However, most of these pedestrian movements would be confined to normal daily working hours and when Whitecross Street is a relatively busy shopping street with a bustling food market. The Council's Pollution Control team have been consulted on the proposal, in particular to comment on potential noise and disturbance as a result of the development. It was confirmed that office uses were not particularly noise-generating uses and given that the majority of the floorspace would be confined to basement levels, it is not considered that there would be any undue noise and disturbance impacts as a result of the development.
- 11.42 In summary, it is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.

Transport and Servicing

- 11.43 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy Policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.
- 11.44 The application site is in a central London location, with very good links to public transport and a Public Transport Accessibility Level of 6a/6b, the highest rating. The site does not have a delivery / servicing yard, but would rely on on-street servicing and delivery.
- 11.45 A Transport Statement has been submitted with the application, which estimates the increased footfall, including peak-time movements, as a result of the development. Future occupiers of the office accommodation are all expected to travel on foot, by bicycle and/or public transport. Policy-compliant bicycle storage is provided on-site and it can be concluded that the development would not result in an overall material impact in terms of trip generation.
- 11.46 In terms of the delivery / servicing, the proposed office accommodation is estimated to generate a total of approximately 6 daily vehicle trips, of which the majority would be small vehicles or couriers. The reduction of retail floorspace on site would result in a reduction of approximately 2 trips per day. Although Policy DM8.6 encourages all delivery and servicing to be off-street, particularly for commercial development of over 200sqm, it is considered that Whitecross Street would be able to satisfactorily accommodate the anticipated service vehicle numbers referenced above. Given the nature of Whitecross Street, with its busy lunchtime food market and its tight parking / loading restrictions, it will be necessary to restrict servicing and delivery to hours outside of the operation of the market. In the event of planning permission being granted, a planning condition (14) would restrict the hours of delivery vehicles to outside of the hours of 10am to 4pm.

- 11.47 The application includes a dedicated cycle storage facility for the office accommodation that can accommodate 18 cycles and associated end-of-trip facilities including a shower. The provision is in line with the amount required as a result of the increase in floorspace proposed and accords with current Islington policy (1 space per 80sqm of office).
- 11.48 It can also be noted that the applicant will also be obliged through a Section 106 clause to submit a Framework Travel Plan. This Travel Plan will describe the means by which users of the development shall be encouraged to travel to the site by sustainable modes of travel and will be monitored and reviewed on an annual basis.
- 11.49 In summary, the proposed scheme and highways and transport arrangements will ensure that the development will not have an adverse impact on the surrounding road or cause any loss of amenity to local residents. Subject to conditions and clauses within the Section 106 legal agreement, the development is considered to meet the objectives of Core Strategy Policy CS10, which aims to encourage sustainable transport choices by maximising opportunities for walking, cycling and public transport use.

Accessibility

- 11.50 The relevant policies are 7.2 of the London Plan 2016 and Development Management Policy DM2.2, which seeks inclusive, accessible and flexibly designed accommodation throughout the borough. The London Plan Policy requires all new development in London to achieve the highest standards of accessible and inclusive design, by ensuring that developments: (i) can be used safely, easily and with dignity by all members of society; (ii) are welcoming and convenient with no disabling barriers, (iii) are flexible and responsive to peoples' needs and (iv) are realistic, offering more than one solution to future users.
- 11.51 Islington's Development Management Policies require all developments to demonstrate that they provide for ease of and versatility in use; that they deliver safe, legible and logical environments and produce places and spaces that are convenient and enjoyable to use for everyone. Any development needs to be assessed against this policy background to ensure that they are genuinely inclusive from the outset and remain so for the lifetime of the development.
- 11.52 The development includes level access throughout and appropriately sized lifts to enable access to all parts of the building for those with mobility impairments. The new office floorspace would also include accessible toilet and shower facilities. Further details of all-inclusive design features would be secured by condition (5) to ensure that they are provided for the lifetime of the development, in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.

Sustainability and Energy Efficiency

- 11.53 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

- 11.54 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions. Carbon dioxide calculations must include unregulated, as well as regulated, emissions, in accordance with Islington's policies.
- 11.55 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 11.56 Islington Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.
- 11.57 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards.
- 11.58 Development Management Policy DM 7.4D states that 'Major non-residential developments are required to achieve 'Excellent' under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding". The council's Environmental Design Guide states 'Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification'.

BE LEAN

Energy Efficiency Standards

- 11.59 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation.
- 11.60 The proposed U-values are a significant contributing factor in achieving a reduction in carbon emissions on the development proposal. Exposed floor U-values measure 0.12, external walls are 0.17, for the roof it's 0.11 and the glazing U-values are 0.80. Other passive design features which reduce demand for energy include the following:
- high performance solar control glazing is to be used;
 - energy-efficient internal lighting;
 - air permeability of $3\text{m}^3/\text{h}/\text{m}^2$;
 - energy-efficient heat recovery ventilation system

BE CLEAN

District Heating

- 11.61 Policy DM7.3B requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 11.62 The feasibility study has indicated that because of the energy profile of the proposed scheme (low heat demand), practical difficulties of making physical connections and costs involved and viability issues connection to the Citigen network is not realistic at this moment. A relevant clause within the S106 agreement requires additional exploration of the feasibility of future connection, to ensure that any necessary futureproofing works can be incorporated into the development. The Council's Energy Team accept the findings in regard to District Heating

Shared Heating Network

- 11.63 Policy DM7.3(D) requires that 'Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.'
- 11.64 The accompanying Energy Statement concludes that the scheme does not have energy demands large or diverse enough for it to act as an energy hub for it and surrounding buildings. However, a space has been allocated in the proposed plant room of the basement adjacent to the street to future-proof potential connection to a decentralised energy network or shared heat network in the future. The Council's Energy Team accept the findings of the Energy Statement in regard to possible connection to a Shared Heating Network.

BE GREEN

Renewable energy technologies

- 11.65 The Mayor's SD&C SPD states that 'major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.' The Council's Environmental Design SPD (page 12) states 'use of renewable energy should be maximised to enable achievement of relevant CO₂ reduction targets.'
- 11.66 The applicant has demonstrated that there is no suitable roof-space for additional solar PV panels, however air source heat pumps have been proposed to further reduce carbon emissions. This has been welcomed by the Council's Energy Team.

Carbon Emissions

- 11.67 Policy CS10A states that the promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution of £920 per tonne of CO₂ towards measures which reduce CO₂ emissions from the existing building stock.
- 11.68 The applicant proposes a reduction on regulated emissions of 27% compared to a 2013 baseline target, which falls short of the London Plan target of 35% as well as Islington's targets on carbon reduction. The scheme therefore gives rise to a requirement for a carbon offset contribution of £22,301.

Sustainable Design Standards

- 11.69 Development Management Policy DM7.4 requires the achievement of BREEAM 'Excellent' on all non-residential major development. Major developments are also required to comply with Islington's Code of Practice for Construction Sites and to achieve relevant water efficiency targets as set out in the BREEAM standards. The applicants have committed to achieving a BREEAM rating of 'Excellent' through a BREEAM score of 74.98% and the pre-assessment which accompanies the application demonstrates that the building would achieve this 'Excellent' rating. The BREEAM methodology assesses developments on the basis of credits for a set of performance criteria covering issues such as energy, transport, water materials, waste, pollution, health and well-being, management and ecology. A condition will be attached to secure this rating (Condition 9)
- 11.70 The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management Policy DM7.1 requires for development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details and specifics are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

- 11.71 **Sustainable Urban Drainage System (SuDS):** Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a ‘greenfield rate’ (8 litres/second/hectare), where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres per second per hectare. The green roof installed on the first floor of the building is a form of SuDS and in line with London Plan Policy 5.13, will contribute towards increasing infiltration and reducing runoff for the site as a whole as it replaces an impermeable surface. This will also contribute to climate change adaptation by providing natural cooling and reducing the urban heat island effect.
- 11.72 In order to ensure that the building performs in accordance with the key sustainability indicators set out within the Energy strategy, a Green Performance Plan (GPP) is to be secured by the s.106 agreement.
- 11.73 No overall objection is raised on sustainability grounds, and as set out above, it is recommended that the relevant sustainability requirements are secured by planning conditions (9-11) and s.106 obligations.

Fire Safety

- 11.74 Part B of the London Plan policy 7.13 states that development proposals should contribute to the minimisation of potential physical risks, including those arising as a result of fire. The application is accompanied by a fire strategy report which addressed issues relating to means of warning and escape, internal fire spread (linings and structure), external fire spread and access and facilities for the fire and rescue service. No comments were received by the Fire Brigade but an informative (no.12) has been included in the recommendation to remind the applicant of the need to consider the requirements of the Building Regulations in relation to fire safety at an early stage, with particular regard to the provision of a sprinkler system.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 11.75 The proposal seeks to increase the amount of floorspace through extensions, basement excavations and layout changes. The additional capacity would accommodate additional employees and those additional people would introduce impacts on the surrounding infrastructure that must be mitigated.
- 11.76 The heads of terms that have been agreed with the applicant would suitably mitigate any impacts of the development. They are considered to be fairly and reasonably related in scale and kind to the scale and nature of the proposals. None of the financial contributions included in the heads of terms represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured. The full list of contributions is set out at Appendix 1 of this report.
- 11.77 These obligations sought by the Council satisfy the statutory tests in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (and paragraph 204 of the NPPF), as set out below:
- Necessary to make the development acceptable in planning terms

- Directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

12 SUMMARY AND CONCLUSION

Summary

- 12.1 The proposed change of use, extensions and excavation of the basement of 141-157 Whitecross Street to provide additional office accommodation is considered to be acceptable in land use terms, and accords with Policies 2.10, 2.11 and 4.2 of the London Plan, Islington Core Strategy Policy CS7 and CS13 as well as Finsbury Local Plan Policies BC3 and BC8, subject to the off-site affordable workspace contribution, planning conditions and all other necessary obligations. The loss of retail floorspace has been suitably justified through robust marketing evidence and a comprehensive retail assessment.
- 12.2 The design and appearance of the proposed development is considered to be high quality enhancing the character and appearance of the area in accordance with London Plan Policies 7.4, 7.6 and 7.8, Islington Core Strategy Policies CS7, CS8 and CS9, Development Management Policies DM2.1 and DM2.3 as well as Islington's Urban Design Guide. It is not considered that there would be any undue impacts on neighbouring amenity as a result of the development in terms of loss of daylight, sunlight, overshadowing, overlooking or noise and disturbance.
- 12.3 The transport and amenity impacts resulting from the development have been suitably minimised and are considered acceptable subject to appropriate conditions. The resulting building is considered to be inclusively-designed and is considered to meet sustainability objectives, in accordance with relevant planning policy. Finally, the applicant has agreed to pay contributions towards social and physical infrastructure, notably towards affordable workspace, affordable housing and carbon offsetting.

Conclusion

- 12.4 The application would deliver a high quality scheme that is in accordance with planning policy. It is thus recommended that planning permission be APPROVED as set out in Appendix 1 – RECOMMENDATIONS, subject to Section 106 agreement and planning conditions

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Condition surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1

Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.15 as at 04/04/15). If these placements are not provided, LBI will request a fee of £5,000.

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of £683 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of an additional number of accessible parking bays: 3, or a contribution towards bays or other accessible transport initiatives of £6,000.
- A contribution towards offsetting any projected residual CO₂ emissions of the development, to be charged at the established price per tonne of CO₂ for Islington (currently £920). Total amount: £22,301.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a Green Performance Plan.
- Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
- Payment towards employment and training for local residents of a commuted sum of £16,750;
- A contribution towards Crossrail of £132,070;
- For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of £120,640;
- A contribution towards the provision of off-site affordable workspace of £286,273.

All payments to the Council are to be index linked from the date of Committee and are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within the timescales set within the Planning Performance Agreement, the Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation the proposed development 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, Service Director Planning and Development / Head of Service – Development Management or in their absence the Area Team Leader be authorised to enter into a Deed of Planning Obligation under section 106 of the Town and Country Planning Act 1990 to secure to the heads of terms as set out in this report to Committee.

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall begin no later than the of 3 years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved drawings and information:</p> <p>Location Plan 1517-NMA-00-ZZ-DR-B-00001 Rev P2; 1517-NMA-B1-ZZ-DR-A-30100 Rev P7; 1517-NMA-B2-ZZ-DR-A-30100 Rev P5; 1517-NMA-00-ZZ-DR-A-30100 Rev P10; 1517-NMA-01-ZZ-DR-A-30100 Rev P1; 1517-NMA-XX-ZZ-DR-A-30200 Rev P1; Planning Statement by DP9; Design & Access Statement by Norton Mayfield Architects Revision P6; Retail Viability Report by KLM dated October 2018; Transport Statement by TTP Consulting dated September 2019; BREEAM Pre-assessment dated June 2019; Review of the Structural Aspects of the Basement Proposals by Alan Baxter dated March 2019; Retrospective Structural Method Statement for Basement Construction by Gurney dated December 2018 (including Appendices); Daylight Report by GL Hearn dated December 2018; Fire Engineering Stage 3 Report Revision 4 dated November 2018; Sustainable Design & Construction Statement dated December 2018.</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>
3	Materials and samples
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details and samples shall include:</p> <ul style="list-style-type: none">a) new brickwork (including brick panels and mortar courses);b) window treatment (including sections and reveals);c) roofing materials;d) glazing details;e) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

4	<p>Roof-level structures</p> <p>CONDITION: Full details of any roof-top structures/enclosures (including those at 1st floor level) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> a) roof-top plant; b) ancillary enclosures/structure; and c) extract ducts. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
5	<p>Access</p> <p>CONDITION: Notwithstanding the plans hereby approved the scheme shall be constructed in accordance with the principles of Inclusive Design. To achieve this, the following further details shall be provided prior to the occupation of the development:</p> <ul style="list-style-type: none"> • details of the evacuation strategy; • fire separation of mobility scooter storage; <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities in accordance with London Plan Policy 7.2 and Development Management Policy DM2.2.</p>
6	<p>Security & General Lighting</p> <p>CONDITION: Details of any external general or security lighting (including full specification of all luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The details shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such permanently thereafter.</p> <p>REASON: In the interest of protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill, as well as protecting the setting of important heritage assets.</p>
7	<p>Energy Reduction</p> <p>CONDITION: The energy efficiency measures/features and energy technology(s) as detailed within the Sustainable Design & Construction Statement (December 2018) and the subsequent Energy Strategy Response by Greengage shall be installed and operational prior to the first occupation of the development.</p>

	<p>The agreed scheme shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
8	<p>Cycle Storage</p> <p>CONDITION: The bicycle storage and mobility scooter storage area(s) shown on the ground floor plan hereby approved as well as showering, changing and locker facilities on the basement floor plans shall be installed and operational prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	<p>BREEAM</p> <p>CONDITION: The development shall achieve a BREEAM Non-Domestic Refurbishment (2014) rating of no less than 'Excellent' in accordance with the BREEAM pre-assessment submitted.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development, in accordance with Development Management Policy DM7.4.</p>
10	<p>Green / Brown Roofs</p> <p>CONDITION: Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The biodiversity (green/brown) roofs 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 biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, in accordance with Development Management Policy DM6.6 and DM7.1.</p>
11	<p>Sustainable Urban Drainage System</p> <p>CONDITION: Details of a drainage strategy including the green roof and drainage of the site (following the principles of Sustainable Urban Drainage) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved. The drainage system shall be installed / operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water in accordance with Development Management Policy DM7.4.</p>

12	Plant Noise
	<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 façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>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 development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
13	Lifts
	<p>CONDITION: All lifts serving the office shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the office floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
14	Delivery and Servicing
	<p>CONDITION: Delivery and servicing for the office accommodation hereby approved shall only occur outside of the Whitecross Street market operating hours of 10am - 4pm.</p> <p>REASON: In order to secure highway safety and not to disrupt the operation of the market on Whitecross Street, protect local residential amenity and mitigate the impacts of the development.</p>
15	No external piping
	<p>CONDITION: Other than any pipes shown on the plans hereby approved, no additional plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional pipes be considered necessary the details of those shall be submitted to and approved in writing by the Local Planning Authority prior to installation of any such pipe.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
18	Crime Prevention
	<p>CONDITION: Details of security and safety measures to reduce risks of crime shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development and subsequently implemented prior to first occupation of the development hereby permitted.</p> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of</p>

	adjacent residential dwellings

List of Informatives:

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
3	Surface Water Drainage
	It is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and at the final manhole nearest the boundary. Connections are not permitted for removal of groundwater. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
4	Sustainable Sourcing of Materials
	Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	All new developments are to be car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Community Infrastructure Levy (CIL) (Granting Consent)
	INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk . The Council will then issue a Liability Notice setting out the amount of CIL that is payable.

	<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> <p>Pre-commencement conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
8	<p>Highways Requirements (1)</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
9	<p>Highways Requirements (2)</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</p>

	<p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
10	<p>Highways Requirements (3)</p> <p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
11	<p>Crossrail 2</p> <p>Applicants should refer to the Crossrail 2 Information for Developers available at crossrail2.co.uk. Crossrail 2 will provide guidance in relation to the proposed location of the Crossrail 2 structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to contact the Crossrail2 Safeguarding Engineer in the course of preparing detailed design and method statements.</p> <p>In addition, the latest project developments can be found on the Crossrail 2 website www.crossrail2.co.uk which is updated on a regular basis.</p>
12	<p>Fire Safety</p> <p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant</p>

	(building control) regulations, please contact Andrew Marx on 020 7527 2045 or by email on andrew.marx@islington.gov.uk
13	Thames Water (Groundwater Risk Management Plan) A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality .

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. Since March 2014 planning practice guidance for England has been published online.

2. DEVELOPMENT PLAN

The Development Plan is comprised of the London Plan 2016, Islington's Core Strategy 2011, Islington's Development Management Policies 2013, the Finsbury Local Plan 2013 and Islington's Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

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

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London
Policy 2.11 Central Activities Zone – strategic functions
Policy 2.18 Green infrastructure: the network of open and green spaces

4 London's economy

Policy 4.1 Developing London's economy
Policy 4.2 Offices
Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.4 Retrofitting
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs

6 London's transport

Policy 6.1 Strategic approach
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.8 Heritage assets and archaeology
Policy 7.9 Heritage-led regeneration
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature

Policy 5.12 Flood risk management	8 Implementation, monitoring and review
Policy 5.13 Sustainable drainage	Policy 8.1 Implementation
Policy 5.18 Construction, excavation and demolition waste	Policy 8.2 Planning obligations Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

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

Policy CS13 (Employment Spaces)

Policy CS14 (Retail and Services)
Policy CS15 (Open Space and Green Infrastructure)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS20 (Partnership Working)

C) Islington's Development Management Policies 2013

DM2.1 (Design)
DM2.2 (Inclusive Design)
DM2.3 (Heritage)
DM2.5 (Landmarks)
DM4.3 (Location and concentration of uses)
DM4.6 (Local Shopping Areas)
DM4.8 (Shopfronts)
DM5.1 (New Business Floorspace)
DM5.4 (Size and Affordability of Workspace)
DM6.1 (Healthy development)

DM6.6 (Flood prevention)
DM7.1 (Sustainable design and construction)
DM7.3 (Decentralised Energy Networks)
DM7.4 (Sustainable design standards)
DM7.5 (Heating and cooling)
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)
DM9.1 (Infrastructure)
DM9.2 (Planning obligations)

D) Finsbury Local Plan 2013

BC8 (Achieving a balanced mix of uses) considerations for building heights)

BC10 (Implementation)

3 Designations

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

- Within St Luke's Conservation Area
- Central Activities Zone
- Article 4 Directions (A1-A2, B1c-C3)
- Finsbury Local Plan Area
- Employment Priority Area (General)
- Archaeological Priority Area
- Bunhill and Clerkenwell Core Strategy Key Area
- Within 100 m of an SRN

4 Supplementary Planning Guidance (SPG) / Documents (SPD)

The following SPGs and SPDs are relevant:

Islington Development Plan

Conservation Area Design Guidelines
Sustainable Design and Construction
guidance
Environmental Design SPD
Inclusive Landscape Design SPD
Planning Obligations (Section 106) SPD
Streetbook SPD
Urban Design Guide

London Plan

Accessible London: Achieving an
Inclusive Environment SPG
Sustainable Design and Construction
SPG
Planning for Equality and Diversity in
London SPG