

APPENDIX 3: 11 NOVEMBER 2019 COMMITTEE REPORT



PLANNING COMMITTEE REPORT ADDENDUM

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
Town Hall
LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	18 th November 2019	

Application number	P2018/3191/FUL
Site Address	Paul Anthony House, 724 Holloway Road, London, N19 3JD
Proposal	Two storey roof extension to the existing building to create additional office space (B1a Use Class) along with associated refurbishment and external alterations.

1. RECOMMENDATION

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

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

2. BACKGROUND OF DEFERRAL

2.1. Planning application P2018/3191/FUL was presented at the Planning Committee meeting on 09 September 2019. The relevant excerpt of the minutes from 9 September 2019 Planning Committee is attached as **Appendix 2** to this report. The Planning Committee Report for this meeting is appended as **Appendix 3** for reference.

2.2. During the 09 September 2019 Committee Meeting, members suggested that the agent for the application should explore further discussion with Transport for London (TfL) in regards to proposed deliveries and servicing arrangements to the site. Members were concerned that TfL were not being consistent in their objections to deliveries and servicing taking place from Holloway Road as the siting of the bus stop in this particular location is only a recent feature to cater for driver changeover, given its proximity to Holloway Road bus garage.

2.3. Members noted that other office buildings in the vicinity and on the bus route on Holloway Road allowed servicing and refuse collection to take place from Holloway Road.

- 2.4. The item was deferred in order to allow officers and the applicant to seek revised delivery and servicing arrangements, in consultation with TfL and neighbouring residents.
- 2.5. The Applicant undertook their own consultation event at the site with neighbouring residents on 24 September 2019. The Applicant sent emails and completed a letter drop to invite neighbouring residents and ward Councillors to the consultation event.
- 2.6. Planning Officers and Highways Officer undertook a site visit with TfL representatives to observe existing operations and discuss potential alternative options for deliveries and servicing on 09 October 2019.
- 2.7. Following this, the applicant has submitted revised plans for the ground floor of the building, a revised transport statement to respond to the discussion held and objections raised at the 09 September Committee Meeting. A subsequent further public consultation period was undertaken given the revised plans and documents, details provided further below.

3. FURTHER CONSULTATION UNDERTAKEN

Public Consultation Responses

- 3.1. Following the submission of revised drawings and supporting information, a further 14-day consultation period was undertaken on 28 October 2019, providing the opportunity for further representations to be made by 11 November 2019. This included several site notices erected close to the site and letters were sent to occupants of 89 adjoining and nearby properties.
- 3.2. To date, a total of 30 further representations have been received on the application all of which raise objection to the revised proposals.
- 3.3. The points raised within the objections are summarised below:
 - Object to deliveries and refuse collections being made from Fairbridge Road. Holloway Road is a busy road and other business here take deliveries from the front and deposit their rubbish at the front. Concern that these deliveries would cause noise, pollution and traffic danger to neighbouring residents.
 - The bus stop on Holloway Road should be moved to accommodate servicing on Holloway Road.
- 3.4. The objections reiterate concerns raised previously and make suggestions as to how loading for deliveries and servicing could be facilitated on Holloway Road, rather than Fairbridge Road. The issues have been investigated with TfL and Officers continue to discuss the resident requests with TfL.
- 3.5. It should be noted that the scheme proposed does not involve moving the bus stop located on Holloway Road nor has TfL agreed to move the bus stop or to create a loading bay on Holloway Road.

Internal and External Consultation Responses

- 3.6. **Environmental Health (Acoustic):** *No objections from the EPPP team with the usual plant noise condition to apply (along with a Construction Management Plan).*
- 3.7. Following the deferral of the application, the Case Officer met with representatives from TfL and Council's Highways Officer on-site, to discuss potential alternate delivery and

servicing arrangements. Subsequently, a further formal consultation response has been received by TfL and the Council's Highways Officer, as follows:

3.8. Transport for London (TfL): *The proposal for servicing from the TLRN is not supported by TfL, as it would have unacceptable impacts on bus operations and London's strategic road network.*

The amount of servicing demand likely to be generated by the development proposed clearly a material consideration for planning. However, the loading bay proposed on Holloway Road could not legally be restricted for use only by the new development occupiers. Bus services using the adjacent bus stop also run 24-hours at high frequencies. The loading bay suggested therefore could not be introduced to Holloway Road without clear and obvious potential to negatively impact bus operations and bus journey times, and that is not acceptable to TfL.

We have looked around the site and tried to find locations where a new on-street loading bay could be safely accommodated on Holloway Road to serve this site without causing unacceptable bus and TLRN impacts. Unfortunately, there are no practically workable locations within a reasonable drag distance for refuse and larger deliveries, due to the close proximity of existing signals and bus infrastructure, which includes not just the stop outside the site, but also a bus lane. It is not appropriate to establish a new loading bay in an existing bus lane on the TfL highway, reducing bus priority and prioritising private vehicle movements over public transport.

We would also be very concerned about misuse of a new on-street loading bay at this location for pick up and drop off at the Overground station, which we definitely would not support. It would not make sense for us to express support now for something we believe is likely to require extensive (and expensive) enforcement to work in practice. We would only accept that kind of risk from a proposal to change the TLRN if much larger numbers of public transport passengers, pedestrians and cyclists would benefit.

The TLRN makes up 5% of the city's roads, but carries up to 30% of traffic. TfL is the highway authority for the TLRN, and is therefore concerned about any proposal which may affect its performance and/or safety. We must ensure our network of strategic highway can continue to play its critical role in keeping London moving. Whilst car use in central London is falling and further decreases in car travel are being pursued across London as part of the new Mayor's Transport Strategy (MTS), it is also expected that an extra 5 million trips per day will take place on London's roads by 2030 on top of the 30 million daily trips already taking place today, primarily due to construction, freight and population growth.

Due to the above, the development should not be serviced from Holloway Road. My comments here are strongly supported by draft London Plan policies T1-T4.

All large deliveries and refuse collections for the new development proposed should be scheduled to take place on the same morning each week as residential collections.

This would mean that Fairbridge Road only experiences a small increase in large vehicle movements on one morning per week, a morning on which it already has domestic refuse collection taking place weekly anyway.

I also strongly support efforts by the local planners in this case to minimise the impacts of deliveries and servicing by smaller vehicles at this site through the Delivery and Servicing Plan (DSP). They could also consider stricter conditions setting specific time windows when deliveries, or certain types of deliveries, are banned.

- 3.9. **LBI Highways Officer:** *As per TfL refusal to allowing any loading from Holloway Road, this means that all servicing will need to be done from Fairbridge Road.*

The area in front of 2A Fairbridge Road currently consists of two vehicle crossings with double yellow lines preventing long term parking.

The two vehicle crossings should be removed and the footway reconstructed with full height kerbs and paved to match existing. The yellow lines should remain to provide a suitable area for short term loading and unloading.

Ideally the developer will improve the condition of the forecourt to enhance the development.

All refuse collection should be planned to co-inside with the general street refuse collection to reduce the number of days the residents experience lorry movements.

- 3.10. **Cleaner Streets Officer (Refuse and Recycling Collection):** *To confirm the domestic refuse and recycling collections on Fairbridge Road take place on Friday's. Should the commercial property wish for a weekly collection of 2 x 1100L containers, if this is the case then they will be collected on Tuesday's through the Council's refuse and recycling collection teams.*

- 3.11. **LBI Road Safety and Traffic Management Officer:** *The section of Fairbridge Road that is used as a street playground is that between Scholefield Road and Ashbrooke Road (as shown in the below plan). It is approx. 170 metres from the application site. Sessions run from 11.00am to 1.00pm on the first Sunday of every month.*



4. UPDATED ASSESSMENT

- 4.1. Following the deferral, the Applicant has also revised application details. The summary of the amendments are as follows:

- a) Revision to the layout and quantum of refuse and recycling storage at ground floor level; and
- b) Revision to the Transport Statement, outlining the expected number of trip generation and a draft Delivery and Servicing Management Plan;

- 4.2. The revisions are assessed in turn as follows:

- a) Relocation of refuse and recycling area

- 4.3. The revised ground floor plan relocates the proposed refuse and recycling enclosure for the proposed building. It is located deeper within the building so that it is no longer

directly below a residential unit at 2A Fairbridge Road. This is considered to alleviate concerns regarding noise and disturbance to neighbouring residents.

b) Transport Statement, deliveries and servicing

- 4.4. Based on the proposed B1 office use of 2,117sqm and using appropriate trip rates, the number of servicing trips to the proposed office development could equate to 5 visits per day. Of this figure, approximately 1 would be made by bicycles or motorcycles and the rest likely to be undertaken by Light Goods Vehicles, small vans etc. A condition should be imposed to ensure there are no deliveries at weekends.
- 4.5. The revised proposal would see deliveries and servicing to take place from the Fairbridge Road entrance of the site. The double yellow line area to the Fairbridge Road frontage of the site measures a length of approximately 14.5m between designated parking bays, allowing space for refuse collection vehicles to pull in and operate. The Applicant has proposed to reinstate the kerb to Fairbridge Road, and is reflected within the heads of terms for a section 106 agreement.
- 4.6. Refuse and recycling collection to neighbouring residential properties takes place on Fridays. To avoid additional disruption to neighbouring residential properties, the Applicant is seeking collection of the refuse and recycling at the site to coincide with the neighbouring residential on the same day. As such, Condition 13 has been amended to require the submission of further details which show collection shall be limited to 1 day a week and coincide aligning with the neighbouring residential collections.
- 4.7. In regards to representations made regarding the Play Street, LBI Road Safety and Traffic Management Officer has confirmed that this is located at least 170 metres away from the site and operates on the first Sunday of every month for a 2-hour period. As such, it is not considered that the proposal would be of harm to the operation or safety of the monthly Play Street event.
- 4.8. Further, the revised plans have introduced obscured glazing to first and second floor windows to the western elevation, to reduce the perception of overlooking and loss to privacy, specifically to 2A Fairbridge Road.

5. CONCLUSION

- 5.1. Following the deferral of the application at 09 September 2019 Committee Meeting, the Applicant has sought to clarify and amend delivery and servicing arrangements for the site.
- 5.2. The refuse and recycling storage enclosure has been relocated, further into the building away from neighbouring residential receptors above, to limit potential disturbance and nuisance which could occur from filling and emptying of containers. Given the objection by TfL to servicing and deliveries to take place from Holloway Road due to the proximity of the bus stop and bus lane, deliveries and servicing is proposed to take place from Fairbridge Road.
- 5.3. It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in **Appendix 1 – RECOMMENDATIONS**.
- 5.4. These replicate the original conditions, save for amended wording to some conditions as follows:
 - Condition 2 has been amended to include the revised drawings and documents.

- Condition 4 has been amended to ensure the windows to the west elevation are obscured glazing, as per drawing no. 1649-33 Rev.E v4e.
- The wording to Condition 13 relating to Delivery and Servicing has been amended to ensure that further details relating to the day and time of refuse collection will align with neighbouring residential occupiers on Fairbridge Road.

APPENDIX 1: RECOMMENDATIONS

RECOMMENDATION A

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

1. Contribution towards bays or other accessible transport initiatives of: £2,000;
2. The repair and re-instatement of the footways (to both Holloway Road and Fairbridge Road) 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 either LBI Highways or Transport for London. Conditions surveys may be required; and
3. Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

ALTERNATIVELY should this application be refused (including refusals on the direction of the Secretary of State or the Mayor of London) and appealed to the Secretary of State, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service be authorised to enter into a Deed of Planning Obligation under Section 106 of the Town and Country Planning Act 1990 to secure 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 of Development
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved Plans
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: 1648-22 rev.D v4e Site layout as proposed; 1648-23 rev.D v4e Basement plan as proposed; 1648-24 rev.E v4e Ground floor plan as proposed; 1648-25 rev.D v4e First floor plan as proposed; 1648-26 rev.D v4e Second floor plan as proposed; 1648-27 rev.D v4e Third floor plan as proposed; 1648-28 rev.D v4b Fourth floor plan as proposed; 1648-29 rev.D v4e Roof plan as proposed; 1648-30 rev.E v4e South elevation as proposed; 1648-31 rev.D v4e East elevation as proposed; 1648-32 rev.D v4e North elevation as proposed; 1648-33 rev.E v4b West elevation as proposed; 1648-34 rev.D v4b Section AA" as proposed; 1648-35 rev.D v4e Section BB' as proposed; 1648-36 v4e Section CC' as proposed; 1648-100 Site Location &

	<p>servicing; 1648-101 Brickwork details; 1648-102 Window details; 1648-103 Zinc details; 1648-104 Entrance door details; 1648-105 Rev A Railings & planter details; 1648-106 Rainwater goods; 1648-107 rev.A Lift details; 1648-108 Wheelchair WC details; 1648-109 Rev.D Bicycle store details; 1648-110 Rev.B Binstore; 1648-111 Frontage to Holloway Road; 1648-112 Lift overrun details; 1649-113 Accessible shower details; 1649-114 Accessibility detail ground floor; 1649-115 Accessibility detail first floor; 1649-116 Accessibility detail second floor; 1649-117 Accessibility detail third floor; 1649-118 Accessibility detail fourth floor; 1649-119 Heat pump details; 1649-120 Trellis details;</p> <p>Air Quality Assessment dated 08/2018; Design & Access Statement; Energy and Sustainability Statement dated 08/09/2018; Flood Risk Assessment & SUDs Report dated 08/2018; Noise & Vibration Assessment 12100.NVA.02 prepared by KP Acoustics; Transport Statement PCD-308-EN-RP-01 Revision 02 dated 27 October 2019;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: 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 ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	Obscured Glazing (Compliance)
	<p>CONDITION: Notwithstanding the hereby approved plans, prior to the first occupation of the development hereby approved, all windows at ground, first and second floor levels on the north east facing elevation of the building, and the windows identified to the west elevation (drwg no.1649-33 Rev.E), shall be obscure glazed and permanently fixed shut, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of preventing direct overlooking and in addition to prevent undue noise disturbance to the residential properties in immediate proximity to the development site. This condition is considered necessary to protect the residential amenity of neighbouring Fairbridge Road properties.</p>
5	Cycle Storage (Compliance)
	<p>CONDITION: The bicycle storage area(s), lockers and changing facilities hereby approved, shall be provided prior to the first occupation of the development hereby approved as shown on drawing no. 1648-23 Rev.D 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>
6	Refuse and Recycling Store
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to prevent unacceptable impacts on the functioning and amenity of the area.</p>

7	Roof Terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 18:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>Any flat roofs other than those shown on the plans hereby approved as terraces shall not be used except for the purposes of maintenance access.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
8	Internal Lighting (Details)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include, but not limited to:</p> <ul style="list-style-type: none"> - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <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 protecting neighbouring and future residential amenity and future habitats from undue light-spill in accordance with policies 7.3, 7.5, 7.13 and 7.19 of the London Plan 2016, policies CS9, CS10 and CS15 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM6.5 of Islington's Development Management Policies 2013.</p>
9	Construction Method Statement (Details)
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ol style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors; ii. loading and unloading of plant and materials; iii. storage of plant and materials used in constructing the development; iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; v. wheel washing facilities; vi. measures to control the emission of dust and dirt during construction; and vii. a scheme for recycling/disposing of waste resulting from demolition and construction works. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>

10	<p>Construction Environmental Management Plan (Details)</p> <p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, emissions from non-road mobile machinery, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The CEMP shall refer to Islington's Code of Practice for Construction Sites, BS5228:2009 and 2014, the GLA's Control of Dust and Emissions During Construction and Demolition SPG and shall commit the developer to sign up to the Non-Road Mobile Machinery Register.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
11	<p>Fixed Plant (Compliance)</p> <p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
12	<p>Green Biodiversity Roofs and Walls (Details)</p> <p>CONDITION: Notwithstanding the details hereby approved, prior to commencement of the development, details of the biodiversity green roofs and wall(s) and bird/bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum); and c) a maintenance plan for the green / biodiverse roofs/wall to cover the lifetime of the development. <p>The biodiversity green roof 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 roofs/wall 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 and maximises the sustainable urban drainage (SUDs) benefits of the scheme in order to minimise the potential for increased flood risk as a result of the development.</p>
13	<p>Delivery & Servicing</p>

	<p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The plan shall include details of all servicing for the development, from Fairbridge Road including confirmation that the refuse and recycling collection shall align with the collection day of the neighbouring residential properties on Fairbridge Road, that there shall only be one refuse and recycling collection per week, hours of collection, location (confirmation) and size of vehicles.</p> <p>All deliveries/collections/visits from service vehicles shall only take place between hours of:</p> <ul style="list-style-type: none"> - Monday to Friday – (08:00 – 18:00); and - Not at all on Saturdays/Sundays/Bank Holidays <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
14	Energy Efficiency (Details)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technologies installed shall provide for no less than 8.1% on-site regulated CO2 reduction, as detailed within the original 'Energy and Sustainability Statement' dated 04/09/2018.</p> <p>In addition, a revised scheme of renewable energy provision, which shall provide for no less than 8.1 % onsite CO2 reduction – and which will investigate additional % reductions to CO2 emissions via energy efficiency, lighting and renewable energy measures, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site.</p> <p>The final 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 the CO2 emission reduction targets are met.</p>

List of Informatives:

1	Positive Statement <p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
2	Community Infrastructure Levy (CIL) <p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at www.planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/</p>
3	The Building Acts and Building Regulations <p>To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>
4	Street Naming and Numbering <p>If the development results in changes to any postal address or addresses on the site, you should contact the Street Naming and Numbering section. Failure to do so can result in delays to conveyancing, the connection of services or the initiation of postal deliveries.</p> <p>T: 020 7527 2245 / 2611 E: address.management@islington.gov.uk</p>

APPENDIX 2: 9 SEPTEMBER 2019 PLANNING COMMITTEE MEETING MINUTES – EXERT

112 PAUL ANTHONY HOUSE, 724 HOLLOWAY ROAD, ISLINGTON, LONDON, N19 3JD (Item B4)

Two storey roof extension to the existing building to create additional office space (B1a Use Class) along with associated refurbishment and external alterations.

(Planning application number: P2018/3191/FUL)

In the discussion the following points were made:

- Planning Officer advised that although the proposal is now a minor development, as major applications for the same site had been considered by the planning committee on two previous occasions, it is agreed that in the interest of consistency it has been brought back to the main Committee.
- Members were advised that since the application was considered by the committee there have been notable revisions to address concerns raised such as designs to the extensions and the scale and massing of the proposal.
- Members were informed that site is located within Archway Town Centre and Archway Key Area. The proposal would result in an increase in office floor space and employment.
- Members were advised that a comprehensive assessment of the proposed development on surrounding windows, rooms and gardens had been undertaken in accordance with BRE guidance and practice and results of the assessment show good levels of adherence with only minor transgressions to all but one property.
- The Planning Officer set out the representations received in relation to the application as set out in the officer's report which had been addressed by the application. Issues such as daylight and sunlight had been addressed following a number of revisions on the massing and design.
- Three objectors addressed the Committee. Objections included loss of privacy as a result of overlooking from windows due to the additional floors and location of bin store in Fairbridge Road and its associated nuisance such as noise, smell and hygiene.
- In response to the decision not to locate the servicing, deliveries and refuse collection on Holloway Road, members were advised that this is a Red Route and that TFL had lodged objection to servicing from the Holloway Road. Also the forecourt has limitation for vehicles to manoeuvre, turn around and exit, the frontage is partially blocked by a bus stop.
- In response to concerns that the revised daylight/sunlight assessment excluded the dwelling of one of the objector and how the hours of use of the terrace would be monitored, the Planning Officer acknowledged that the assessment did include the objector's property and the results did not exceed the BRE guidelines. In terms of the hours of use, the meeting was advised of condition 7 which will address any concerns and protects the amenity of neighbouring properties.
- In response to concerns that their views were not being considered, the agent advised that the scheme to provide office space conforms with the Council's local plan as this brings back into use a building which has been vacated for a long time. In terms of overlooking, the meeting was advised that the design of the scheme has been altered and the massing has been shifted towards Holloway Road away from Fairbridge Road.

- The agent advised that as an office building rubbish levels would not be comparable to residential building so concerns about vermin and litter would not be an issue for Fairbridge resident's. Members were informed that TFL's objection to servicing from Holloway Road had driven the decision to locate the services on Fairbridge Road and that as part of the application, a management servicing plan has been submitted.
- In response to concerns that the applicant had given more consideration to TFL's objections rather than those of the resident's concerns, the agent advised TFL being a statutory consultee had concerns with vehicles reversing onto or off the Holloway Red Route and subsequent disruption to the free flowing traffic especially during the construction period and safety.
- Members were concerned that TFL were not being consistent in their objections as the siting of the bus stop in this particular location is only a recent feature to cater for driver changeover as it is close to Holloway bus garage. A suggestion that the agent explore further discussion with TFL especially as car parking has been removed from the scheme was noted and agreed. Members also noted that other office buildings in the vicinity and on the bus route on Holloway road allowed servicing and refuse collection to take place from Holloway Road.
- Members acknowledged that this was an improvement on their previous scheme and that issues such as overlooking and sunlight/daylight loss had been addressed but would recommend further discussion with TFL on alternative service arrangements.
- A suggestion that application be deferred so as to enable agent a further opportunity to discuss with TFL. In addition members agreed that this would be an opportunity for agent to meet the residents on their concerns.

Councillor Klute proposed a motion to Defer application on the grounds of further discussion with TFL and with residents. This was seconded by Councillor Poyser and carried.

RESOLVED:

That consideration of the application be deferred for the reasons outlined above.

APPENDIX 3: 9 SEPTEMBER 2019 COMMITTEE REPORT



PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 333
Town Hall
LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:
Date:	9 th September 2019	

Application number	P2018/3191/FUL
Application type	Full Planning Application
Ward	Junction
Listed building	n/a
Conservation area	n/a
Strategic	Archway Town Centre Archway Core Strategy Key Area Strategic Cycle Route Local Cycle Route Article 4 Direction – B1a (Office) to C3 (Residential)
Licensing Implications	n/a
Site Address	Paul Anthony House, 724 Holloway Road, London, N19 3JD
Proposal	Two storey roof extension to the existing building to create additional office space (B1a Use Class) along with associated refurbishment and external alterations.

Case Officer	Simon Roberts
Applicant	C/O planning Agent
Agent	PPM Planning Limited

6. RECOMMENDATION

6.1. The Committee is asked to resolve to GRANT planning permission:

7. subject to the conditions set out in Appendix 1; and
8. 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.

9. SITE LOCATION AND PHOTOS

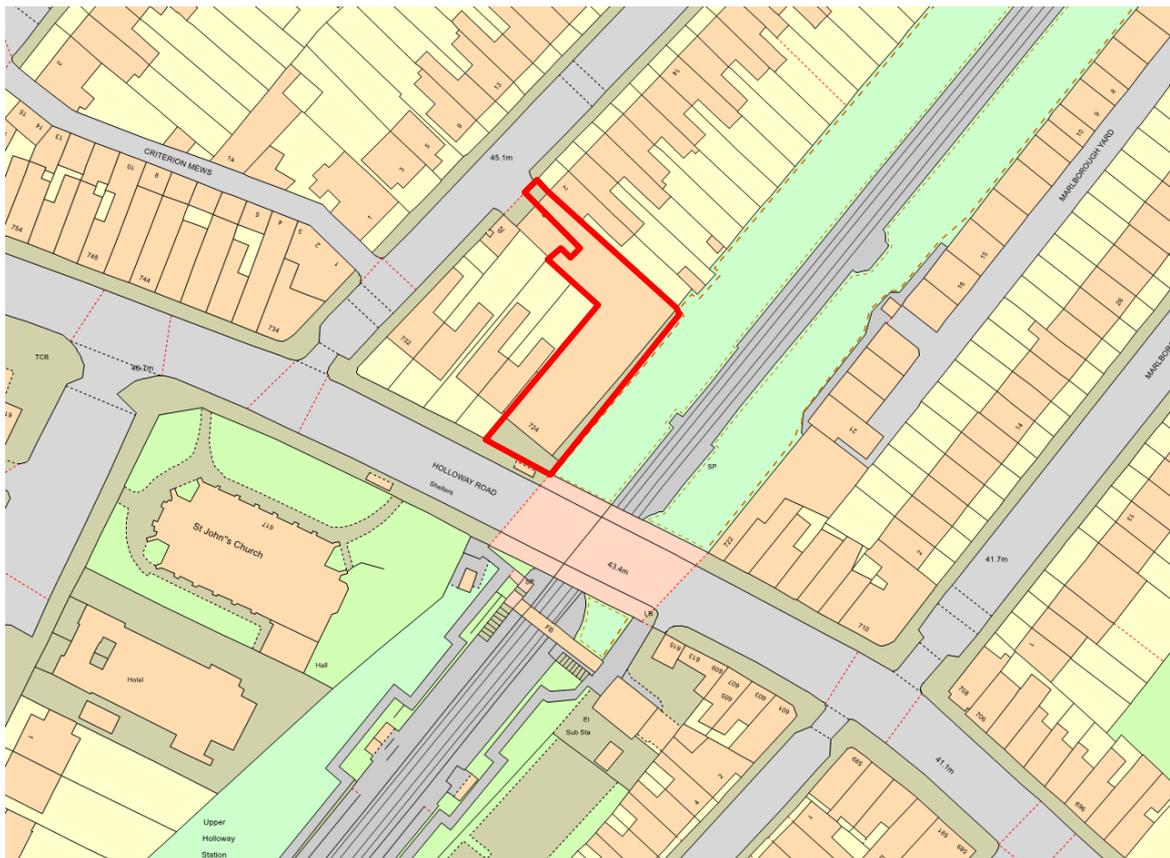


Figure 1: Site Plan (outlined in red)



Figure 2: Aerial view from the south



Figure 3: Aerial view from the north



Figure 4: Photograph of the front elevation of the building and Holloway Road entrance



Figure 5: Photograph showing the side elevation of the building from the bridge on Holloway Road



Figure 6: Photograph of the existing Fairbridge Road access

10. SUMMARY

- 10.1. The application seeks permission for a two storey extension to the roof of the existing building to provide for additional Office (Use Class B1a) floorspace, refurbishment and modernisation of the existing floorspace and alterations to the external fabric and fenestration of the building.
- 10.2. The application is brought to the Planning Committee due to objections received raising relevant planning matters and the uplift of over 250sqm of new office (Use Class B1a) floorspace. The Committee Chairman agreed to accept this application onto the agenda for consistency due to previous application being considered by this Committee.
- 10.3. The proposal is a minor development and would be referable to the Council's Planning Sub-Committee due to the number of objections received and the uplift of over 250sqm of new office (Use Class B1a) floorspace. However, in the interests of consistency this application has been referred to the Planning Committee as the two previous applications on this site were considered by this committee.

- 10.4. The proposal has been amended during the course of the application, with revisions to the design of the extensions in response to consultee and neighbour comments on the scale and massing of the proposal as well as impacts upon neighbouring amenity by reason of loss of privacy and loss of daylight/sunlight.
- 10.5. Planning permission was previously granted for the comprehensive redevelopment of the site in April 2019 following consideration by the Planning Committee on 6 February 2018 (reference P2016/4533/FUL. The current proposal does not seek a redevelopment of the site and instead proposes a two storey extension atop the existing building, with alterations to the external fabric and fenestration. There is no demolition associated with this application proposal.
- 10.6. The main planning considerations are land use, design and appearance, impact upon neighbouring heritage assets, impact upon neighbouring residential amenity and transport and highways implications.
- 10.7. In land use terms, the provision of additional B1a (office) floorspace within Archway Town Centre is supported. The quantum of B8 (storage and distribution) at ground floor level will be reduced slightly (by approx. 50sqm) to accommodate a dedicated refuse/recycling area and lobby for the building, however will remain as a viable unit.
- 10.8. The scale, height, design and appearance of the proposal is considered acceptable within its setting and would not cause detriment to the nearby heritage assets, namely the Grade II* listed St John's Church and St John's Conservation Area, located to the west of the site.
- 10.9. In terms of neighbouring amenity, the proposal would result in a building of comparable scale and massing to that previously granted planning permission. The impact upon neighbouring residential amenity would overall be minimal and would be in line with the extant planning permission. Impact to the level of daylight and sunlight has been fully considered following the submission of a daylight and sunlight report, which highlights minimal transgressions and which would not exceed the impacts of the scheme previously granted planning permission. Impacts upon neighbouring privacy from overlooking would be sufficiently mitigated through design measures and through the recommended planning conditions. Overall, neighbouring amenity is not considered to be unduly harmed by the development.
- 10.10. The site has excellent public transport accessibility level (PTAL) due to its proximity with Upper Holloway overground station opposite the site and bus routes along Holloway Road. The proposal would be a car-free development. The small and difficult to access vehicular forecourt off Holloway Road would be removed and in overall terms the arrangements are not considered to give rise to any highways safety impacts. Servicing and refuse collection would continue to take place on-street from Fairbridge Road, whilst there would be sufficient cycle parking spaces located at basement level.
- 10.11. All other matters relevant to planning are considered to be acceptable. As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and a legal agreement.

11. SITE AND SURROUNDINGS

- 11.1. The current building on the application site was originally constructed by a tile roofing company in 1910 but has been heavily altered and modified over its lifetime. The building at three storeys in height (plus basement) has its main frontage onto Holloway Road, behind a small forecourt although its long south east elevation is clearly visible to those

moving north on Holloway Road. The three storey building is broadly comparable in height to the adjoining four storey buildings by reason of its generous floor to ceiling heights. The building has a secondary ground floor entrance from Fairbridge Road which runs off Holloway Road. This entrance is through an undercroft beneath an existing 5 storey mixed use (office/residential) building known as 2a Fairbridge Road. Adjacent to 2a is a recently built three storey residential property known as 2b Fairbridge Road which features a contemporary design.

- 11.2. The application site sits on the north eastern side of Holloway Road immediately to the north west of railway lands that carry the London Overground (Barking – Gospel Oak). These lands are designated a Site of Important Nature Conservation (SINC). Across Holloway Road to the south west is St John’s Church, which is Grade II* statutory listed, it’s curtilage is approx. 20m away. The church gives its name to the eponymous St John’s Grove Conservation Area whose north western boundary extends to Holloway Road. It was designated in 1990 (extended 2003). The immediate neighbouring buildings to the north and west of the application site are predominantly 3-4 storey Victorian residential properties, which have gradually been converted into flats.
- 11.3. The site is located within Archway Town Centre and the Archway Key Area, as identified within Islington’s Core Strategy.
- 11.4. Holloway Road (A1) is a main arterial road which is a designated TfL red route. It also a designated as a Strategic Cycle Route within Islington’s Cycle Network. Fairbridge Road is designated a Local Cycle Route within the same hierarchy. The site has a Public Transport Accessibility Level (PTAL) rating of 6a, considered ‘excellent’.

12. PROPOSAL (IN DETAIL)

- 12.1. It is proposed to extend the existing building through the addition of two storeys, alongside external alterations to the building including replacement windows, doors and the provision of a ground floor lobby/reception area.
- 12.2. The proposed development would involve the retention of the existing B8 (Storage and Distribution) use at ground floor level and the B1(a) office use at first and second floor level. The two storey extension would accommodate additional office (B1a) floorspace, whilst the alterations at basement/lower ground floor level would provide sufficient cycle storage, shower facilities and changing rooms for the whole building. It is also proposed to amend the location of staircases and lifts to serve all floors within the building.
- 12.3. During the course of the application, the massing of the proposed extension has been reduced to address harm to neighbouring resident’s daylight and sunlight amenity. Further amendments have been secured following consultation responses in regards to: relocating the lift over-run so that it is not as visible at street level; reducing the area of external roof terraces at both third and fourth floor levels; removing the existing crossover fronting Holloway Road and replacing with landscaping; and improved finer details of fenestration and railings.
- 12.4. Figures 7 and 8 below, show the floorplans of the proposed additional storeys to the building, whilst Figures 9 and 10 show the refurbished basement and ground floor levels.

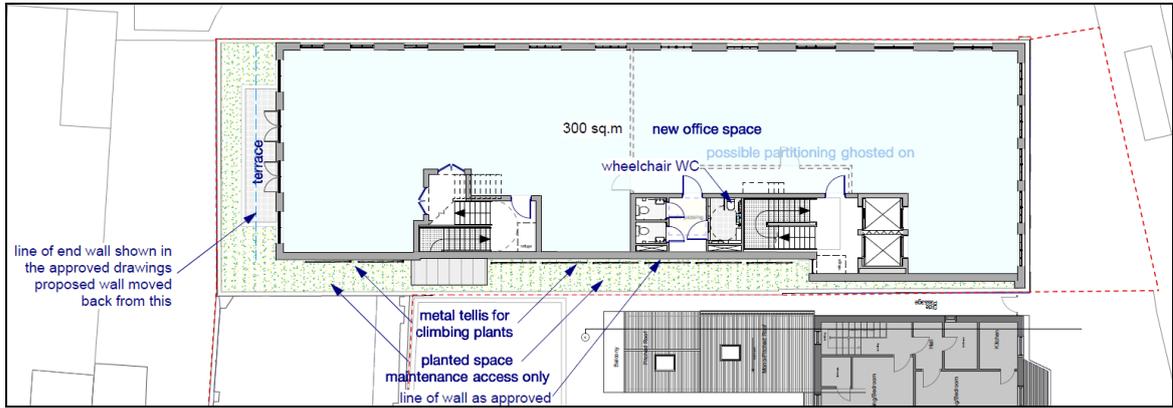


Figure 7: Proposed Third floor

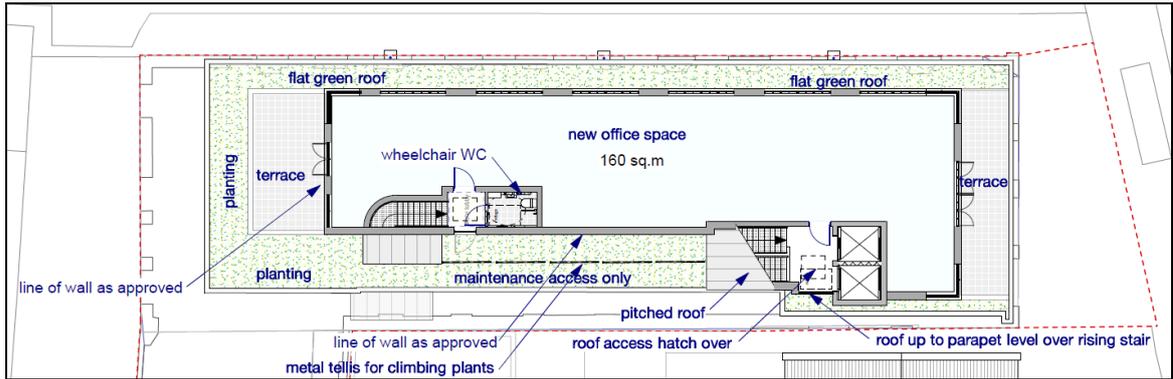


Figure 8: Proposed Fourth Floor

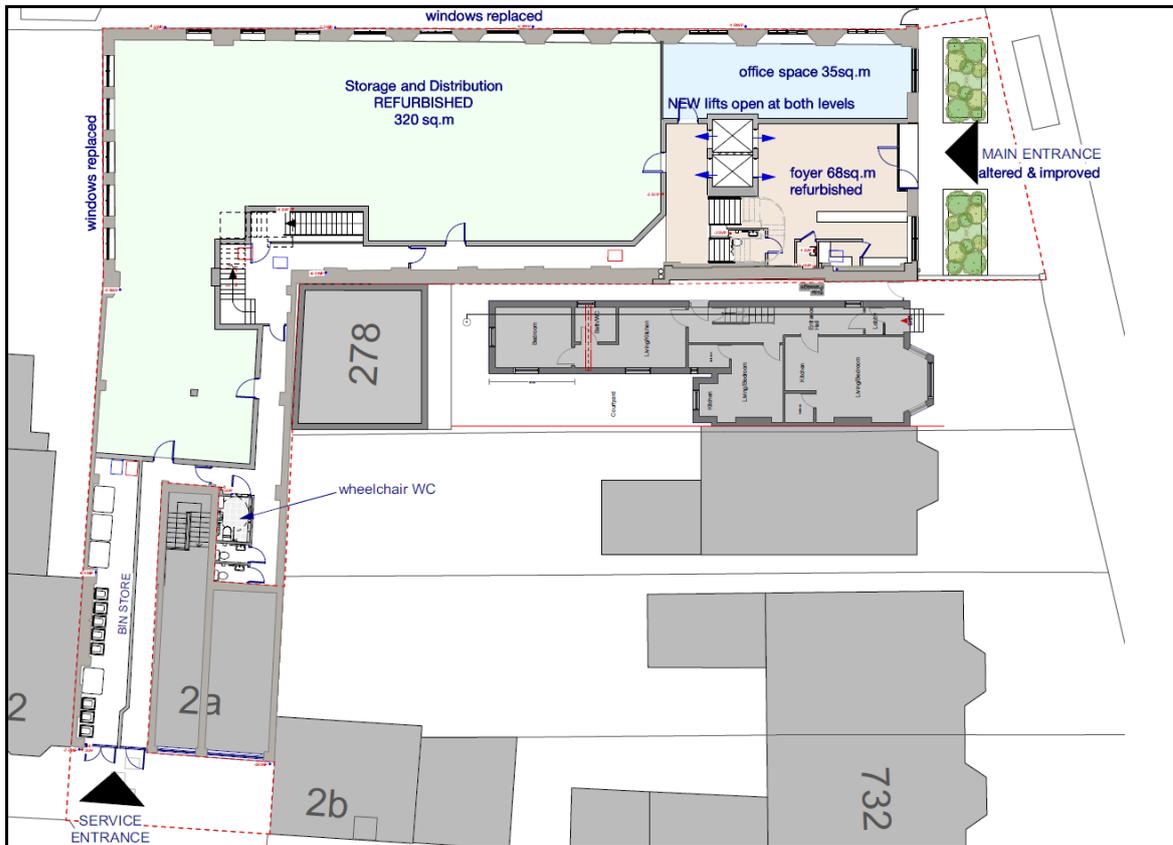


Figure 9: Proposed Ground Floor

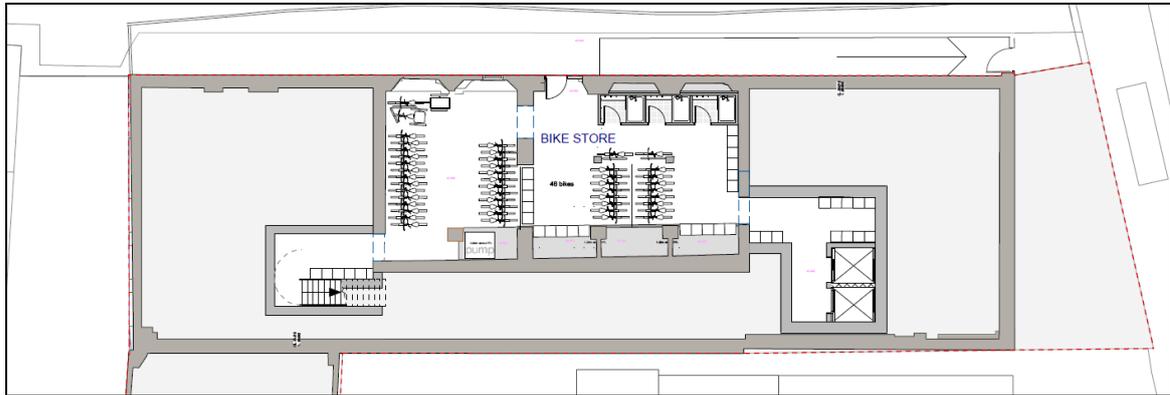


Figure 10: Proposed Basement Level

13. RELEVANT PLANNING HISTORY:

PLANNING APPLICATIONS:

- 6.1 The application site has been the subject of a number of planning applications as follows:
- 6.2 **P2016/4533/FUL** - Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1,802m² of B1(a) office floorspace over basement, ground, first and second floors and 10 residential flats (three x 1-bedroom, six x 2-bedroom, one x 3-bedroom) above – **Resolution to Grant at Planning Committee** on 6th February 2018 subject to s106 legal agreement, decision issued on 24th April 2019.
- 6.3 **P2015/4816/FUL** - Demolition of existing building and construction of a part two, part six-storey mixed use building providing 1423sqm of B1(a) office floorspace over basement, ground, first and second floors; and 7 residential flats (1 x 1 bedroom, 5 x 2 bedroom, 1 x 3 bedroom) above – **Resolution to Grant at Planning Committee** on 19th April 2016 subject to a s106 legal agreement which has yet to be signed. As part of this legal agreement the maximum small sites affordable housing contribution of £350,000 was agreed to be paid. This application was withdrawn given the Applicant's wish not to proceed with completing the s106 legal agreement.
- 6.4 **P2014/1974/PRA** - Prior Approval application for change of use of ground (part), first and second floors of existing B1[a] office to thirteen (13) residential units Class C3 [8 X 1-bedroom and 5 X 2-bedroom] - **Refused Permission** (10th July 2014) due to there being insufficient evidence to demonstrate that the building was primarily used for Class B1 office purposes (officers being of the view that the use was Class B8 storage).
- 6.5 **920875** - Erection of a rear first floor level extension of 37sqm - **Granted Conditional Permission** (11/11/1992).
- 6.6 **861610** - Change of use of part of the ground floor (rear) of existing office premises to provide staff and client dining facilities and recreational facilities - **Refused Permission** (16/02/1987).
- 6.7 **860456** - Change of use of front of ground floor from office to recreation facilities for staff and clients - **Granted Conditional Permission** (15/08/1986).
- 6.8 **821084** - Change of use from warehousing and wholesale us to offices and elevational alterations - **Granted Conditional Permission** (10/01/1983).

RELEVANT NEIGHBOURING PLANNING APPLICATIONS:

2a Fairbridge Road

- 6.9 **P2013/1661/FUL:** Change of use from live work unit to residential unit (C3) on first floor and an office (B1) at ground floor level – **Approved with Conditions** (15/07/2013).
- 6.10 **P2012/0622/FUL:** Renewal of previously approved planning permission ref P091964 for the Installation of green roof and glass balustrades, plus two roof lights to facilitate access and use of terrace – **Approved with Conditions** (01/03/2013).

2b Fairbridge Road

- 6.11 **P121694:** Erection of a two storey, 2 bedroom dwelling house with associated landscaping – **Approved with Conditions** (05/02/2013).

4 Fairbridge Road

- 6.12 **P051403:** Erection of single storey rear extension (01/08/2005).

726 Holloway Road

- 6.13 **P2015/1248/FUL:** Erection of two storey rear extension including roof terrace – **Approved with Conditions** (02/06/2015).
- 6.14 **P2013/0137/COL:** Certificate of lawfulness (existing) in connection with the existing use as 10 self-contained studio flats – **Approved** (19/03/2013).

7 CONSULTATION

Public Consultation

- 7.1 A site notice was erected and letters were sent to occupants of 89 adjoining and nearby properties on 19 November 2018, the initial public consultation of the application therefore expired on 12 December 2018, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 Following submission of revised drawings, re-consultation was undertaken on 16/05/2019, providing the opportunity for further representations to be made by 09/06/2019.
- 7.3 To date, a total of 17 representations have been received on the application, 16 of which raise objection to the application.
- 7.4 The points raised within the objections are summarised below [with reference to which sections of this report address those particular concerns indicated in brackets]:
- Loss of privacy as a result of overlooking from windows of the additional two storeys;
[see paragraphs 9.36 – 9.42]
 - Loss of views;
[see paragraphs 9.43 – 9.45]
 - Loss of daylight and sunlight to neighbouring properties;

[see paragraphs 9.51 – 9.94]

- Location of bin store close to residential properties would cause noise, smell, hygiene and disruption;

[see paragraph 9.48]

- Noise and disruption from construction of the development;

[see paragraphs 9.46 – 9.48 and 9.95]

- Increase in parking stress, traffic and road safety;

[see paragraphs 9.96 – 9.111]

External Consultees

- 7.5 **Historic England** – On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation advisers, as relevant.
- 7.6 **London Fire & Emergency Planning Authority** – The Brigade will be satisfied subject to the application meeting the access requirements of Approved Document B5 of the Building Regulations.
- 7.7 **Natural England** – No comment to make.
- 7.8 **Network Rail** – No response received.
- 7.9 **Transport for London (Road Network)** – No objection in principle subject to requiring final details of demolition, delivery and servicing to be submitted. The applicant provided TfL with an updated, draft Construction Logistics Plan (CLP).

TfL welcomes that most of the construction activities are now proposed to take place from Fairbridge Road and that the Holloway Road site access will only be used for scaffolding erection, this is in principle welcomed. Accredited Site Access Marshals should be employed to carry out traffic management procedures – to ensure the safety of road users and minimise disruption to the highway and public transport networks. Construction materials and deliveries will not be directed to the Holloway Road entrance which is welcomed by TfL, to ensure the bus lane would not be disrupted during construction.

Due to Vision Zero Action Plan, we would not agree to a proposed layout that includes vehicles reversing onto or off the TLRN which is unsafe, particularly for disabled parking.

For avoidance of doubt, we note this would be a car-free scheme and therefore request that the dropped kerb on Holloway Road is removed prior to occupation. This will need to be agreed with TfL as part of the Section 278 process.

[Officer response: The applicant has revised the proposal to ensure the cross-over is re-instated into a full kerb and therefore restricting the front courtyard from being accessible for vehicles. A condition requiring the submission of further details relating to a finalised Construction Logistics Plan]

- 7.10 **Thames Water** – No objection subject to conditions and informatives.

Internal Consultees

- 7.11 **Access Officer** – In summary the access officer was concerned to ensure the proposal amended the existing access into the building so that it would be level and accessible for wheel chair users.

[Officer response: The revised drawings now show that the main entrance and secondary entrance to Fairbridge Road will have level access. A 1000mm width clear to the doors and also step free access is also proposed to the main entrance on Holloway Road.]

In terms of toilet accommodation, the applicant has now provided accessible toilets or toilets accessible to ambulant disabled people, in line with Building Regulations M2 and the provision is accepted.

The access officer advised that she was satisfied that the applicant has provided a good solution to cycle parking. The applicant should provide at least one accessible cycle space, for an ambulant disabled cyclist or a cargo bike or tricycle, served by a route clear of 1500mm. This facility can simply be a Sheffield stand for instance.

[Officer response: Accessible cycle parking space has been provided at basement level alongside shower and changing facilities.]

The access officer advised that the upgrades for the lift and cores is welcomed. A firefighting lift may be required by Building Control – in all instances it will allow all users of the building to safely and independently exit the building until the fire brigade arrives. This is particularly relevant to people with mobility impairments.

[Officer response: The proposals have been revised to include 2x lifts to the building. The applicant has confirmed that a firefighting lift is not required in this instance as the top floor would exceed the threshold of Building Regulations B2 of 18.00m whilst London Fire & Emergency Planning Authority raises no objection subject to complying with Building Regulations.]

The access officer advised that the applicant needs to locate refuges as part of their egress strategy to improve the safe egress and evacuation of mobility impaired users. Similarly, the lobbies should be made fire resistant.

[Officer response: At least 2x refuges have been provided to each floor and 1200mm clearance is provided to the landings of the stairs.]

The access officer advised that Policy DM8.5 part C requires development to “provide adequate mobility scooter storage and charging”, preferably at ground floor level. The location of the proposed charging point to the lobby is now at ground floor level close to the lifts and is acceptable.

- 7.12 **Design & Conservation** – No objection. I am satisfied that the proposal now offers some meaningful improvement to the existing building in addition to the additional storeys. I also think that this proposal is better than the approved scheme and the 2018 pre-app scheme in design terms so it has headed in the right direction. The proposed regularisation of the glazing with a dark crittall style treatment improves the appearance of the existing building, as does the replacement of the plastic rainwater goods with dark painted metal rainwater goods. The proposed new entrance is also of a better proportion and more considered design than the existing arrangement. The proposals could now be said to represent enhancement to the appearance of the existing building rather than just adding floor space.

There would be enhancement to the setting of the Grade II* listed St. Johns Church, especially when viewed from the southern approach along Holloway Road. While the proposed increase in height would not enhance the setting of the Grade II* listed church, the associated improvements to the façade of the existing building (including the regularisation of the glazing patterns and the removal of plastic facing materials) would

create a better townscape relationship with the church and neighbouring heritage assets. The current glazing detracts from the setting of the Grade II* listed building, and the proposed replacement glazing is more sympathetic in its design, materials and consistency. The removal of obtrusive plastic signage would further enhance the setting of the Grade II* listed church.

- 7.13 **Highways and Transport** – As per previous applications, no objection subject to TfL comments relating to a Construction Management Plan for Holloway Road.
- 7.14 **Environmental Health (Acoustic Officer)** – The EPPP team have no objections as per previous application, subject to conditions securing details in relation to plant noise and the submission of an Environmental Construction Management Plan.
- 7.15 **Planning Policy Officer** – No objection.
- 7.16 **Sustainability Officer** – No objection.
- The adopted fabric energy efficiency standards and installation of solar panels are welcomed. The panels should be secured via condition.
 - A green roof should be incorporated in accordance with Policy DM6.5 in order to maximise sustainable drainage and biodiversity benefits, and should be secured via condition. The green roof can be installed under and around the solar panels in the form of a bio-solar roof.
 - The proposal to incorporate native planting as part of the amenity spaces is welcomed and encouraged.
 - The development should aim to install water fittings to achieve at least three credits under the relevant BREEAM scheme, where possible.
 - The Ecology Report provides details of proposed green roof areas, green wall, and bat/bird boxes so that's great. I would also add that they should install swift bricks to external walls above a height of 5 metres.
- 7.17 **Tree Protection Officer** – No objection as the scheme is limited to extensions to the existing building with no further basement excavation.

8 RELEVANT POLICIES

- 8.1 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 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)).
 - As the development is within close proximity to or adjacent to a statutory listed building(s) or its setting, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving the building or its setting

or any features of special architectural or historic interest which it possesses (s66(1))

- 8.2 National Planning Policy Framework (NPPF) 2019, Paragraph 11 states: *“at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay...”*
- 8.3 At paragraph 8 the NPPF states: “that sustainable development has an economic, social and environmental role”.
- 8.4 Further, the NPPF states that sustainable development has an economic, social and environmental role; *“these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. 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.”*
- 8.5 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.6 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 8.7 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law;
 - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 8.8 Members of the 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.
- 8.9 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty *inter alia* when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Development Plan

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

Designations

- 8.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 2013:
- Archway Town Centre
 - Core Strategy Key Area (Archway)
 - Article 4 Direction – B1a (office) to C3 (residential)
 - Local Cycle Routes

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9 ASSESSMENT

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

- Land Use;
- Design & Appearance;
- Accessibility and Inclusive Design;
- Neighbouring Amenities;
- Transport and Highways; and
- Waste Management.

Land Use

- 9.2 The NPPF 2019 states that planning policies and decisions should support the role that town centres play at the heart of local communities, by taking a positive approach to their growth, management and adaptation. Decisions and planning policies should define a network and hierarchy of town centres and promote their long-term vitality and viability – by allowing them to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries, allows a suitable mix of uses (including housing) and reflects their distinctive characters.
- 9.3 London Plan Policy 2.15 'Town centres' seeks to ensure development proposals (in accordance with policies 4.7 and 4.8) should: sustain and enhance the vitality and viability of the centre; accommodate economic and/or housing growth through; intensification and selective expansion in appropriate locations; support and enhance the competitiveness, quality and diversity of town centre retail, leisure, employment, arts and cultural, other consumer services and public services; be in scale with the centre; promote access by public transport, walking and cycling; promote safety, security and lifetime neighbourhoods; contribute towards an enhanced environment, urban greening, public realm and links to green infrastructure; and reduce delivery, servicing and road user conflict.
- 9.4 ICS policy CS1 'Archway' is a spatial strategy for the Archway area that outlines the specific spatial policies for managing growth and change for this key area within the Borough. Part D of the policy seeks to maintain and enhance the provision of commercial space in Archway, and will be essential to maintaining the overall borough

wide provision and supporting other uses in the district town centre. Where redevelopment occurs, a range of commercial unit sizes will be required, particularly smaller spaces which are suitable for small and start-up businesses. Furthermore, Part E of the policy stresses that "The historic environment should be used as an asset when developing improvements to the public realm, and should be protected and enhanced, with high quality design encouraged in any development, so that it respects the local context of Archway and its surroundings".

- 9.5 ICS policy CS13 'Employment spaces' seeks to encourage and secure employment space for businesses within the Borough. Part B of policy CS13 states that in relation to existing employment floorspace, development which improves the quality and quantity of existing business floorspace provision will be encouraged.
- 9.6 DM policy DM4.4 'Promoting Islington's Town Centres' seeks to protect and enhance the Borough's Town Centres. Islington's Town Centres are the primary focus for retailing in the borough. To promote their economic and cultural function, the council will apply a sequential approach to assessing applications for retail, services, entertainment, assembly and leisure uses. Ensuring that retail and other important facilities (such as GP surgeries, solicitors, post offices, groceries and newsagents) remain readily accessible is essential to the vitality and viability of Town Centres.
- 9.7 DM policy DM5.1 'New business floorspace' states that within Town Centres and Employment Growth Areas, the council will encourage the intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units. Within these locations proposals for the redevelopment or Change of Use of existing business floorspace are required to incorporate: i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and ii) a mix of complementary uses, including active frontages where appropriate.
- 9.8 DM policy 5.4 'Size and affordability of workspace' seeks to ensure an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises within development proposals. Part B of this policy states that within Town Centres, proposals for the redevelopment of existing low value workspace must incorporate an equivalent amount of affordable workspace and/or workspace suitable for micro and small enterprises. Part C of the policy requires applications to demonstrate that where space for micro or small enterprises are provided, the floorspace would meet their needs through design, management and/or potential lease terms.
- 9.9 The application seeks the addition of two storeys to the building to accommodate 460sqm of additional B1a use (office) floorspace Gross Internal Area (GIA). The ground floor would be the subject of alteration to provide an enlarged and reconfigured lobby/reception area to the building, which would see the reduction.
- 9.10 The site was the subject of previous major planning applications (ref: P2015/4816/FUL and P2016/4816/FUL) which were reported to Islington Planning Committee on 19th April 2016 and 6th February 2018, respectively. The Planning Committee resolved to grant planning permission to both applications, subject to a legal agreement securing planning obligations.
- 9.11 The application differs from the extant planning permission (P2016/4816/FUL) which involved the full redevelopment of the site with demolition of the existing building, an increased basement excavation and the introduction of residential units.
- 9.12 The site lies within Archway Town Centre, where DM Policy DM4.4 part D states that '*the change of use of ground floor units from main town centre uses to other uses within town*

centres will generally be resisted'. The lawful use of the ground floor of 724 Holloway Road is for office (B1a Use Class) and storage and distribution (B8 Use Class), the latter of which is not a main town centre use.

- 9.13 Use Class B1(a) office space is defined within the Development Plan Chapter 5 Development Management Policies 2013 as a 'business' use. Core Strategy policy CS5 promotes the importance of the development of business floorspace to contribute to wider employment growth within the borough. Policy DM5.1 supports this position, encouraging the intensification, renewal and modernisation of existing business floorspace. Furthermore, B1 floorspace would support higher employment densities and thus create additional employment opportunities within the borough.
- 9.14 Office (B1a Use Class) is identified through Policy DM5.1 as being an appropriate main town centre use and therefore complies with Policy DM4.4, and would not prejudice the vitality of the Town Centre. Further, the slight reduction in storage and distribution (B8 Use Class) can therefore be supported given it allows the intensification of a use (Office) which is considered a main town centre use.
- 9.15 The proposal is not a major application given the extension and change of use at ground floor level would not exceed 1,000sqm and is not a redevelopment of the site. Whilst improvements to the fenestration and cores of the building would not constitute significant refurbishment of low-value workspace to warrant, it is considered that the floorspace proposed could adequately be sub-divided into smaller individual units for micro or small enterprises.
- 9.16 The existing site comprises 568 sqm of business (B8 warehouse use) floorspace, and a further 846 sqm of office (B1(a)) floorspace. The proposal would deliver an additional 460sqm of new high quality office floorspace at third and fourth floor level, complimenting the existing office floorspace at first and second floor level. As such, the continuation of the warehouse use and the intensification of the office use on the site is appropriate in policy terms and is supported.

Design & Appearance

- 9.17 Planning policies relevant to design are set out in chapter 7 of the London Plan, Policy CS9 and policies in chapter 2 of Islington's Development Management Policies.
- 9.18 London Plan Policy 7.4 states that development should have regard to the scale, mass and orientation of surrounding buildings, and that buildings should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. London Plan Policy 7.6 states that buildings should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and should not cause unacceptable harm to the amenity of surrounding land and buildings. The Mayor of London's Character and Context SPG notes at paragraph 7.26 that "the key or essential characteristics of a place provide an important reference point against which change can be assessed".
- 9.19 At the local level, policy CS9 of Islington's Core Strategy (2011) sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity.
- 9.20 The application site is located directly opposite the Grade II* listed St Johns Church and St John's Grove Conservation Area. Policy DM2.3 requires that new development within the setting of a listed building does not harm its significance. In considering whether to grant planning permission for development which affects a listed building or its setting, Section 66 and 72 of the Town and Country Planning Act states that the local planning

authority shall have special regard to the desirability of preserving the setting or any features of special architectural or historic interest which the heritage asset possesses.

- 9.21 The proposal involves retention of the existing building whereas the scheme previously granted planning permission involved the demolition of the existing building and erection of a new building occupying the same footprint. The alterations to the façade of the existing building are considered acceptable and are supported by the Design and Conservation Officer. The proposed regularisation of the glazing with a dark crittall style treatment is considered to improve the appearance of the existing building, as does the replacement of the plastic rainwater goods with dark painted metal rainwater goods. The proposed new entrance is also of a better proportion and more considered design than the existing arrangement. The proposed elevational alterations are considered to represent an enhancement to the appearance of the existing building.
- 9.22 The principle of additional height has been established through the extant planning permission. The proposed two storey extension differs from the extant permission in terms of scale and massing as a larger third and fourth floor are proposed. The proposed extension would not exceed the height of neighbouring 2A Fairbridge Road, as shown below in Figure 11.



Figure 11: Comparison showing the existing, as approved and as proposed front elevation

- 9.23 It is considered that the proposed design of the extensions would complement the host building and the surrounding context. The contemporary design of the two storey extension would provide an appropriate contrast to the host building and it would be set back from the front elevation which would ensure that it does not appear unduly prominent. It is considered that the proposed extension would represent an improvement over the previously approved scheme insofar as it would have a more symmetrical appearance at 5th floor level. It is considered that the increased bulk of the building following the proposed extension would not detract from the street-scene, nor have any significant adverse effect on the setting of the Grade II* listed church located opposite. The site does not fall within a Conservation Area but is located adjacent to the St John's Grove Conservation Area and for the reasons set out above the development would not result in harm to the setting of the conservation area.
- 9.24 The proposed lift-overrun would extend 1.2m above the roof level. It would be set back from the front elevation by 2.9m and would not appear unduly visible on the streetscene.
- 9.25 While the site is not within a conservation area and does not affect the fabric of any designated heritage assets, it is located in close proximity to the Grade II* listed St John's Church and the St John's Grove Conservation Area. It is clearly important in this case to assess what impact the proposal would have on nearby heritage assets.
- 9.26 The Council's Design & Conservation Officer has advised that there would be enhancement to the setting of the Grade II* listed St. Johns Church, especially when

viewed from the southern approach along Holloway Road. The listed building is located over 40 metres away from the subject site.

- 9.27 While the proposed increase in height would not enhance the setting of the Grade II* listed church, the associated improvements to the façade of the existing building (including the regularisation of the glazing patterns and the removal of plastic facing materials) would create a better townscape relationship with the church and neighbouring heritage assets. The current glazing detracts from the setting of the Grade II* listed building, and the proposed replacement glazing is more sympathetic in its design, materials and consistency. The removal of the existing obtrusive plastic signage would further enhance the setting of the Grade II* listed church.
- 9.28 The proposal is also not considered to harm the character or appearance of the Conservation Area, given limited views of the subject site from St John's Grove and the Grade II* listed church shielding views out of the Conservation Area of the subject site. As such, no objection is raised to the proposal in terms of heritage impacts in accordance with section 66 and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 9.29 The proposal is considered to be in accordance with Policy 7.6 of the London Plan (2016), Policies CS3, CS8 and CS9 of Islington's Core Strategy (2011) and the aims and objectives of Development Management policies (2013) Policies DM2.1 and DM2.3. It is considered that the proposal is acceptable in design terms.

Accessibility and Inclusive Design

- 9.30 Policies 3.5 and 7.2 of the London Plan require all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies, which requires all development to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime. To achieve this the proposal should be designed in accordance with Islington's Inclusive Design in Islington (2014) SPD.
- 9.31 The proposal seeks to replace two existing lifts and relocate them closer to the front of the building in order that they can be accessed from the newly laid out lobby/reception area. An existing step would be removed from the main entrance and there would be level access from the street to all floors within the building. A mobility scooter charging point is proposed to the ground floor lobby area opposite the lifts.
- 9.32 There are limited opportunities for providing a safe drop-off point on Holloway Road as this is a TfL Red Route, but the proposed loading bay on Fairbridge Road would provide a safe area for a drop-off and although not convenient it would ensure that wheelchair users would not need to cross a road, as they would still access from the main entrance on Holloway Road.
- 9.33 Accessible cycle parking spaces has been provided at basement level, with at least 1500mm width route to the basement from street level. Sufficient refuges are located to each level of the building in the event of a fire.
- 9.34 The proposal is considered acceptable in relation to accessibility and inclusive design.

Neighbouring Amenity

- 9.35 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased 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.

Overlooking and Privacy

- 9.36 The subtext to Policy DM2.1 states at paragraph 2.14 that *'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'*. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no harm.
- 9.37 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement is not directly relevant. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.
- 9.38 The proposed windows of the two storey extension (third and fourth floors) to the north-east elevation would be set away from the existing building envelope of the host building by 2.9m at third floor level and at 5.8m fourth floor level. As such, these windows would not allow for overlooking of neighbouring windows or rear gardens to properties at 2, 4 and 6 Fairbridge Road, and beyond.
- 9.39 There are no windows proposed to the north-west elevation of the extensions at third and fourth floor levels, therefore there would be no overlooking to properties on Holloway Road or to 2a and 2b Fairbridge Road.
- 9.40 A condition (No.4) is recommended to require the windows serving the office floorspace which overlook the rear garden of 726 Holloway Road to be permanently fixed shut. The windows on the south east and south west elevations would face over a railway and busy road respectively and would not result in any overlooking.

Roof terraces

- 9.41 The roof terrace to the third floor would be set 1.2m from the boundary with no.2 Fairbridge Road, whilst the roof terrace at fourth floor level would be set 4.8m from the boundary with no.2 Fairbridge Road. The location of the roof terraces are such that the relevant angle views (as shown below in figure 12), are considered to satisfactorily demonstrate that opportunities to directly overlook Nos. 2, 4 or 6 Fairbridge Road are minimised.
- 9.42 The roof terraces would also be located between 18.0m and 19.0m away from habitable room windows at 2a Fairbridge Road (as shown below in Figure 12), ensuring a sufficient degree of separation to maintain the privacy of occupants of No. 2a Fairbridge Road.

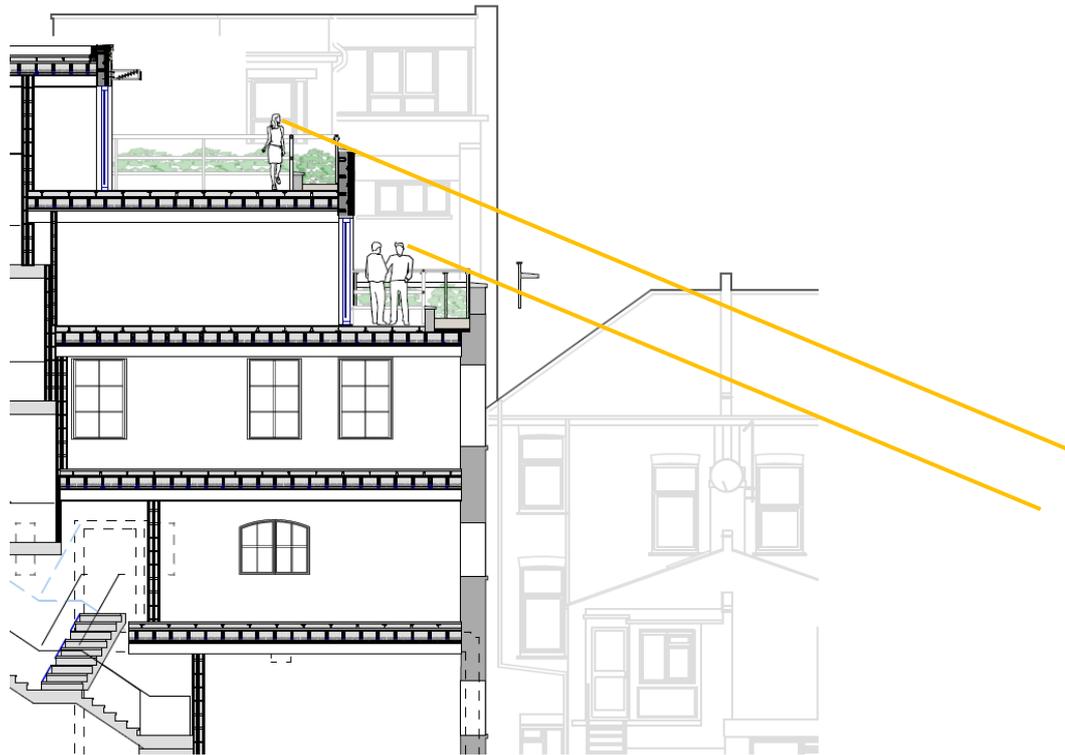


Figure 12: Section showing the proposed roof terraces to third and fourth floors. Orange lines show indicative views from the roof terraces

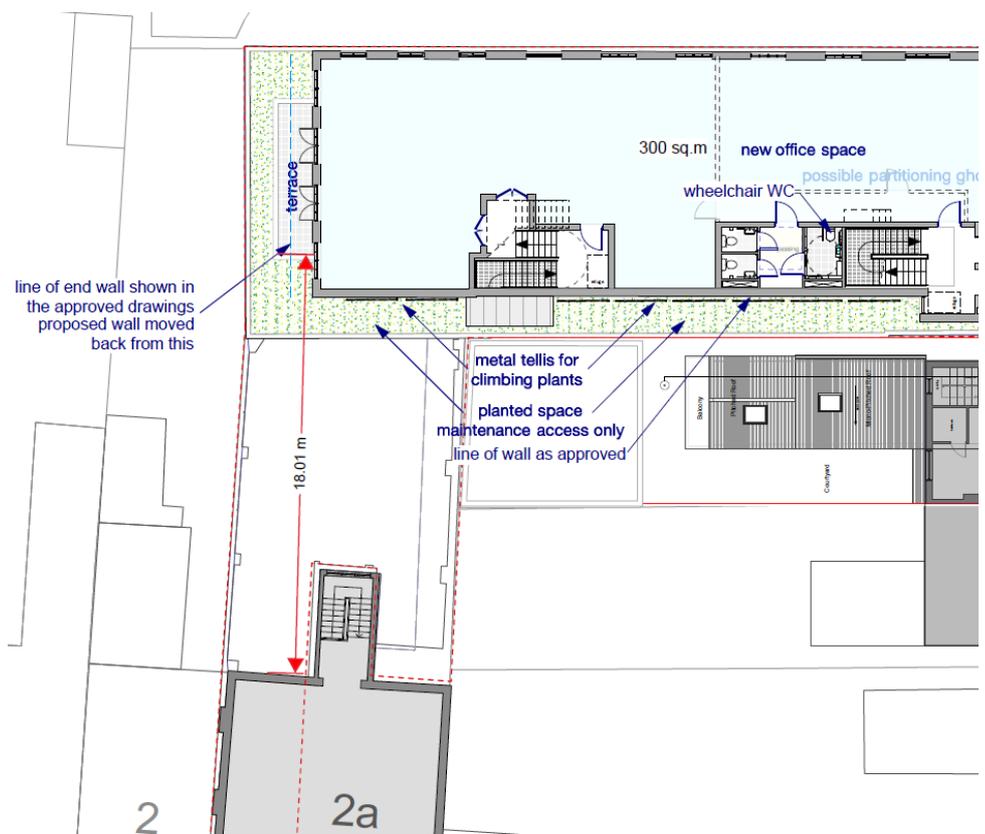


Figure 13: Plan at third floor level showing distance between roof terrace and neighbouring 2a Fairbridge Road is at least 18.0m.

Outlook

- 9.43 Whilst the increase in height would be noticeable from the rear gardens of 726–732 Holloway Road, rear windows within these properties would retain adequate outlook to the north-west towards Fairbridge Road and the rear gardens of 2a, 2b, 4 and 6 Fairbridge Road. This would be due to the lower two storey element of the scheme being lower in height than the current stair-core to the rear of 2a Fairbridge Road.
- 9.44 Equally because of this proposed arrangement, the scheme could not be said to unduly worsen the sense of enclosure to the rear of these properties. Furthermore because of the oblique arrangement of windows to the rear of 2A and 2B and 4 Fairbridge Road to development, officers are of the view that occupiers of these properties would not experience any significant increase in a sense of enclosure over what is currently experienced through the existing building.
- 9.45 The proposal is therefore not considered to give rise to an unduly harmful loss of outlook or unduly harmful increased sense of enclosure when viewed from neighbouring residential properties.

Noise and Disturbance

- 9.46 The proposed development would be unlikely to result in an unduly harmful impact by reason of noise and disturbance affecting neighbouring occupiers given that office uses do not typically generate significant noise and are compatible with residential uses.
- 9.47 The building would continue to be accessed via the two existing entrances and it is not considered that the level of pedestrian activity which would result from the intensification of the business use would give rise to any discernible increase in the level of noise and disturbance at nearby properties.
- 9.48 All servicing for the building would be carried out using a proposed on-street loading bay on Fairbridge Road, which reduces the current reliance on the inappropriately located servicing area off Holloway Road. Objections have been received in relation to the storage of bins and activity beneath a residential unit (2A Fairbridge Road), however this is considered to be an existing situation given the servicing to the B8 unit has historically been located here whilst it is close to the servicing entrance of the building ensuring quick and easy access for collection.

Light Pollution

- 9.49 Given the proposed number and proximity of new full height glazing panels facing the adjoining buildings along Holloway Road and Fairbridge Road, objections from neighbouring properties raised concerns that the amount of light emanating from the proposed development would have the potential to harm neighbour amenity. There is a possibility of late night light pollution should office staff need to work outside normal office hours. However, it is not recommended that the hours of use of the office be restricted as this could prove onerous for potential occupants. It is considered that potential light pollution could be adequately mitigated through measures such as the use of daylight and occupancy sensors for internal lighting and automated roller blinds.
- 9.50 Furthermore, it is recommended that the use of the external roof terraces is to be limited to daytime only with external lighting to be restricted. Conditions 7 and 8 are recommended to address light pollution concerns.

Daylight, Sunlight and Overshadowing

- 9.51 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.
- 9.52 A number of the representations received during the consultation period of the application objected to the proposal in regards to loss of daylight, sunlight and overshadowing.

Daylight Guidance

- 9.53 The BRE Guidelines stipulate that... *“the diffuse daylighting of the existing building may be adversely affected if either:*
- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.*
 - *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).*
- 9.54 At paragraph 2.2.7 of the BRE Guidelines it states: *“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*
- 9.55 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 9.56 At paragraph 2.2.8 the BRE Guidelines state: *“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.*
- 9.57 Paragraph 2.2.11 states: *“Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.”* The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.
- 9.58 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is *“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”*

Sunlight Guidance

9.59 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 90 degrees 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."*

9.60 The BRE Guidelines) state at paragraph 3.16 in relation to orientation: "A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit."

9.61 The guidelines go on to state (paragraph 3.2.3): "... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun".

9.62 Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines, the document though emphasises that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

Overshadowing Guidance

9.63 The BRE Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: 'gardens to existing buildings (usually the back garden of a house), parks and playing fields and children's playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic buildings and in public squares, focal points for views such as a group of monuments or fountains'.

9.64 At paragraph 3.3.17 it states: "It is recommended that for it to appear adequately sunlit throughout the year, at least half of a garden or amenity area should receive at least two hours of sunlight on 21 March. If as a result of new development an existing garden or amenity area does not meet the above, and the area which can receive two hours of sun on 21 March is less than 0.8 times its former value, then the loss of sunlight is likely to be noticeable. If a detailed calculation cannot be carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March."

Assessment

9.65 The Applicant has submitted a Daylight & Sunlight Report (ref:MC/GO/ROL00102) dated 04/09/2018 and prepared by Antsey Horne. A revised Daylight, Sunlight &

Overshadowing report dated 25 July 2019 and prepared by Antsey Horne was submitted following revisions to scheme. The report considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.

- 9.66 It includes information on where internal arrangements have been sourced (planning applications and estate agent detail).
- 9.67 It is noted that the existing values to some of the neighbouring properties in regards to the Daylight, Sunlight and Overshadowing report from the extant planning permission differ to that submitted as part of this current applicant. This is due to the implementation planning permission P2015/1248/FUL dated 02/06/2015 at 726 Holloway Road, for a first floor extension to the rear outrigger.
- 9.68 There are no other unimplemented planning permissions within the area of study and for purposes of clarity 2A Fairbridge Road is a first floor flat within the four storey 1970's commercial building and 2B Fairbridge Road is the contemporary designed 3-storey dwelling located immediately to the west of this building. No. 2 Fairbridge Road is a 3-storey Edwardian terraced building with a rear garden which abuts the site. Numbers 726-732 Holloway Road are a mix of flats and maisonettes whilst No.722 to the south of the railway cutting provides commercial and community uses at ground with residential use on its upper floors.
- 9.69 The Report claims that the results are "*comparable to planning consent P2016/4533/FUL, with only small statistical changes to the daylight and sunlight levels. Therefore, the overall change in daylight and sunlight to neighbouring properties compared to the consented proposal is negligible*". It is worth noting that 726 Holloway Road has implemented an extension to the property since the consideration of the extant consent to the Application site, and this has been incorporated into the revised Daylight & Sunlight Report.
- 9.70 Below is the maps and window locations of the neighbouring properties tested within the submitted Daylight & Sunlight Report.

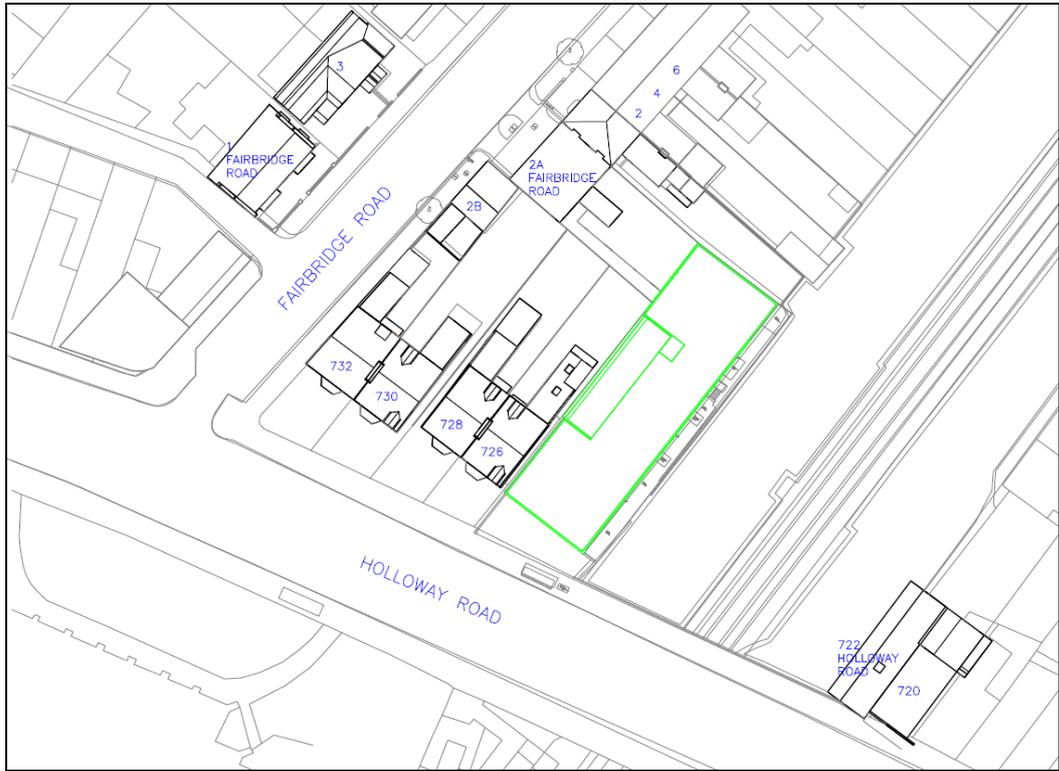


Figure 14: Map of adjoining properties tested

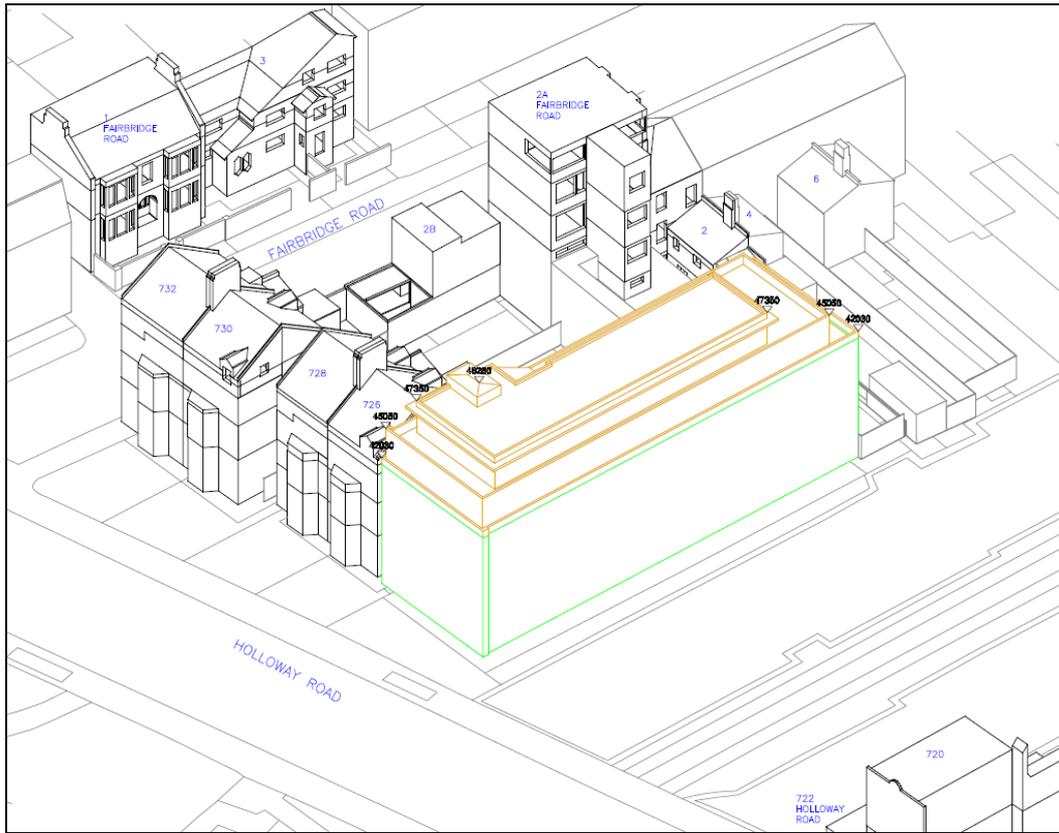


Figure 15: 3D Mapping Proposal looking North.

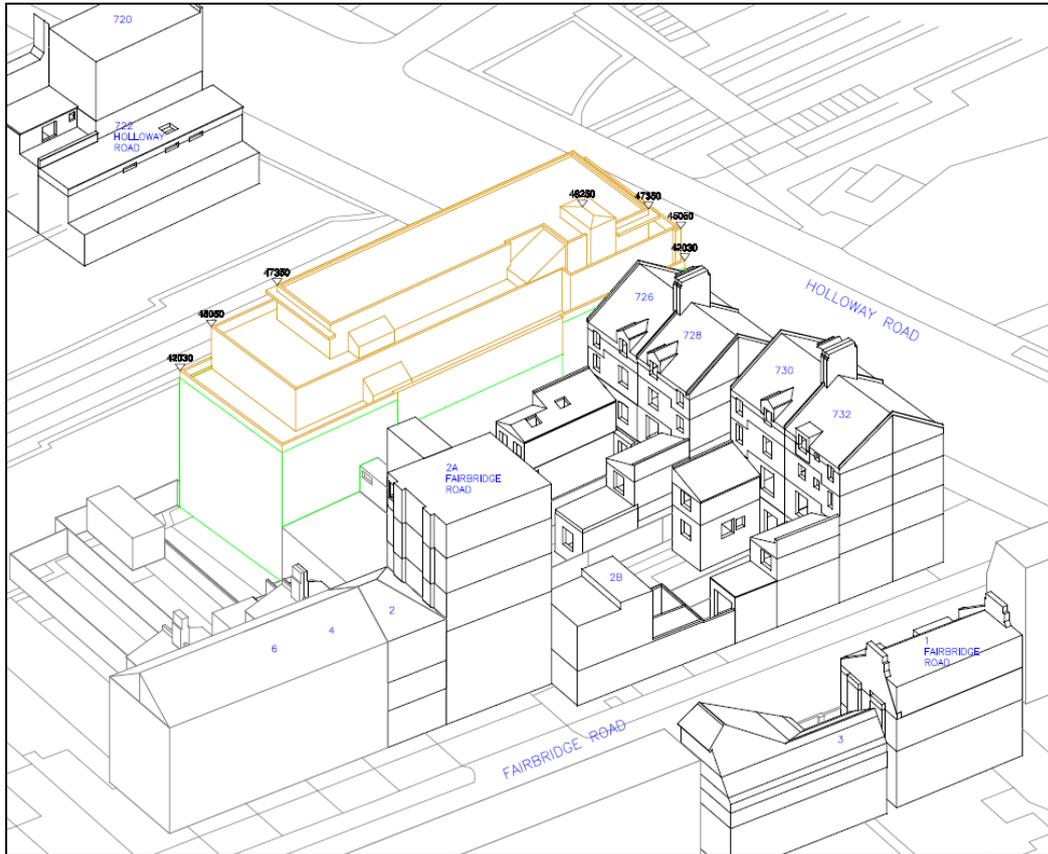


Figure 16: 3D Mapping Proposal looking South.

Impacts to Daylight

9.71 The transgressions to neighbouring properties are reported for reference in the below table:

Table 1 Daylight – proposed scheme	Vertical Sky Component (VSC)			No Skyline/ Daylight Distribution (DD)			
	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
726 Holloway Road							
First Floor R3 / W3 LKD	0.85	0.40	53%	9.72	9.71	9.69	0
728 Holloway Road							
Ground Floor R1 / W2 Kitchen	13.77	9.49	31%	12.43	10.38	9.18	12%
Ground Floor R2 / W3 Unknown	12.17	8.37	31%	11.72	6.74	3.42	49%
First Floor R2 / W2 Unknown	17.76	11.40	36%	5.00	4.33	3.82	12%
First Floor R2 / W3 Unknown	15.59	10.09	35%				
2a Fairbridge Road							
First Floor R2 / W5	21.68	16.91	22%	8.44	5.51	5.51	0

9.72 The submitted report indicates that a total of 101 windows facing the site were assessed and demonstrates that 6 (6%) windows would experience a reduction of more than 20% in VSC (identified in Table 1). In most of these cases however, the loss is mitigated by the fact that the windows are not the sole source of daylight to the rooms they serve.

9.73 Only 1 room of the properties tested would see significant reduction in DD and this would occur within Room 2 at the Ground Floor of 728 Holloway Road. The neighbouring properties are individually detailed further below:

9.74 The following properties comply with the BRE guidance:

- 1 Fairbridge Road;
- 2 Fairbridge Road;
- 2b Fairbridge Road;
- 3 Fairbridge Road;
- 4 Fairbridge Road;
- 720 Holloway Road;
- 722 Holloway Road;
- 724 Holloway Road;
- 730 Holloway Road; and
- 732 Holloway Road

9.75 726 Holloway Road would see 1 window of 11 assessed fail BRE guidance with a 53% loss in VSC, however there would be no reduction in DD to the room the window serves.

This window serves a living/kitchen/diner at first floor level, is located less than 1m away from the application site and has a very low existing level of VSC at 0.85%.

- 9.76 Given this window has very low level of existing VSC (0.85%) it is sensitive to any change, and any change would therefore be perceptible. This also explains why the DD would not change to significant degree (more than 20%). It is noted that this window was introduced implementing planning permission P2015/1248/FUL dated 02/06/2015, and that this room is also served by a roof light as shown within the approved plans of this permission, the rooflight would ensure that the room benefits from direct sunlight.
- 9.77 Furthermore, the Daylight & Sunlight Report relating to the extant consent showed that 2 windows failed the BRE guidelines, and as such the current proposal (with only 1 windows failing) would be less harmful to overall daylight amenity at No. 726 than the previously approved scheme. It is also the case that the currently proposed scheme has less of an impact to this window in terms of VSC that was agreed in permission ref: P2016/4533/FUL.
- 9.78 728 Holloway Road would see 4 windows of 10 assessed experience a loss of between 31% and 36% in VSC to windows at both ground and first floor level. Room 2 at Ground Floor would experience a reduction of 49% in DD. This room is to the side elevation of the rear outrigger and while it is acknowledged that the room would fail the BRE test, the window in question already falls behind existing outriggers and extensions to the neighbouring building at No. 726 Holloway Road. It is also the case that the currently proposed scheme has essentially the same impact in terms of VSC that was agreed in permission ref: P2016/4533/FUL.
- 9.79 2a Fairbridge Road would see 1 window of the 11 assessed fail to comply with BRE guidance with a 22% reduction in VSC, however the window identified at first floor (R2 / W5) serves a bedroom and would see no reduction at all to DD. Officers consider this room is likely to be a bathroom based on the floorplans provided. Officers note that a 22% reduction is 2% greater than is suggested as being acceptable by the BRE guidance, and while this transgression is not a benefit, the impact is at the lower end of the scale.

Summary

- 9.80 In summary, the number of transgressions would therefore not exceed those which were identified in relation to the extant consent (P2016/4533/FUL). In view of the planning history (which includes the fact that comparable daylight impacts have previously been considered acceptable), it is recommended that the daylight impacts arising from the proposed development can be accepted.

Impacts to Sunlight

- 9.81 The submitted report indicates that only those buildings identified by application of the BRE guide's preliminary 25° line test and orientation test, as explained above, have been tested. 720 Holloway Road was not tested for this reason. The transgressions to neighbouring properties are reported for reference in the below table:

Table 2: Sunlight – Proposed Scheme		Annual (APSH)			Winter (WPSH) (between 21 September and 21 March)		
Room / Window	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
726 Holloway Road							
First Floor R3 / W7	Living / Kitchen	18	4	78%	0	0	0
728 Holloway Road							
Ground Floor R1 / W1	Kitchen	7	0	100%	0	0	0
Ground Floor R1 / W2	Kitchen	16	7	56%	0	0	0
Ground Floor R2 / W3	Unknown	9	2	78%	0	0	0
First Floor R2 / W2	Unknown	21	5	76%	0	0	0
First Floor R2 / W3	Unknown	16	3	81%	0	0	0
2 Fairbridge Road							
First Floor R2 / W2	Unknown	21	16	24%	7	2	71%

9.82 The submitted report indicates that a total of 68 windows were assessed and demonstrates that 7 (15%) windows would experience a reduction of over 20% in APSH (identified in Table 2 above). In most of these cases however, the loss is mitigated by the fact that the windows are not the sole source of sunlight to the rooms they serve. The neighbouring properties are individually detailed further below as follows:

9.83 The following properties comply with the BRE guidance:

- 1 Fairbridge Road;
- 2a Fairbridge Road;
- 2b Fairbridge Road;
- 3 Fairbridge Road;
- 4 Fairbridge Road;
- 720 Holloway Road;
- 722 Holloway Road;
- 724 Holloway Road;
- 730 Holloway Road; and
- 732 Holloway Road

9.84 726 Holloway Road would see 1 of the 2 windows assessed experience a reduction of 78% in APSH. This window is located at first floor level and serves a living/kitchen/diner facing the subject site and was introduced implementing planning permission P2015/1248/FUL dated 02/06/2015. It is noted that this room is also served by a roof light as shown within the approved plans of this permission, the rooflight would ensure that the room benefits from direct sunlight.

9.85 728 Holloway Road would see 5 of the 12 windows assessed experience reductions in excess of 20% APSH. At ground floor level, the largest reductions would be to a kitchen, with the windows experiencing a 56% and 100% reduction in APSH. This change has been caused by the construction at 726 Holloway Road of an extension, which lowers the APSH baseline position in 728 Holloway Road. The actual retained values are comparable to the scheme approved in P2016/4533/FUL.

Room 2 at ground floor, would also experience a reduction of 75% APSH. It is noted that the impacts at the first floor level are comparable to those seen in the scheme approved in P2016/4533/FUL.

9.86 2 Fairbridge Road would see 1 of the 8 windows assessed experience a 24% reduction to APSH and 71% reduction to WPSH. This window is located at first floor level, which is shown as a bathroom based on the floorplans.

Overshadowing

9.87 The BRE guidelines state that to appear adequately sunlit throughout the year, at least half of an amenity space should receive at least 2 hours of sunlight on 21st March (the spring equinox, when day and night are roughly the same length of time).

9.88 An addendum to the Daylight and Sunlight report was submitted with the results for 'Sunlight to existing surrounding gardens and open spaces' dated 08/08/2019. which indicates that the gardens to 2-4 Fairbridge Road and 2a Fairbridge Road would experience no change to the sunlight to their garden amenity areas.

9.89 726 Holloway Road receives no sunlight to the rear garden as existing and as such would also not receive any sunlight following the development as proposed.

9.90 728 Holloway Road currently receives sunlight to 33% (31.56sqm) of the garden and the proposed development would reduce this to 13% (12.04sqm). This is therefore a reduction of 62%, which is less of a reduction when compared to the extant permission, which saw a reduction of up to 71%.

9.91 730 Holloway Road currently receives sunlight to 39% (62.90sqm) of the garden and the proposed development would reduce this to 33% (52.81sqm). This is therefore a relatively minimal reduction of 16% and is the same reduction as the extant permission.

9.92 732 Holloway Road currently receives sunlight to 10% (4.00sqm) of the garden and the proposed development would reduce this to 4% (1.68sqm). This is a reduction of 58%.

9.93 The existing buildings on Holloway Road cause the main overshadowing to nearby gardens, whilst the gardens to 728 and 730 Holloway Road are extensive (over 30sqm). As such, the loss of sunlight to neighbouring gardens is not considered so significant as to warrant refusal of the application, given the prevailing urban context.

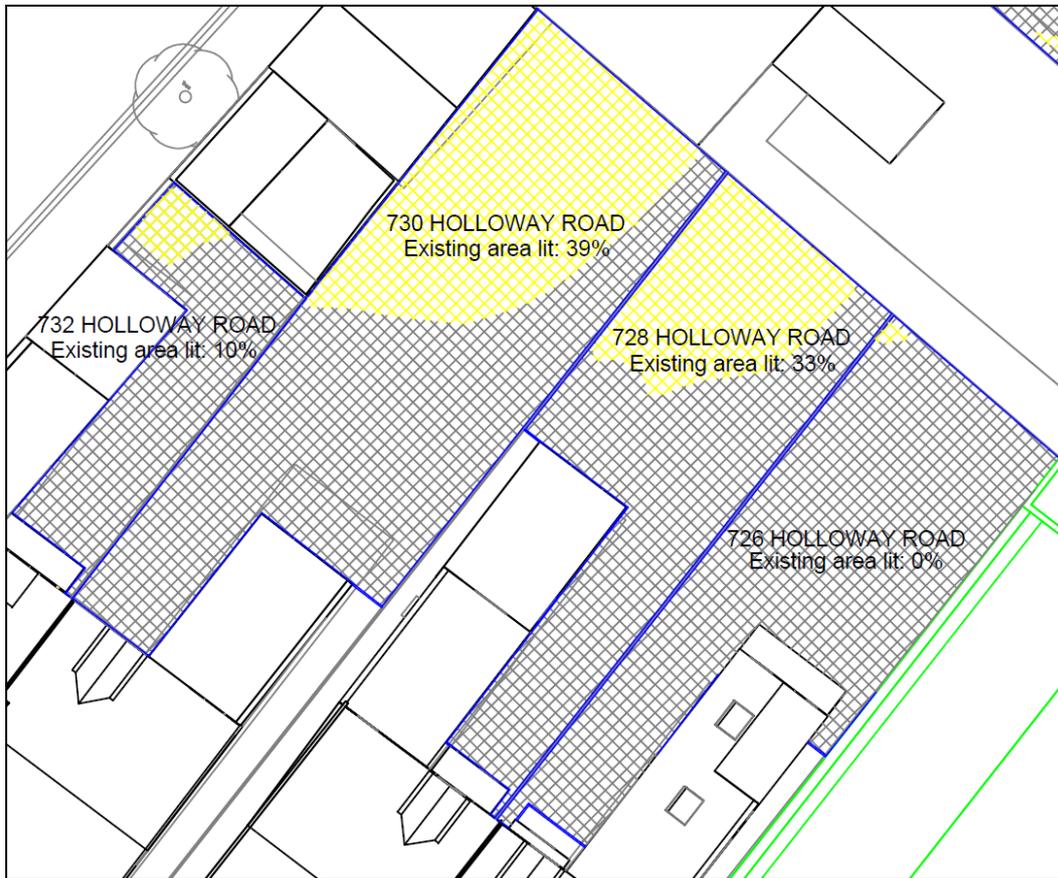


Figure 17: Existing 'sunlight on ground' to neighbouring properties on Holloway Road.

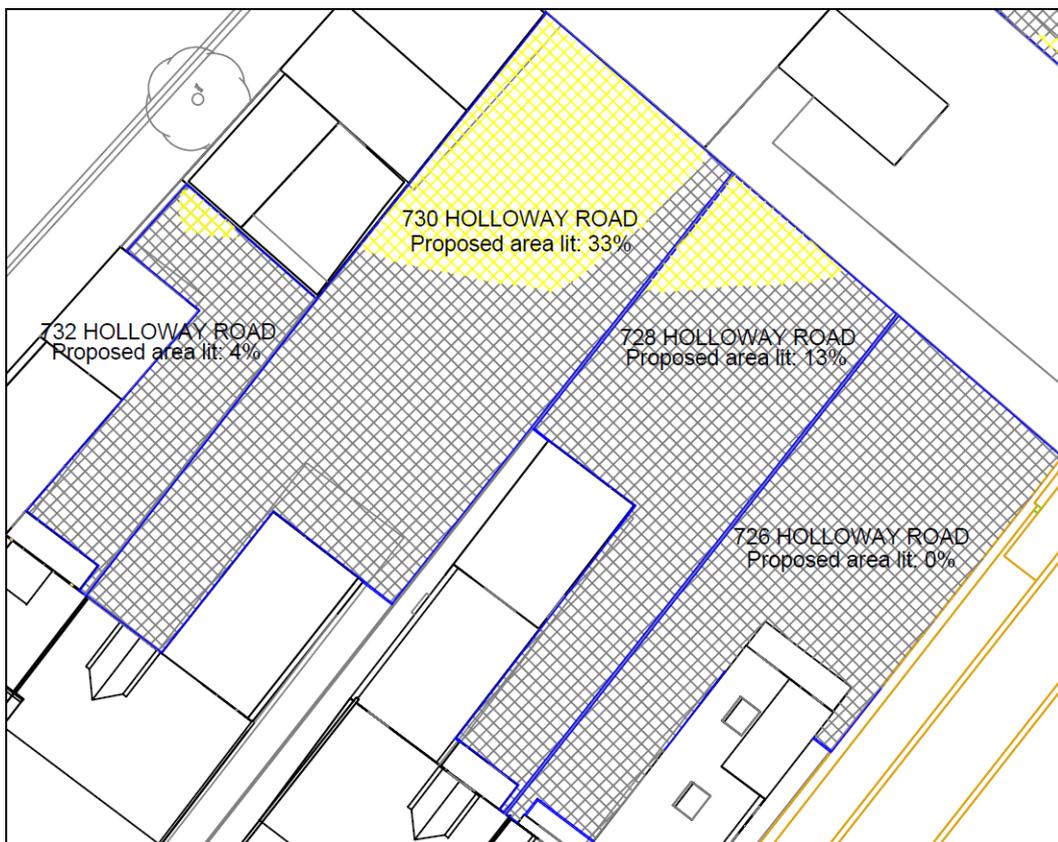


Figure 18: Proposed 'sunlight on ground' to neighbouring properties on Holloway Road.

- 9.94 ***Daylight, Sunlight and Overshadowing Summary:*** A comprehensive assessment of the proposed development on surrounding windows, rooms and gardens in all nearby dwellings has been undertaken in accordance with BRE guidance and practice. The results of the assessment show good levels of adherence with only minor transgressions to all but one property, Room 2 within No.728 Holloway Road. This room would experience reductions of daylight in excess of BRE guidelines. The proposed level of light to this room is considered acceptable having regard to the built up urban context. The BRE guidelines must be viewed flexibly and considering the wider adherence to the required standards of all other tested windows the impact on this room can be accepted. It is also noted that the daylight impacts of the proposed development are comparable to those of the extant planning permission.

Construction Impacts

- 9.95 It is anticipated that the construction of the proposed development would cause some degree of noise and disruption affecting neighbouring residents. A Construction Environmental Management Plan would be required to be submitted to and approved by the Council prior to the commencement of work in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. This would be secured by recommended condition 10.

Highways and Transportation

- 9.96 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.
- 9.97 The application site has a PTAL of 6a, which is considered 'excellent', due to the numerous bus links along Holloway Road and proximity to Upper Holloway Overground station and Archway station further north.

Pedestrian / Cycle Improvements

- 9.98 Islington Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking, cycling and public transport use. The proposal is highly accessible for pedestrians given its frontage onto Holloway Road.
- 9.99 The requirements for cycle parking are set out in Policy DM8.4 and Appendix 6 of the Development Management Policies applies to the creation of new office floorspace. Cycle parking is required to be provided at a rate of one space per every 80 square metres of new office (B1a) floorspace and one space per 400sqm for storage and distribution (B8), and needs to be secure, covered, conveniently located and step free.
- 9.100 The proposal provides a secure cycle parking enclosure for the proposed office use internally, at basement level. This would be accessed by a ramp which runs alongside the eastern elevation of the building, allowing for level access externally, whilst two lifts also allow for access to the upper floors.
- 9.101 There is currently no on-site cycle storage. A total of at least 24 cycle parking spaces could be accommodated within the basement enclosure to serve the entire building in accordance with London Plan policy 6.9 and Islington's Development Management policy DM8.4.
- 9.102 Lockers, shower and changing facilities are also proposed.

Servicing, deliveries and refuse collection

- 9.103 The existing site includes a small external forecourt fronting Holloway Road, which has previously been used to service the building or for parking. However, Holloway Road is a Red Route, and the forecourt is partially blocked by a bus stop. The forecourt itself has extremely limited space for vehicles to manoeuvre, turn around and exit in forward gear, and additionally requires ramped access to allow for step-free access, further restricting the available space. Transport for London objected to the use of the forecourt for vehicles due to concerns for highway and pedestrian safety and the applicant has duly removed this from the proposal.
- 9.104 The proposed development would be serviced from a proposed on-street loading bay on Fairbridge Road, this includes refuse and recycling collection. The bay would be adjacent to an existing nominal vehicular entrance to the application site where there is currently a crossover. While an on-street servicing arrangement is not ideal, it is considered that due to the location of the application site and the restrictions on Holloway Road it would be acceptable in this instance.
- 9.105 The crossover on Holloway Road is therefore to be removed and footway is to be reinstated to ensure no vehicles are encouraged onto the front forecourt. Transport for London and the Council's Highways Officers have accepted this arrangement and it is considered that, given the relatively low number of deliveries associated with the uses on the site, this would not give rise to any highways safety impacts. This is consistent with the extant permission which also sought to remove the crossover and reinstate the footway.
- 9.106 A condition (No.13) is recommended requiring details of the proposed Delivery/Servicing Plan, including hours, frequency, location and size of vehicles to be submitted to and approved in writing by the Local Planning Authority.

Vehicle parking

- 9.107 The site does not currently include any formal parking arrangements and no parking is proposed within the site as part of the application. The subject site is located within a 'residents only' Controlled Parking Area (CPZ) 'Archway', which operates weekdays between 0830 – 1830 and on Saturdays between 0830 – 1330. As such, given the lack of dedicated off-street parking and the CPZ discouraging on-street parking, the proposal is not considered to give rise to additional parking stress which would be of detriment to the surrounding road network.
- 9.108 Given the site has a 'very good' PTAL rating, the highly accessible area alongside on-street parking restrictions, the proposal is considered acceptable in sustainable transport regards.
- 9.109 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). For commercial developments, an uplift in 33 employees would require one additional accessible parking bay.
- 9.110 The proposal would see an uplift in approximately 45 employees and therefore at least one accessible parking bay is required. Given the site's constraints in providing on-site wheelchair parking, a financial contribution of £2,000 is sought towards the delivery of other accessible transport initiatives to increase the accessibility of the area.
- 9.111 Footway and highway reinstatement works, to reinstate the kerb along Holloway Road, would be necessary following completion of the proposed development. This matter is referred to in the recommended Section 106 Heads of Terms.

Air Quality

- 9.112 In accordance with Islington's Development Management Policies (2013) Policy DM6.1, developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 9.113 The whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition (condition 10). This would help ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality. Emissions from non-road mobile machinery would also need to be addressed in submissions made pursuant to condition 10.

Energy & Sustainability

- 9.114 Section 14 of the NPPF identifies the role that planning plays in helping shape places to meet the challenge of climate change. Policy 5.3 of the London Plan states that development proposals should ensure that sustainable design standards are integral to the proposal.
- 9.115 At a local level, Islington's Core Strategy Policy CS10 states that all development will be required to achieve the highest feasible level of a national recognised building standard. In this case Building Research Establishment Environmental Assessment Methodology (BREEAM).
- 9.116 Policy DM7.1 of Islington's Development Management Policies (2013) deals with sustainable design and construction. Sustainable design standards are covered by Policy DM7.4 of Islington's Development Management Policies (2013). The policy states that minor developments creating commercial units and extensions of over 100sqm should be accompanied by a Sustainable Design & Construction Statement, including where relevant an Energy Statement.
- 9.117 For minor non-residential developments, there is not an explicit target in terms of CO2 reduction and the requirement is to demonstrate that on-site CO2 emissions have been minimised, and refers to Section 2 of the Environmental Design SPD.
- 9.118 In line with policy DM7.1 of Islington's Development Management Policies (2013), an Energy and Sustainability Statement dated 4 September 2018 prepared by JAW was submitted in support of the application. As the application is a minor development, the threshold for major development has not been applied and a Green Performance Plan is not required, however it does acknowledge energy hierarchy incorporating passive design measures and energy efficient equipment.
- 9.119 The development would include new insulation and efficient new glazing, whilst gas heating to maximise carbon savings, resulting in 8% savings for the development. Further sustainable design and construction measures are also proposed.
- 9.120 The report concludes that the findings are preliminary analysis and further detailed studies will be required at detailed design stage and specific proposed systems are to be finalised.
- 9.121 Council's Energy Officer outlines that Energy Statement provided is relatively consistent with policy, however there are a couple of areas where potential improvements could be

achieved, including lighting efficacy in the office areas and increasing the output of the solar PV array.

- 9.122 As such, Officers consider that a Condition requiring investigation of further improvements to these (or other areas), in order to deliver further reductions. This is recommended as Condition 14.
- 9.123 To encourage bio-diversity at the site, the proposed development incorporates a green roof to third and fourth floor along with bat/bird boxes. In line with London Plan and Islington's Core Strategy policy CS10, the green roof will have the benefit of providing sustainable urban draining by increasing the capacity for attenuation of rainfall, therefore reducing the rate of surface water runoff. Details relating to the green roof and bird/bat boxes is to be secured through condition 12.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.124 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 9.125 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:
- Contribution towards bays or other accessible transport initiatives of: £2,000;
 - 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 either LBI Highways or Transport for London. Conditions surveys may be required; and
 - Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.
- 9.126 All payments to the Council would be index-linked from the date of Committee and would be due upon implementation of the planning permission.

10 SUMMARY AND CONCLUSION

Summary

- 10.1 The provision of an additional 460sqm of B1a (office) floorspace is considered acceptable in land use terms whilst the design of the proposed extension is considered to be acceptable.
- 10.2 Following the submission of amended plans, the proposal would be comparable to the previously approved scheme in terms of daylight, sunlight and overshadowing impacts upon neighbouring residential properties.

- 10.3 It is recommended that conditions are attached to minimise the impact of any noise or light disturbance to an acceptable level.
- 10.4 The proposal is considered acceptable in terms of its impact upon the residential amenities of the occupants of nearby dwellings. Furthermore, the proposal is considered acceptable in relation to technical matters, subject to the recommended conditions.

Conclusion

- 10.5 It is recommended that planning permission be granted subject to conditions and legal obligation as set out in Appendix 1 – RECOMMENDATION.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- 1. Contribution towards bays or other accessible transport initiatives of: £2,000;
- 2. 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 either LBI Highways or Transport for London. Conditions surveys may be required; and
- 3. Council’s legal fees in preparing the Section 106 agreement and officer’s fees for the preparation, monitoring and implementation of the Section 106 agreement.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement of Development
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
	REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

	(Chapter 5).
2	Approved Plans
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>1648-22 rev.D Site layout as proposed; 1648-23 rev.D Basement plan as proposed; 1648-24 rev.D Ground floor plan as proposed; 1648-25 rev.D First floor plan as proposed; 1648-26 rev.D Second floor plan as proposed; 1648-27 rev.D Third floor plan as proposed; 1648-28 rev.D Fourth floor plan as proposed; 1648-29 rev.D Roof plan as proposed; 1648-30 rev.D South elevation as proposed; 1648-31 rev.D East elevation as proposed; 1648-32 rev.D North elevation as proposed; 1648-33 rev.D West elevation as proposed; 1648-34 rev.D Section AA" as proposed; 1648-35 rev.D Section BB' as proposed; 1648-101 Brickwork details; 1648-102 window details; 1648-103 Zinc details; 1648-104 Entrance door details; 1648-105 Rev 4a Railings & planter details; 1648-106 Rainwater goods; 1648-107 rev.A Lift details; 1648-108 Wheelchair WC details; 1648-109 Rev.D Bicycle store details; 1648-110 Rev.A Binstore details; 1648-111 Rev.C Front area details; 1648-112 Lift overrun details; 1649-113 Accessible shower details; 1649-114 Accessibility ground floor; 1649-115 Accessibility first floor; 1649-116 Accessibility second floor; 1649-117 Accessibility third floor; 1649-118 Accessibility fourth floor; Air Quality Assessment dated 08/2018; Design & Access Statement; Energy and Sustainability Statement dated 08/09/2018; Flood Risk Assessment & SUDs Report dated 08/2018; Noise & Vibration Assessment 12100.NVA.02 prepared by KP Acoustics; Transport Statement dated 08/2018;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials
	<p>CONDITION: 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 ensure that the resulting appearance and construction of the development is of an acceptably high standard, so as to preserve and enhance the character and appearance of the surrounding townscape.</p>
4	Obscured Glazing (Compliance)
	<p>CONDITION: Notwithstanding the hereby approved plans, prior to the first occupation of the development hereby approved, all windows at ground, first and second floor levels on the north east facing elevation of the building shall be obscure glazed and permanently fixed shut, unless otherwise approved in writing by the Local Planning Authority.</p> <p>REASON: In the interest of preventing direct overlooking and in addition to prevent undue noise disturbance to the residential properties in immediate proximity to the development site. This condition is considered necessary to protect the residential amenity of neighbouring Fairbridge Road properties.</p>
5	Cycle Storage (Compliance)
	<p>CONDITION: The bicycle storage area(s), lockers and changing facilities hereby approved, shall be provided prior to the first occupation of the development hereby approved as shown on drawing no. 1648-23 Rev.D 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>

6	Refuse and Recycling (Compliance)
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to prevent unacceptable impacts on the functioning and amenity of the area.</p>
7	Roof Terraces (Compliance)
	<p>CONDITION: The roof terraces of the development hereby approved shall not be used except between the hours of 09:00 and 18:00 Monday to Friday except in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>Any flat roofs other than those shown on the plans hereby approved as terraces shall not be used except for the purposes of maintenance access.</p> <p>REASON: To ensure that the amenity of neighbouring residential properties is not adversely affected in accordance with policies 7.6 and 7.15 of the London Plan 2016 and policy DM2.1 of Islington's Development Management Policies 2013.</p>
8	Internal Lighting (Details)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include, but not limited to:</p> <ul style="list-style-type: none"> - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <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 protecting neighbouring and future residential amenity and future habitats from undue light-spill in accordance with policies 7.3, 7.5, 7.13 and 7.19 of the London Plan 2016, policies CS9, CS10 and CS15 of Islington's Core Strategy 2011, policy BC7 in the Finsbury Local Plan, and policies DM2.1 and DM6.5 of Islington's Development Management Policies 2013.</p>
9	Construction Method Statement (Details)
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> viii. the parking of vehicles of site operatives and visitors; ix. loading and unloading of plant and materials; x. storage of plant and materials used in constructing the development; xi. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate; xii. wheel washing facilities; xiii. measures to control the emission of dust and dirt during construction; and xiv. a scheme for recycling/disposing of waste resulting from demolition and

	<p>construction works.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
10	Construction Environmental Management Plan (Details)
	<p>CONDITION: A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, emissions from non-road mobile machinery, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts.</p> <p>The CEMP shall refer to Islington's Code of Practice for Construction Sites, BS5228:2009 and 2014, the GLA's Control of Dust and Emissions During Construction and Demolition SPG and shall commit the developer to sign up to the Non-Road Mobile Machinery Register.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
11	Fixed Plant (Compliance)
	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To ensure that an appropriate standard of residential accommodation is provided.</p>
12	Green Biodiversity Roofs and Walls (Details)
	<p>CONDITION: Notwithstanding the details hereby approved, prior to commencement of the development, details of the biodiversity green roofs and wall(s) and bird/bat boxes shall be submitted to and approved in writing by the Local Planning Authority. The submission shall include details of:</p> <ul style="list-style-type: none"> a) biodiversity based with extensive substrate base (depth 80-150mm); b) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum); and c) a maintenance plan for the green / biodiverse roofs/wall to cover the lifetime of the development. <p>The biodiversity green roof 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 roofs/wall 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 and maximises the sustainable urban drainage (SUDs) benefits of the scheme in order to minimise the potential for increased flood risk as a result of the development.</p>
13	Delivery & Servicing (Details)
	<p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development.</p> <p>The plan shall include details of all servicing for the development, from a loading bay fronting Fairbridge Road including hours, frequency, location (confirmation) and size of vehicles.</p> <p>The development shall be carried out strictly in accordance with the details so approved.</p> <p>REASON: In order to secure highway safety and free flow of traffic, local residential amenity and to mitigate the impacts of the development.</p>
14	Energy Efficiency (Details)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technologies installed shall provide for no less than 8.1% on-site regulated CO2 reduction, as detailed within the original 'Energy and Sustainability Statement' dated 04/09/2018.</p> <p>In addition, a revised scheme of renewable energy provision, which shall provide for no less than 8.1 % onsite CO2 reduction – and which will investigate additional % reductions to CO2 emissions via energy efficiency, lighting and renewable energy measures, shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works on site.</p> <p>The final 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 the CO2 emission reduction targets are met.</p>

List of Informatives:

5	Positive Statement
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged. Whilst this wasn't taken up by the applicant, and although the scheme did not comply with guidance on receipt, the LPA acted in a proactive manner offering suggested improvements to the scheme (during application processing) to secure compliance with policies and written guidance. These were incorporated into the scheme by the applicant.</p> <p>This resulted in a scheme that accords with policy and guidance as a result of positive, proactive and collaborative working between the applicant, and the LPA during the application stages, with the decision issued in a timely manner in accordance with the NPPF.</p>
6	Community Infrastructure Levy (CIL)
	<p>CIL Informative: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at www.planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/</p>
7	The Building Acts and Building Regulations
	<p>To ensure compliance with the Building Acts and Building Regulations, you should contact the Building Control Service regarding the development and any intended works.</p> <p>T: 020 7527 5999 E: building.control@islington.gov.uk</p>
8	Street Naming and Numbering
	<p>If the development results in changes to any postal address or addresses on the site, you should contact the Street Naming and Numbering section. Failure to do so can result in delays to conveyancing, the connection of services or the initiation of postal deliveries.</p> <p>T: 020 7527 2245 / 2611 E: address.management@islington.gov.uk</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

The National Planning Policy Framework 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and Development Management Policies 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 2.11 Inner London

Policy 2.15 Town Centres

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.7 Retail and town centre development

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 5.7 Renewable energy

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

6 London's transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS1 Archway

Strategic Policies

Policy CS8 Enhancing Islington's character

Policy CS9 Protecting and Enhancing Islington's Built and Historic Environment

Policy CS10 Sustainable Design

Policy CS11 Waste

Policy CS13 Employment Space

Policy CS14 Retail and services

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Shops, culture and services

DM4.3 Location and concentration of uses

DM4.4 Promoting Islington's Town Centres

Employment

DM5.1 New business floorspace

DM5.2 Loss of existing business floorspace

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

Designations

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

- Archway Town Centre
- Core Strategy Key Area (Archway)
- Article 4 Direction (Office to residential)
- Adjacent to Strategic and Local Cycle Route
- Within 50m of a Conservation Area
- Within 100 m of a Strategic Road Network Road
- Within 100m of a TFL Road Network
- Adjacent to a Site of Importance for Nature Conservation (SINC)
- Adjacent to National Rail Owned Land

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

Environmental Design

Accessible Housing in Islington

Inclusive Landscape Design

Planning Obligations and S106 Urban Design Guide 2011

London Plan

Accessible London 2014

Culture & the night time economy 2017

Sustainable Design & Construction 2014

Use of planning obligations in the funding of Crossrail, and the Mayoral Community Infrastructure Levy 2013

APPENDIX 3: EXTANT CONSENT DAYLIGHT AND SUNLIGHT RESULTS

<u>Daylight – Consented Scheme</u>	Vertical Sky Component			No Skyline (Daylight Distribution)			
Room/ Window	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
726 Holloway Road							
First Floor R3 / W3 (Bedroom)	0.73	0.22	69	9.72	9.71	9.69	0
Second Floor R3 / W3 (Bedroom)	2.83	1.58	44	10.97	10.85	10.85	0
Third Floor R3 / W3 (Bedroom)	32.06	6.82	79	10.97	10.95	10.84	1
728 Holloway Road							
Ground Floor R1 / W2 (Kitchen)	14.04	9.88	30	12.43	10.77	9.71	10
Ground Floor R2 / W3 (Unknown)	12.20	8.56	30	11.72	7.46	3.75	50
First Floor R2 / W2 (Unknown)	18.27	11.92	35	5.00	4.27	3.87	10
First Floor R2 / W3 (Unknown)	16.03	10.41	35				
2 Fairbridge Road							
Ground Floor R3 / W3 (Unknown)	1.08	0.99	9	3.88	1.09	0.86	21
First Floor R2 / W2 (Unknown)	6.39	5.26	18	3.88	1.23	1.21	2
2a Fairbridge Road							
First Floor R2 / W5 (Bedroom)	21.74	17.48	20	8.44	5.55	5.55	0

<u>Sunlight – Consented Scheme</u>		Annual (APSH)			Winter (WPSH) (between 21 September and 21 March)		
Room / Window	Room Use	Existing	Proposed	% Reduction (Factor of former value)	Existing	Proposed	% Reduction (Factor of former value)
726 Holloway Road							
First Floor R3 / W7	Living / Kitchen	64	22	66%	26	25	0
728 Holloway Road							
Ground Floor R1 / W2	Kitchen	17	8	53%	0	0	0
Ground Floor R2 / W3	Unknown	10	1	90%	0	0	0
First Floor R2 / W2	Unknown	23	6	74%	0	0	0
First Floor R2 / W3	Unknown	18	3	83%	0	0	0
2 Fairbridge Road							
First Floor R2 / W2	Unknown	21	16	24%	7	2	71%