



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 Town Hall
 Upper Street
 LONDON N1 2UD

COMMITTEE REPORT

PLANNING COMMITTEE		AGENDA ITEM NO: 2
Date:	23 April 2020	

Application number	P2019/3300/FUL
Application type	Full Planning Application
Site Address	22-23 Tileyard Road and part of 226-228 York Way, London, N7 9AX.
Proposal	Demolition of existing buildings and structures and erection of a part 3- and part 5-storey (plus basement) building to create Class B1(c) (light-industrial), Class B1 (office) and A3 (ancillary café) floorspace; service yard; cycle parking; plant refuse / recycling facilities; and associated works.
Ward	Caledonian Ward
Listed building	None
Conservation area	None
Development Plan Context	Locally Significant Industrial Site (Vale Royal) Local View from Dartmouth Park Hill; King's Cross & Pentonville Road Core Strategy Key Area; Article 4 Direction A1-A2 (rest of borough); Article 4 Direction B1(c) to C3; Article 4 Direction (Office to Residential)
Licensing Implications	None

Case Officer	Stefan Sanctuary
Applicant	Tileyard London
Agent	Charles Moran (CMA Planning)

1. RECOMMENDATION

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

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

2. SITE PLAN / PHOTOS OF SITE

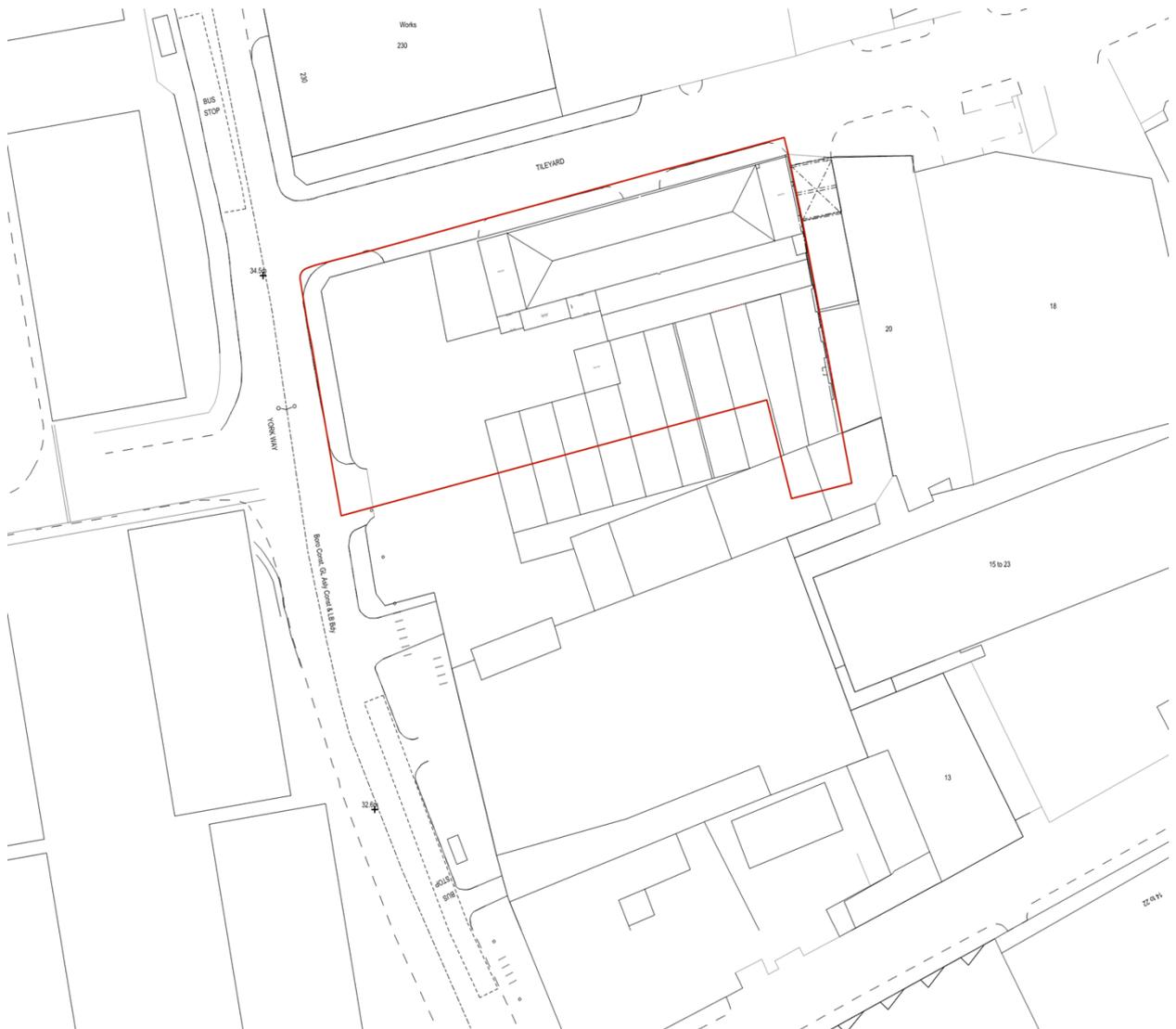


Fig 2.1 Site plan. Application site outlined in red / black

Application Site



Birdseye View looking north

Application Site



Birdseye View looking east



22-23 Tileyard Road & entrance to Fayers Site



Fayers Site and Maiden Lane Estate



From York Way looking north



From Tileyard Road looking west

3 SUMMARY

- 3.1 The application site consists of a two-storey warehouse building, a proportion of the Fayers Building (former plumber's merchants) and an open area at the front providing vehicular access to the site. The site is within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS) and is bordered by Tileyard Road to the north and York Way to the west. To the south are a number of warehouse buildings, including the Fayers Buildings. The site is surrounded on three sides by light industrial buildings typical of the LSIS, whilst to the west is the borough's boundary with the London Borough of Camden, mainly characterised by large apartment buildings.
- 3.2 The proposal is to demolish the existing buildings on site and erect a part 3-, part 5-storey (plus basement) building to create Class B1(c) (light industrial), Class B1 (flexible workspace) and A3 (ancillary café) floorspace, as well as a service yard, cycle parking, plant room, refuse / recycling storage and other ancillary works. The proposed mix of uses, which involves an uplift in floorspace suitable for the LSIS in the form of B1c (light industry) uses is considered to be in accordance with Islington's Core Strategy (ICS, 2011) policies CS6 (part D) and CS13 (part B) for the Vale Royal/Brewery Road LSIS, Islington's Development Management Policy DM5.3, adopted London Plan (2016) Policies 4.2 and 4.4, the objectives of the Land for Industry and Transport Supplementary Planning Guidance (2012) as well as the new emerging London Plan Policies E4 and E7.
- 3.3 The proposed development is considered to be well-designed, responding successfully to its context and maintaining the setting of surrounding heritage assets. As such, the application is considered to be in accordance with the objectives of the National Planning Policy Framework Chapter 12 (Achieving well-designed places), the London Plan 2016 policies 7.4 (Local character) and 7.6 (Architecture), Islington Core Strategy 2011 policy CS8 (Enhancing Islington's character) and policy CS9 (Protecting and enhancing Islington's built and historic environment), Islington Development Management Policies DM2.1 (Design), the principles of Islington's Urban Design Guide as well as emerging Islington Local Plan Policy SP3.
- 3.4 The proposed development is not considered to result in undue impacts on neighbouring residential amenity in terms of loss of daylight/sunlight, privacy, or an increased sense of enclosure, overlooking, noise or disturbance subject to appropriate conditions as detailed above. As such, the application is considered to be acceptable and in accordance with London Plan 2016 policies and Islington Development Management Policy DM2.1.
- 3.5 The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy.
- 3.6 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

4.0 SITE & SURROUNDINGS

- 4.1 The site is within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS) and is bordered by Tileyard Road to the north and York Way to the west. To the south are a number of warehouse buildings, including the Fayers Buildings, for which there is an existing planning application (P2019/3410/FUL). The site is surrounded on three sides by light industrial buildings typical of the LSIS, whilst to the west is the borough's boundary with the London Borough of Camden, mainly characterised by large apartment buildings.
- 4.2 The application site consists of a two-storey warehouse building, a proportion of the Fayers Building (former plumber's merchants) and an open area at the front providing vehicular access to the site. The two-storey warehouse building, on the northern boundary of the site (known as 22-23 Tileyard Road), is an old Victorian warehouse with brick and rendered elevations, a small off-street servicing/parking area and a separate entrance, both accessed from Tileyard Road. The warehouse has an authorised B1 use and previously provided space for artists, composers, producers and editors, but is now vacant.
- 4.3 The Fayers Building, of which a part lies within the application site, was formerly in use as a plumber's/builder's merchant, with an ancillary retail showroom and extensive warehousing. The building is also an old Victorian warehouse with a metal saw tooth roof (226-228 York Way). There is a brick boundary wall with metal railings along the street facing boundaries, with an element of paved forecourt accessed by three crossovers onto York Way.
- 4.4 To the west of the site, across York Way and in the London Borough of Camden, is the Maiden Lane Estate. The eastern half of the estate faces the development site and comprises blocks of 20 storeys (Block A), 7 storeys (Blocks D & E) and 6 storeys (Block H). Further to the south, is a 7 to 9 storey commercial building (the Fitzpatrick Building), which is currently under construction.
- 4.5 The site is located within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS), and the Kings Cross & Pentonville Road Key Area (Core Strategy Policy CS6). All sites within the LSIS are subject to a number of Article 4 directions removing permitted development rights for (i) a change of use from office (B1a) to residential (C3) (ii) shops (A1) to financial and professional services (A2), and (iii) a temporary flexible change of use from A1/B1/D1 to A1, A2, A3 or B1.
- 4.6 The site has a PTAL rating (Public Transport Accessibility Level) of 2 (low). York Way is served by the 390 bus (Archway Station to Notting Hill Gate via Kings Cross). The nearest stations are Caledonian Road (Underground), Camden Road (Overground), Caledonian Road & Barnsbury (Overground), Kings Cross (Underground & National Rail) and St Pancras (Underground, National Rail and Eurostar) which are within 1.3km/15 mins walk. York Way is the northern end of a signposted north-south cycle route to Copenhagen Street.
- 4.7 The site is within the Thornhill CPZ with restricted parking on weekdays from 08.30-18.30, and Saturdays 08.30-13.30. York Way (A5200) is a principal borough road but does not form part of the Transport for London Road Network.
- 4.8 The site is not affected by any formal heritage constraints, and whilst several buildings on the site and within the LSIS are attractive Victorian warehouse style buildings, there are no immediately adjacent designated heritage assets or conservation areas. Two locally significant views are identified which cross the LSIS, and one of these (Dartmouth Hill to St Paul's Cathedral) passes over the site.
- 4.9 There is no green space on the site, and the nearest site of importance for nature conservation (Copenhagen Junction) is not immediately adjacent to the site.

5.0 Proposal (In Detail)

- 5.1 The proposal is to demolish the existing buildings on site and erect a part 3-, part 5-storey (plus basement) building to create Class B1(c) (light industrial), Class B1 (flexible workspace) and A3

(ancillary café) floorspace, as well as a service yard, cycle parking, plant room, refuse / recycling storage and other ancillary works.



Proposed Ground Floor

- 5.2 On the corner of Tileyard Road and York Way, the proposal includes a slightly recessed entrance to the A3 unit, while a further entrance on York Way provides access to an entrance lobby providing access to the B1 (flexible workspace) uses on the floors above. The ground floor also includes 5 No separate B1(c) units with access provided from Tileyard Road. A vehicular entrance is also provided from Tileyard Road to the rear of the site.
- 5.3 The basement level provides further B1c floorspace as well as plant room, cycle storage, shower and locker facilities, refuse and recycling. A lift and stair core provides access to the floors above, which provide further B1 office floorspace and ancillary facilities. Overall the proposal includes 4,961sqm (GIA) of flexible (B1) office floorspace, 1,647sqm(GIA) of designated B1(c) floorspace and 123sqm (GIA) of A3 floorspace.



Proposed Front Elevation

- 5.4 The building has a 3-storey frontage onto York Way with a pitched / gable-end roof-form. The design of the building mirrors a traditional Victorian warehouse design with grid-like fenestration pattern and a strong vertical emphasis. The building rises up to five storeys in height on Tileyard Road with the gable-end roof-form continued. The eastern elevation of the building has a protruding element with an undercroft providing vehicular access to the rear of the site.



Proposed Tileyard Elevation

6.0 RELEVANT HISTORY

6.1 22-23 Tileyard Road

P2015/2933/COLP - Application for a Lawful Development Certificate for the proposed use of this building as office floorspace (B1(a) use class). Granted 01/09/2015

P2015/1204/FUL - Re-configuration and refurbishment of existing two storey office building, a three storey roof extension and five storey side extension to create a total of 2,072sqm (GIA) of

Class B1 space (net increase of 1,159 sqm (GIA) of accommodation). Granted 14/03/2016 (not implemented)

6.2 22-23 Tileyard Road & 196-228 York Way

P2018/2355/FUL – Demolition of the existing buildings and the construction of a new part 6, part 7, part 8-storey building plus double basement (overall height of 29 metres) to provide for 1,628 square metres(GIA) of light industry floorspace (Use Class B1(c)) at basement and ground floor level along with ancillary café at ground floor level, and 9,111 square metres (GIA) of business use floorspace (Use Class B1 (a)/(b)/(c)), and the construction of a part 6, part 9-storey building plus double basement (overall height of 27.3 metres) consisting of 7,400 square metres (GIA) of self-storage floorspace (Use Class B8) and 870 square metres (GIA) of office floorspace (Use Class B1(a)) along with associated access arrangements, plant area, car and cycle parking, refuse storage and ancillary works.

This application was refused for the following five reasons:

- (i) Land use – in particular, that the proposal was for predominantly open B1 floorspace, which did not complement or support the economic and employment role of the LSIS.
- (ii) Design – that due to its height, scale and design, the proposal would be overbearing and fail to respect and respond positively to existing buildings, the streetscape and the wider context.
- (iii) Neighbouring Amenity – that the proposal would have an undue negative impact on neighbouring residential amenity in terms of loss of daylight.
- (iv) Energy - the proposed development would fail to meet the target carbon emissions reductions in regulated and unregulated emissions.
- (v) Section 106 - In the absence of an appropriate Section 106 legal agreement, the application fails to provide measures to mitigate the impacts of the development.

The decision was appealed by the applicant and the Planning Inspector dismissed the appeal. The final two reasons for refusal, energy and lack of a section 106 legal agreement, were addressed through the submission of further details and evidence submitted in advance of the appeal inquiry. While the inspector did not agree with the land use reason for refusal, the two other reasons, design and neighbouring amenity, were upheld, and the appeal was thus dismissed.

Neighbouring / Nearby Sites

6.3 202-228 York Way

991059 - Construction of a 2-storey building for warehouse, offices and bathroom display use. Granted 30/11/1999

6.4 196-200 York Way

P080410 - Use of the first floor for purposes within Class B1 of the Town & Country Planning (Use Classes) Order 1987. Granted 02/05/2008

P070765 - Change of use from use as premises for chauffeur-driven car hire service to use as a club bar and restaurant with a licensed outside courtyard area. Installation of ventilation flue. Granted 20/11/2007

6.4 Fitzpatrick Building, 188 - 194 York Way

P2014/0523/PRA - Prior approval application for proposed change of use to 22 residential flats. Prior Approval granted 02/04/2014

P2016/1999/FUL - Demolition of the existing office building and redevelopment to provide a part 7/part 8/part 9 storey building to provide office (use class B1a) and flexible (Use class B1) floorspace, including basement, ancillary ground floor cafe, cycle parking, plant/storage, landscaping and all other necessary works associated with the development. Granted 30/06/2017

6.5 230-238 York Way

P2017/1834/COLP [Application for a Lawful Development Certificate for a proposed] Change of use of up to 500 square metres of existing Storage and Distribution Floorspace (B8) floorspace to Office B1(a). Granted 07/07/2017

6.6 13 Vale Royal

P2016/2706/FUL Refurbishment of existing nightclub 'Egg London', comprising of excavation to create basement; erection of a new single storey extension in existing ground floor garden area and formation of part ground floor mezzanine, first and second floor balcony areas; addition of part third floor extension to replace existing raised second floor flat roof at rear of no. 13 Vale Royal; formation of curved louvre structure and concave motif on Vale Royal elevation; reinstatement of main entrance on Vale Royal and closing of existing York Way entrance; and other associated alterations. Granted 11/07/2017

Pre-application advice

6.7 There has been no formal pre-application advice since the appeal decision on the 21st August 2019.

7.0 CONSULTATION

Public Consultation

7.1 Letters were sent to occupants of 530 adjoining and nearby properties on the 13/11/2019. A site notice was displayed on the 11th November 2019 and press advert was published on 6th January 2020. The public consultation of the application expired on 30/01/2020.

7.2 At the time of writing, a total of 125 responses (6 objections/119 letters of support) were received from the public with regard to the planning application.

7.3 The responses can be summarised as follows:

Support

- Tileyard are a unique enterprise hub that provide a valuable resource and any addition to their provision of workspace would be welcomed
- Positive impact for local community
- Benefit to the local economy
- Mixed use space preferable to light industrial
- More office space needed
- Offices bring more employment per square foot than industry
- Well-designed buildings

Objection

Of the objections received, the majority appeared to be objecting to the previous application or exclusively to the neighbouring site, referred to as Big Yellow. It can now be confirmed that only two of the objections are to the current application at the subject site, and the issues can be summarised as follows [*with the paragraphs shown in brackets indicating where this is addressed in the report*]:

- The height and scale of the application is excessive and would result in loss of daylight and sunlight to neighbouring residential occupiers [*paragraphs 9.34 - 9.44 and 9.65 - 9.71*];
- The proposal would result in a loss of privacy and increased overlooking [*9.72-9.73*].

External Consultees

7.4 Thames Water

No objection. If discharge is proposed to a public sewer, prior approval from Thames Water will be required. As the development is within 15m of underground waste water assets, the standard informative referring to the “working near our assets” is recommended.

Standard conditions and informatives on ‘Impact Piling’, groundwater, waste and water.

7.5 London Fire & Emergency Planning Authority

No comment, but standard informatives apply

7.6 TfL

Transport for London were generally supportive of the proposal but requested the following:

- That a Stage 1 Safety Audit undertaken;
- That the cycle parking provision is increased in line with TfL cycle standards and guidelines;
- That a Delivery & Servicing Plan should be provided; and
- A Construction Logistics Plan should be provided in outline form before the application is approved.

The applicant has now addressed the issues raised to the satisfaction of planning officers.

7.7 Camden Council

Raised no concerns with the application.

Internal Consultees

7.10 Design and Conservation

The design has been demonstrably informed by a thorough analysis and appreciation of the complex and transitioning context of the site. This is reflected in a number of key beneficial design responses including:

- the significant set-back of the building line from the York Way edge and thus from the apartment buildings opposite
- an appropriate storey height to this sensitive edge between 12.4m to 14m (to roof ridge), with a maximum height of 22m to the remainder of the building (to plant)
- the referencing of traditional industrial warehouse architecture.

The ground floor has been designed to effectively and actively address the important interface with the public realm and is complemented by suitably animated elevational treatments to this and the upper floors, reflective of the site’s industrial past and its existing and ongoing industrial future.

The roof line has been given due consideration which, given the relatively long views of the site from York Way and from within the streets and buildings within the LSIS, is an important design

consideration. Its roof ridges, gables and roof lights, are reflective of a traditional industrial architectural language that sits compatibly within this industrial and urbanising context.

Within such a transforming and urbanising urban context, given the site is also an integral part of an important employment generating and intensifying LSIS, and given the form and configuration of the building sits comfortably on its site, and the animated elevations and rooflines will contribute to the streetscape ambience, there are no resulting design or conservation objections to this scheme.

7.11 Planning Policy

The following issues were raised with the application as originally submitted.

- There is only a moderate uplift in industrial floorspace, totalling 180sqm;
- Similar to the previous application, the provision of flexi B1 is offered as large floorplates and is clearly designed for B1a use which will suit a large office occupier.

The application has now been amended by increasing the amount of B1c floorspace and reducing the amount of flexible B1 floorspace. Whilst concerns remain about the potential impacts of the proposal on the primary role of the LSIS, the new mix of uses proposed is now considered acceptable when considered against the current development plan policy.

7.12 Access & Inclusive Design

On inclusive design grounds the building itself is largely workable to cater for the diverse and complex needs of London's population. There were a number of concerns relating to the inclusive transport, the proposed cycle store, the basement layout, toilet facilities and egress and emergency provision. All of the points raised have now been addressed to the satisfaction of the Council's Access Officers.

7.13 Public Protection

No objection in principle. The application is for a major redevelopment to the site with a proposed new 5-storey B1 building and A3 café. It is advised that the development would achieve air quality neutral status.

The application includes a noise report with background sound survey. It is noted that a ASHP pump is referred to in the submission along with extraction for the A3 unit and other building services plant for the office space. This should be conditioned accordingly.

The following condition is proposed for a report to verify that the plant complies with the condition above:

*"A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition **. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter."*

The site does have a delivery yard but the following condition limiting hours of deliveries is proposed to minimize impacts for nearby receptors:

"Deliveries, collections, unloading, loading shall only be between the following hours: Monday to Saturday - (08:00 - 20:00); Sundays/Bank Holidays - not at all"

The site is to be redeveloped with a basement across the whole site. This would entail removing much of the made ground off site and there are no areas of soft landscaping proposed. The developer is advised that the advice in the contaminated land report is followed and site waste is disposed of appropriately, a watching brief is kept and a verification report is completed to validate the assumptions of the report. The following condition is advised:

“Prior to any superstructure works commencing on site the details of the following works in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:

a) *A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.*

This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing

b) *Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of any gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination or the current UK requirements for sampling and testing.”*

Finally, the site is surrounded by other commercial office and industrial space on the Islington side and the Maiden Lane estate residential on the Camden side. There will need to be a site specific CMP to set how impacts will be mitigated following the guidance of our Code of Practice for Construction Sites (and any other relevant guidance). This should be via S106 CoPCS response document obligation or condition.

7.14 Energy/sustainability

We recommend the following:

- The applicant should commit to a correctly calculated Carbon Offset contribution of £112,046.80 (121.79 tonnes x £920) as required by Islington CS10 and Environmental Design SPD.
- The applicant should confirm that all external lighting will be LED.
- The applicant should confirm, by thermal modelling, whether the building is at risk of overheating without active cooling but with the inclusion of the mechanical ventilation included in the design.
- The applicant should confirm that there is a protected pipe route from the site boundary to the capped connections and that the development will meet all of the requirements for future connection to a DEN in Appendix 1 of Islington’s Environmental Design SPD.

PLANNING CASE OFFICER COMMENT: The points raised have now been addressed to the satisfaction of the Council's Energy Officer.

7.15 Transport

No objections. Delivery / Servicing Plan, Construction Logistics Plan, Construction and Environmental Management Plan, Travel Plan should all be secured by condition or Section 106 Agreement.

8 RELEVANT POLICIES

National Guidance

- 8.1 The National Planning Policy Framework (NPPF) 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and the National Planning Practice Guidance (NPPG) are material considerations and have been considered as part of the assessment of these proposals.

Development Plan

- 8.2 The Development Plan is comprised of the London Plan 2016, Islington Core Strategy 2011 and Islington Development Management Policies 2013. The following policies of the Development Plan are considered relevant to this application:

8.3 **The London Plan 2016 - Spatial Development Strategy for Greater London**

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.17 Strategic industrial locations

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 4.10 New and emerging economic sectors

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

8.4 Islington Core Strategy 2011

Spatial Strategy

Policy CS6 (King's Cross)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

8.5 Development Management Policies 2013:

Policy DM2.1 (Design)

Policy DM2.2 (Inclusive design)

Policy DM2.3 (Heritage)

Policy DM2.4 (Protected views)

Policy DM5.1 (New business floorspace)

Policy DM5.2 (Loss of existing business floorspace)

Policy DM5.3 (Vale Royal/Brewery Road Locally Significant Industrial Site)

Policy DM5.4 (Size and affordability of workspace)

Policy DM6.6 (Flood prevention)

Policy DM7.1 (Sustainable design and construction)

Policy DM7.3 (Decentralised Energy Networks)

Policy DM7.4 (Sustainable design standards)

Policy DM7.5 (Heating and cooling)

Policy DM8.2 (Managing transport impacts)

Policy DM8.4 (Walking and cycling)

Policy DM8.5 (Vehicle parking)

Policy DM8.6 (Delivery and servicing for new developments)

Policy DM9.1 (Infrastructure)

Policy DM9.2 (Planning obligations)

8.6 Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)

Inclusive Design (Feb 2014)

Inclusive Landscape Design (Jan 2010)

Planning Obligations (S106) (Dec 2016)

Urban Design Guide (Jan 2015)

Development Viability (Jan 2016)

Basement Development (Jan 2016)

Islington Employment Land Study (Jan 2016)

Vale Royal/Brewery Road Locally Significant Industrial Site Height Study (2016)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)

The Control of Dust and Emissions During Construction and Demolition SPG (adopted July 2014)

Character and Context SPG (adopted June 2014)

London Planning Statement SPG (adopted May 2014)

Sustainable Design and Construction SPG (adopted April 2014)

Land for Industry and Transport (Sep 2012)

Emerging Policies

Draft London Plan (Intend to Publish Version), December 2019

- 8.7 The draft new London Plan was published for consultation in December 2017. The consultation period ended on Friday 2 March 2018. In accordance with section 338(3) of the GLA Act, the Secretary of State has appointed a Panel to conduct an examination in public (“EIP”) this opened on 15 January 2019 and continued until May 2019. The Panel of Inspectors made several recommendations to the Mayor on the 8th October 2019 and the Mayor responded on the 9th December 2019 with a version which is intended to be published by March 2020. The Secretary of State has now considered the ‘Intend to Publish’ version and the proposed changes and has made several recommendations, which are referenced in the main body of the Inspectors’ report. Whilst the draft London Plan does not have the full weight of a statutory development plan at this stage, it is capable of being considered a material consideration. The emerging London plan policies have been taken into account. Relevant policies in the emerging London Plan are set out below:

Policy GG2 Making the best use of land	Policy E7 Industrial Intensification, co-location and substitution
Policy GG5 Growing a good economy	Policy SI2 Minimising greenhouse gas emissions
Policy D1 London’s form and characteristics	Policy SI4 Managing heat risk
Policy D2 Delivering good design	Policy SI5 Water infrastructure
Policy D3 Inclusive design	Policy SI12 Flood risk management
Policy D4 Housing standards	Policy SI13 Sustainable drainage
Policy D9 Basement development	Policy T2 Healthy Streets
Policy D13 Noise	Policy T4 Assessing and mitigating transport impacts
Policy E1 Offices	Policy T5 Cycling
Policy E2 Low cost business space	Policy T6 Car parking
Policy E4 Land for industry, logistics and services to support London’s economic function	Policy T7 Freight and Deliveries, servicing and construction
Policy E6 Locally Significant Industrial Sites	

It is worth noting at this point that the Secretary of State has written to the Mayor of London setting our various directions to alter aspects of the emerging London Plan. It is not known at this stage what response the Mayor will make to the directions, which include altering the no net loss of industrial space provisions in the emerging plan. In any event, given what is proposed by the Applicant the direction does not alter the assessment in this case.

Draft Islington Local Plan 2019

- 8.8 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020. Due to the constraints posed by Covid-19 crisis, it is anticipated that the Examination hearings are likely to take place in September 2020.
- 8.9 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
- and the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

8.11 Emerging policies relevant to this application are set out below:

Policy SP3 Vale Royal/Brewery Road Locally Significant Industrial Site	Policy S9 Integrated water management and sustainable design
Policy B1 Delivering a range of affordable business floorspace	Policy T1 Enhancing the public realm and sustainable transport
Policy B2 New business floorspace	Policy T2 Sustainable transport choices
Policy B3 Existing business floorspace	Policy T3 Car-free development
Policy S1 Delivering sustainable design	Policy T5 Delivery, servicing and construction
Policy S2 Sustainable design and construction	Policy DH1 Fostering innovation while protecting heritage
Policy S3 Sustainable design standards	Policy DH4 Basement development
Policy S4 Minimising greenhouse gas emissions	
Policy S8 Flood risk management	VR1 Fayer's Site, 202-228 Tileyard Road, 22-23 Tileyard Road, 196-200 York Way

9 EVALUATION

Land use

- 9.1 The site is currently occupied by vacant buildings including: 22-23 Tileyard Road (The Abattoir Building), a two-storey former warehouse building, recently subject to a planning consent for refurbishment along with a three-storey roof, and five-storey side extension to create circa. 2,100sqm of B1 space; and the northern part of the Fayers Building (a former plumber's merchants), including a small area of surface parking at the junction of York Way and Tileyard Road. The existing Abattoir Building extends to 993sqm GIA; and the Fayers Building within the application site extends to 1,077sqm GIA.
- 9.2 As opposed to the previous application submitted for this site, which was refused at the 2019 appeal inquiry, this scheme is proposed as a standalone planning application. There is a separate live planning application by Big Yellow (P2019/3410/FUL) for the neighbouring site, which was previously included in the scheme dismissed at appeal (P2018/2355/FUL). The neighbouring site occupies the larger southern section of the 196-228 York Way site, including the former Egg night club.

Policy context

- 9.3 The NPPF includes requirements for planning policies and decisions to build a strong, competitive economy. Paragraph 82 of the 2019 NPPF states that "planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations".
- 9.4 The Vale Royal/Brewery Road Locally Strategic Industrial Site (LSIS) is within close proximity to the CAZ, and serves a strategic purpose to Central London's businesses and the wider borough economy. Vale Royal/Brewery Road LSIS has a longstanding history of industrial activity dating

back to the late 19th Century. It was identified as an Industrial Priority Area in Islington's Development Plan dating back to 1982, where investment on industrial uses were prioritised in the area to support the increasing industrial activity in the area. The current Development Management Policies (DMP, 2013) LSIS designation on the Vale Royal/Brewery Road area was carried over from the Unitary Development Plan (UDP, 2002) which recognised this area as an Industrial and Warehousing Area (IAWA), with policies focusing on safeguarding B2 and B8 uses and land.

- 9.5 Current Core Strategy Policy CS6 (part D) identifies the Vale Royal/Brewery Road area as the only locally significant concentration of industrial warehousing/employment land in the borough. Policy CS13 (part B) explains that the borough has designated the Vale Royal/Brewery Road LSIS to provide employment space and to retain space that is suitable for industrial/warehousing/employment land.
- 9.6 Islington's Core Strategy (ICS, 2011) policies CS6 (part D) and CS13 (part B) for the Vale Royal/Brewery Road LSIS set out the objectives for this LSIS designation and the appropriate land uses that are suited to industrial and warehousing uses, in line with the primary economic activity of the area; ensuring that new development proposals enhance the area's potential to retain industrial capacity. This is reiterated in policy DM5.3 of the Council's Development Management Policies (DMP, 2013), that is specifically concerned with the Vale Royal/Brewery Road LSIS. Part A of this policy states that the council supports the retention and intensification of uses appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes). Part B protects the Vale Royal/Brewery Road LSIS from loss or reduction of B1c, B2 and B floorspace. Part C states that proposals will be also resisted where they would have a detrimental individual or cumulative impact on the area's primary economic function. Para 5.22 explains that proposals for uses which complement and support the economic and employment role of the LSIS will be considered acceptable "where there is no impact on its primary economic function". Offices are given as an example of the type of use which may fall into this category.
- 9.7 In relation to current regional policy, the London Plan (2016, consolidated with alterations since 2011) and the Land for Industry and Transport Supplementary Planning Guidance (2012) together establish the Mayor's approach to industrial land management. London Plan Policy 4.4 states boroughs should adopt a rigorous approach to industrial land management to ensure a sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London, including for good quality and affordable space. The SPG identifies Islington as a borough of "restricted transfer" - the strongest protection for industrial land. London boroughs categorised under the "restricted transfer" category typically have low levels of industrial land relative to demand and that the loss of industrial sites to other uses should be resisted in LSIS designations. This categorisation has changed in the new London Plan (London Plan – intend to publish version – December 2019) which assigns the "retain" category to Islington, meaning that development should seek to intensify industrial floorspace capacity "following the general principle of no net loss across designated SIL and LSIS".
- 9.8 The new London Plan confirms the above need through policy E4, which is in place to ensure that a sufficient supply of land and premises exist in different parts of London, to meet current and future demand for industrial and related functions. Para 6.4.1 notes that "London depends on a wide range of industrial, logistics and related uses that are essential to the functioning of its economy and for servicing the needs of its growing population, as well as contributing towards employment opportunities for Londoners". Para 6.4.7 identifies the "need to provide essential services to the CAZ and Northern Isle of Dogs and in particular sustainable 'last mile' distribution/logistics, 'just-in-time' servicing (such as food service activities, printing, administrative and support services, office supplies, repair and maintenance) ...".
- 9.9 Policy E4 (part C) of the new London Plan states that "The retention, enhancement and provision of additional industrial capacity across the three categories of industrial land set out in Part B should be planned, monitored and managed. Any release of industrial land in order to manage issues of long-term vacancy and to achieve wider planning objectives, including the delivery of strategic

infrastructure, should be facilitated through the processes of industrial intensification, co-location and substitution set out in Policy E7 Industrial intensification, co-location and substitution

- 9.10 The supporting text of the Policy E4 (para 6.4.5) explained that the floorspace capacity is defined as “either the existing industrial and warehousing floorspace on site or the potential industrial and warehousing floorspace that could be accommodated on site at a 65 per cent plot ratio (whichever is the greater)”. A direction by the Secretary of State has since requested removal of reference to the 65% plot ratio but the Plan still addresses the need to retain provide sufficient industrial, logistics and related capacity through its policies. Part D of E4 states that the retention, enhancement and provision of additional industrial capacity should be prioritised in locations with certain characteristics, such as those that are accessible to the strategic road network; provide capacity for activities such as logistics, emerging industrial sectors or essential industrial-related services that support London’s economy and population; provide capacity for micro, small and medium-sized enterprises; are suitable for ‘last mile’ distribution services to support large-scale residential or mixed-use developments; and support access to supply chains and local employment in industrial and related activities.
- 9.11 Policy E6 requires London boroughs to designate and define boundaries for Locally Significant Industrial Sites, making clear the range of industrial and related uses acceptable in the LSIS to include, where appropriate, hybrid or flexible space under use classes B1c/B2/B8 that is suitable for SMEs. The New London Plan encourages all boroughs to explore the potential to intensify industrial activities on industrial land to deliver additional capacity. (para 6.7.1 of the supporting text to policy E7). Policy E7 instructs both borough local plans and development proposals to be proactive and encourage the intensification of industrial (B1c, B2, B8) uses on all categories on industrial land (meaning SIL, LSIS and non-designated industrial sites) through various measures.
- 9.12 The Mayor’s current approach towards protection of industrial land is underpinned by robust evidence, including the London Industrial Land Demand Study (LILDS, 2017), the London Industrial Land Supply and Economy Study (LILSES, 2015) and The Industrial Land and Transport Study (ILTS, 2017). Para 6.4.4 from the new London Plan indicates that there will be positive net demand for industrial land in London over the period 2016 to 2041, mostly driven by strong demand for logistics to service growth in London’s economy and population. The LILSES (2015) calculates that Islington has released significantly more industrial land than the benchmark set out in the Land for Industry and Transport SPG (2012). However, the actual release has exceeded the 0.3ha benchmark recommended, by the Land for Industry and Transport SPG for 2011-2031, by 462% in just the period from 2011-2015, with further losses reported between 2015 and 2018. Islington’s Employment Land Study (ELS, 2016) also highlights the large losses of industrial land in recent years – 436,000sqm between 2000 and 2012. In addition, the ILTS (2017) concluded that the release of industrial land could have a negative impact on the efficient operations of the firms affected by land release; the labour market, if firms have to relocate a significant distance; the ability to achieve service level agreements and supply chain impacts on third parties more generally; and traffic congestion, air quality and emissions and road safety issues.
- 9.13 The Vale Royal/Brewery Road LSIS accommodates many of type of uses suggested in the Mayor’s evidence, including activities that provide for the expanding Central London business market. Such activities may also exist alongside more traditional forms of industrial uses, as well as emerging forms. The uses identified include:
- companies supplying logistics and sound equipment for live events;
 - props hire companies;
 - artisan bread makers;
 - catering companies;
 - distribution companies (wine distributor);
 - a graphics company who design and manufacture hoardings; and
 - photographic and sound recording studios.

- 9.14 The Inspector's report of the London Plan EiP (2019) confirms that there is merit in taking forward the overall approach set out in policies E4 to E7. Moreover, it recommends strengthening criterion included in policies E4 and E7 to make clear that a sufficient supply of industrial land and premises should be provided as well as maintained, and to ensure that the plan is effective in protecting all viable industrial uses, including those occupied by small businesses, in the future. The Secretary of State has since written to the Mayor of London directing the London Plan, in particular through Policies E4 to E7 to be less restrictive and more 'proportionate' in its requirements to retain industrial capacity and land. As such, reference to the 65% plot ratio would be removed, though the Plan should still address the need to provide sufficient industrial, logistics and related capacity through its policies.
- 9.15 Islington's emerging Local Plan policies consider the latest employment and industrial land evidence base both at local and regional levels, in line with national policy. In response to the new London Plan, Policy SP3 part A of Islington's emerging Local Plan identifies the principal objective of the Vale Royal/Brewery Road LSIS as being "to retain industrial land and intensify B1c light industrial, B2 general industry and B8 storage and distribution uses", while part C from this policy states that "any proposal which introduces additional offices, regardless of whether there is an existing office use on site, and which does not result in the building being in predominantly industrial use, will be refused." Part D expressly confirms the council's continuing support for music and entertainment industries in the area such as Tileyard Studios, and reiterates that any proposals for potential expansion and renovation of existing buildings need to be in line with land use policies defined in part A and C.
- 9.16 Policy B2, from the emerging Local Plan sets out that the overriding priority land uses in LSIS designations are industrial uses (B1(c), B2, B8 and Sui Generis uses which are akin to industrial uses). The retention and intensification of industrial uses and existing clusters of industrial activity in LSISs will be required as part of any proposal within a LSIS. The provision of hybrid space is supported. The development of office use may be permissible as part of a hybrid workspace scheme, but it must only constitute a small proportion of the overall gross floorspace proposed.
- 9.17 Emerging local policies consider that the introduction of a large quantum of non-industrial uses would over time undermine the primary industrial economic function and compromise the future growth of LSISs and will therefore not be permitted unless they are clearly ancillary to a proposal. The provision of hybrid space in LSIS designations is also referenced in Policy SP3, part B, that encourages the provision of a range of flexible industrial uses including those suitable for SMEs, in line with policy E6 from the new London Plan. It is worth noting at this point that the Secretary of State has written to the Mayor of London setting out various directions to alter aspects of the emerging London Plan. It is not known at this stage what response the Mayor will make to the directions, which include altering the no net loss of industrial space provisions in the emerging plan. In any event, given what is proposed by the Applicant the direction does not alter the assessment in this case.

Assessment

- 9.18 The proposal does not involve net loss of industrial floorspace, which is in accordance with part B of Policy DM5.3. However, the quantum of B1 open floorspace proposed outweighs the amount of space exclusively dedicated to industrial uses. Flexible B1 use is still the main use proposed, with a proportion of 73.7% of the overall development, or 4,961sqm over 1,647sqm of B1c. Open B1 use could include the provision of light industrial (B1c), research and development facilities (B1b) but also of office space (B1a). It should be noted however, that the policy aspiration for industrial uses to be the predominant use on all development proposals in the LSIS does not form part of adopted policy, rather it is an aspiration of the emerging Local Plan policies which have not been adopted and are not given full weight yet.
- 9.19 More critical to the assessment of the proposal here is considered to be the adopted Development Management Policies and Core Strategy Policies referred to above, the adopted London Plan (2016, consolidated with alterations since 2011) along with the Land for Industry and Transport

Supplementary Planning Guidance (2012) as well as the New London Plan, which although not fully adopted has undergone examination and thus carries more weight than the emerging Local Plan. The application maintains and enhances industrial floorspace on site by proposing an uplift from 1,077sqm to 1,647sqm in accordance with adopted local policy. It can be confirmed that the application site measures 0.18 hectares or 1,800sqm. The 'Intend to Publish' version of the London Plan sought a no overall net loss of overall industrial capacity and referred to a 65% plot ratio as a benchmark, i.e. 65% of the overall site area should be retained as industrial floorspace. While the direction by the SoS advises removal of the 65% plot ratio reference and directs a more flexible approach, the overall aim of providing sufficient industrial and logistics capacity remains so the benchmark still provides a useful exercise. Potential industrial and warehousing floorspace that could be accommodated on site at a 65% plot ratio is approximately 1,172.9sqm, a slightly larger capacity than the existing industrial floorspace. The application proposes 1,647sqm of light industrial (B1c) floorspace, which is considerably above the London Plan's industrial floorspace capacity threshold 65% plot ratio and would thus be considered in accordance with the emerging New London Plan in this regard.

- 9.20 Consideration is also given to Islington's Core Strategy Policy CS6 (King's Cross). Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and accommodation for small enterprises will be particularly encouraged. This is echoed by Core Strategy Policy CS13, which requires new business floorspace to be flexible to meet future business needs and for proposals to offer a range of unit types and sizes, including those suitable for SMEs. The proposals include a wide range of flexible office and industrial units from small (50sqm) units suitable for SMEs to larger office floorplates which maximise employment capacity. The proposal also includes generous floor-to-ceiling heights and suitable on-site servicing and delivery providing flexible business floorspace for a diverse range of potential occupiers in line with planning policy.
- 9.21 Finally, the site allocation schedule of the emerging local plan identifies the site as VR1 and recommends the following: the retention and intensification for industrial uses (B1(c), B2 and B8) to contribute toward the delivery of the strategic priorities for the Spatial Strategy area; that building heights should not exceed five storeys; that the prominent corner location of site warrants a high quality, well-designed building; and that a new proposal should be designed to continue off-street servicing.
- 9.22 This application has been assessed against the adopted and new London Plan which has now reached an advanced stage of preparation. It has also been considered against the adopted as well as the emerging Local Plan policies (contained in the Strategic and Development Management Policies document). While the proposal does not meet the expectations of the emerging Local Plan as the proposal is predominantly for flexible B1 use, the planning application does accord with adopted planning policy by retaining and intensifying industrial floorspace as well as providing floorspace suitable for SMEs. The application is considered to satisfy the intention of retaining industrial capacity in accordance with the new London Plan. The increase in industrial floorspace makes a contribution to the approach in policy E4 to provide a sufficient supply of industrial land, in light of the quantum increase of flexible B1 floorspace. As such, the planning application is considered to be acceptable and in accordance with Islington's Policy DM5.3, Core Strategy Policy CS6 and CS13, London Plan Policy 4.4 and London Plan's Land for Industry and Transport SPG.

Design

- 9.23 The National Planning Policy Framework (NPPF) states that the Government attaches great importance to the design of the built environment and that good design is a key aspect of sustainable development. All proposals for development in Islington are expected to be of good quality design, respecting their urban context in accordance with planning policy and guidelines. The London Plan Policy 7.6 (Architecture) expects architecture to make a positive contribution to a coherent public realm, streetscape and wider cityspace. It should incorporate the highest quality materials and design appropriate to its context. Moreover, buildings and structures should be of the

highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and comprise details and materials that complement, not necessarily replicate, the local architecture.

- 9.24 Islington's Core Strategy Policy CS8 (Enhancing Islington's character) states that the scale of new development will reflect the character of a surrounding area. Policy CS9 (Protecting and enhancing Islington's built and historic environment) states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric and by reconfiguring spaces based on streets and perimeter blocks.
- 9.25 Development Management Policy DM2.1 (Design) requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place.
- 9.26 Finally, Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g. how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages.
- 9.27 Islington's emerging Local Plan Policy SP3 (part G) states that '(d)development on York Way or Vale Royal, in proximity to the Maiden Lane tower adjacent to the western boundary of the LSIS, must be clearly sub-ordinate in height'. Furthermore, that '(g)iven the narrow street profile of York Way and Vale Royal, proposals should avoid creating a canyon effect through appropriate set back; and by stepping down heights to avoid adverse impacts on local character and the street scene'. The supporting text of the policy refers to the urban design and character assessment that was undertaken for the LSIS and its wider context (LSIS Heights Study), which concluded that a maximum height of 5 commercial storeys would be appropriate in the LSIS. It also concluded that buildings of over 5 storeys may have a negative impact upon the scale of the streets within the LSIS and may appear overbearing, due to narrow road widths.
- 9.28 Finally, Development Management Policy DM2.4 requires strategic views of St Paul's to be protected and enhanced. View LV7, which is the view from Dartmouth Park to St Paul's goes over the industrial site (LSIS).

Context

- 9.29 The surrounding part of the LSIS is characterised by low-rise industrial buildings of predominantly two – four storeys. The buildings are generally modest and simple rather than architecturally distinguished and there is a broad homogeneity to the area through broadly consistent heights and industrial, low-rise architecture. Practical and robust elevations, commonly in brick and render, are the predominant 'language' coupled with punched fenestration including loading bays.
- 9.30 An exception to this prevailing height, form and language is the emerging redevelopment of the Fitzpatrick building. This is of a contemporary architectural language and is to comprise a relatively tall commercial building being part 7, 8 and 9 storeys. It is however located to the southernmost edge of the LSIS, on the prominent corner of York Way, a primary route, with Vale Royal, opposite the 19 storey residential tower to the western edge of York Way. It is also located at a lower AOD than the application site.
- 9.31 Opposite the site, to the western side of York Way, and within the London Borough of Camden, lie recently redeveloped buildings that form part of the Maiden Lane Estate. These buildings range in height (residential storey heights) from 5, 6 and 7 storeys, culminating at the southern end with a 19 storey tower.

- 9.32 York Way is a heavily trafficked, primary north-south route that connects this intensively urbanising Kings Cross environment to the south with multiple neighbourhoods and local centres in north London and beyond. It is experiencing a high level of transformational change including urban intensification as the effects of the commercially and culturally successful transformation of the King Cross area ripple out into adjacent localities. York Way is currently in the process of being transformed from a vehicle dominated through-route to an attractive and lively urban street. Any proposal for development along its edges must therefore respond to and help facilitate this positive transformation.
- 9.33 The area is characterised by industrial buildings, warehousing and railway infrastructure. There are some residential buildings to the north and opposite the site. The buildings are of varying age but in Vale Royal and Tileyard Road predominantly date from the 20th century. There is a variety of materials, but brick tends to predominate with some render and concrete too. Although there is an element of variety in ages and materials, there is a stronger sense of a prevailing scale with buildings mainly being 2 to 4 storeys high. The London Borough of Camden has taller buildings with the XY building and Maiden Lane housing on York Way, although this is not representative of the area.

Assessment

Height and Scale

- 9.34 The height, bulk and massing are considered to be contextually appropriate and adhere, where relevant, to the key Urban Design Guide (UDG) objectives required to enhance Islington's urban structure. These include responding to the street pattern, reducing the impact of vehicles of the built environment, creating safe streets and spaces, responding to the qualities of the traditional building hierarchy, and respecting the established order and local character of the urban form. The heights do not result in any part of the new building penetrating the protected view corridor LV7.
- 9.35 The approach to height, bulk and massing across the site has been partly informed by the daylight constraints and considerations to the adjacent residential buildings, as established by the Planning Inspector in the recent appeal decision affecting the site. This revised proposal results in a significant reduction in height and mass, as well as a reconfiguration of the building, and building line compared to the previous appeal scheme. Consequently, the proposal creates a significantly enhanced public realm by setting the building line back on the corner of York Way and Tileyard Road and improving the quality and functionality of the adjoining public realm as a result.



View of Proposal Looking South along York Way

9.36 The proposal is expressed as two inter-related buildings with a lower, and significantly smaller, 3 storey frontage building facing onto York Way with a larger and taller, 5-storey building sitting to its rear, with a prominent return frontage onto Tileyard Road to the site's northern edge. The maximum height of the 5-storey element is 22m, a significant reduction to the recently-refused scheme that rose to 29m in height.

9.37 Heights of the proposed building along York Way range from between 12.4m and 14m, while the taller element as it faces onto Tileyard Road ranges between 19m and 22m to the pavement edge (height variations are due to the pitched roof with gable form). Given the animated roof forms and the associated heights coming forward, plus having regard to the primary position the site has in relation to the broader context, including the movement and spatial hierarchy of the LSIS, it is considered that the heights as proposed are acceptable.



View of Proposal from Tileyard Road

Elevational treatment and materiality

9.38 The elevation to York Way includes a three storey element with a double pitched roof with the gable ends facing York Way. The Tileyard Road façade comprises a five storey element with a quadruple pitched roof and accentuated gable ends facing Tileyard Road. Plant is positioned to the south side of this part of the building, at roof level.



York Way Elevation

- 9.39 These gabled facades and pitched roof lines to both York Way and the Tileyard frontages echo a traditional industrial form and language common throughout England. It has been successfully reinterpreted in a very modern idiom by the renowned architect David Chipperfield to an artist studio complex to Vale Royal just to the south-east of the site. The architectural language for this scheme has adopted an industrial pastiche throughout, strongly referencing 19th century warehouse architecture. The elevations are therefore highly ordered and follow a defined grid comprising three window bays per 'module'. The windows are multi paned, also reflecting a traditional pastiche.



Tileyard Road Elevation

- 9.40 The building has a well-defined elevational 'order' with a clearly expressed base, middle, and top. The base (ground floor), is markedly taller than each upper floor and includes expansive floor to ceiling windows/doors. These base elements are considered to positively impact on the streetscape by animating the development at its critical interface with the public realm while adding to the building's inherent legibility and quality.
- 9.41 The first and second floors contain uniformly proportioned windows, traditionally designed, with brick arch window heads and deep reveals, accommodating three windows per 'bay'. The third floor is transitional in design terms. It responds to the fenestration patterning to the floors below but, within each bay, contains a central window of a markedly taller proportion, or a blind / bricked-up window in the case of the York Way elevation. This then pairs with the single elongated window (per bay) to the top (4th) floor on the Tileyard Road elevation, beneath the roof form's apex, giving this top floor a markedly different appearance to the middle and base floors below.
- 9.42 The rear of the building, to the eastern edge, changes its language with a projecting bay that extends from floors 1 - 3 for part of the rear elevation. It is dressed in a stitched zinc skin which effectively contrasts with the dominant brick. The southern flank will be visually exposed from vistas looking north up York Way until such time as a development comes forward on the site to its south. However, the design of this flank is considered broadly acceptable given the degree of set back from the pavement edge, the interrelationship between the three and 5 storey elements, the articulated roof forms and elevations, and the use of London stock brick. All these elements are collectively experienced from York Way, moving and looking north. They will therefore help to effectively mitigate the impact of this expanse of 'dead' façade as experienced from the public realm.



Proposed Eastern Elevation

- 9.43 While it is likely that the site to the south, 196 – 228 York Way, that formed part of an earlier comprehensive redevelopment scheme that was recently refused planning permission, will come forward for redevelopment in time, the application has been assessed and found to be satisfactory on a standalone basis, and without regard to the effect of a possible adjacent scheme on this exposed southern flank. In leaving the southern flank blank, the applicant is also having regard to the neighbouring site on the understanding that it will also be coming forward for a major redevelopment in time.
- 9.44 The roof form is a particularly strong architectural element of the scheme design echoing a long established and traditional industrial form with its gable ends, multiple pitches and extensively glazed roof lights. The roof form is considered to add visual interest to the streetscape and to beneficially reflect the nature of the uses within the building and the broader LSIS. This also adds to the legibility of place whereby the building ably announces its industrial past and present. As such it accords with the guidance contained within the Urban Design Guide, which requires for rooflines to respond to the articulation of the rest of the façade and to reflect the rhythm, harmony and scale of the longer street frontage.

Materiality

- 9.45 The dominant material is proposed to be a London stock brick. This is considered appropriate for the typology, the architectural language, the nature and character of the LSIS, and this prominently positioned inner urban context. The rear (eastern elevation), which does not front onto a public street, contains a substantial projecting element to the southern section of the façade, to the first to third floors. This is proposed to be clad in stitched zinc panelling, interspersed with rhythmically patterned fenestration. The material proposed to this element is considered acceptable and beneficially adds some richness and intrigue to the elevational treatment of the totality of the building.
- 9.46 The materials proposed for the fenestration are also acceptable being steel-framed, double glazed, openable metal windows and doors, in a ‘gunmetal grey’ colour. The roof ridges will contain aluminium-framed double-glazed roof lights with steel insulated profile roofing panels between steel roof trusses edged with pre cast coping. These materials are considered suitably robust and reflect the traditional warehouse architecture coming forward and the character and context of the LSIS. In the event of planning permission being granted, a condition would require submission of materials and samples to be agreed by the Council.

Impacts on Heritage Assets

- 9.47 Part of the site lies within the Dartmouth Park Hill to St Paul's Cathedral Local View Corridor – designated as LV7. This corridor is highly sensitive to physical intrusions and change within and adjacent to its cone. The applicant has submitted a detailed TVIA. This clearly demonstrates that the development, with a maximum height of 22m AOD, will not be visible within the view corridor and therefore will not have any detrimental impact upon it.
- 9.48 The site is located in the vicinity of the Camden Square Conservation Area which lies to the north west of the site (in the London Borough of Camden), to the junction of York Way with Maiden Lane. While the development will be partially visible as viewed from the edge of this Conservation Area, given the architectural approach, the disposition of the height, bulk and mass across the site, and the use of good quality materials, it is considered that it will not have any adverse impact on its setting.
- 9.49 The other heritage asset within the locality of the site is the Grade II* Listed Caledonian Market Clock Tower. This is located to the north of the LSIS area, within the Caledonian Park, to the north side of Market Road. It is an important Landmark of material significance. Any development coming forward within the LSIS must therefore have regard to its setting and protect the views to and from it. This application will not have any adverse impact on the setting of this Landmark and is not positioned where there are views of it. Therefore, there is no harm arising on the landmark as a result of this proposal.



View from York Way

Conclusion

- 9.50 It is considered that the design has been demonstrably informed by a thorough analysis and appreciation of the complex and transitioning context of the site. This is reflected in a number of key beneficial design responses including:
- the significant set-back of the building line from the York Way edge and thus from the apartment buildings opposite
 - an appropriate storey height to this sensitive edge between 12.4m to 14m (to roof ridge), with a maximum height of 22m to the remainder of the building (to plant)
 - to the referencing of traditional industrial warehouse architecture.
- 9.51 The ground floor has been designed to effectively and actively address the important interface with the public realm and is complemented by suitably animated elevational treatments to this and the upper floors, reflective of the site's industrial past and its existing and ongoing industrial future. The roof line has been given due consideration which, given the relatively long views of the site from York Way and from within the streets and buildings within the LSIS, is an important design

consideration. Its roof ridges, gables and roof lights, are reflective of a traditional industrial architectural language that sits compatibly within this industrial and urbanising context.

- 9.52 Within such a transforming and urbanising urban context, given the site is also an integral part of an important employment generating and intensifying LSIS, and given the form and configuration of the building sits comfortably on its site, and the animated elevations and rooflines will contribute to the streetscape ambience, there are no resulting design or conservation objections to this scheme.
- 9.53 The proposed development is considered to be well-designed, responding successfully to its context and maintaining the setting of surrounding heritage assets. As such, the application is considered in accordance with the objectives of the National Planning Policy Framework Chapter 12 (Achieving well-designed places), the London Plan 2016 policies 7.4 (Local character) and 7.6 (Architecture), Islington Core Strategy 2011 policy CS8 (Enhancing Islington's character) and policy CS9 (Protecting and enhancing Islington's built and historic environment), Islington Development Management Policies DM2.1 (Design), the principles of Islington's Urban Design Guide as well as emerging Islington Local Plan Policy SP3.

Neighbouring Amenity

- 9.54 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan policy 7.6 identifies that buildings should not cause unacceptable harm to the amenity of residential buildings in respect of matters including privacy and overshadowing. Policy DM2.1 of the Development Management Policies Document 2013 identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, impact on direct sunlight and daylight, sense of enclosure and outlook.

Daylight/sunlight

- 9.55 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) Guidelines are 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.
- 9.56 BRE Guidelines paragraph 1.1 states: "*People expect good natural lighting in their homes and in a wide range of non-habitable buildings. Daylight makes an interior look more attractive and interesting as well as providing light to work or read by*". Paragraph 1.6 states: "*The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings*".
- 9.57 Daylight: 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).
- 9.58 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall.

- 9.59 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 lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*
- 9.60 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”.*
- 9.61 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.
- 9.62 Sunlight: The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: *“If a living room of an existing dwelling has a main window facing within 90° of due south, and any part of a new development subtends an angle of more than 25° 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.”*
- 9.63 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.”*
- 9.64 They 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.”*

Assessment

- 9.65 A Daylight & Sunlight Report has been submitted by GIA. The report considers the impact on the residential blocks to the west of the site on Maiden Lane Estate, as the other surrounding sites are in commercial use. The report shows there to be moderate losses of daylight / sunlight on Blocks E and H of the Maiden Lane Estate as a result of the development. The affected residential buildings are shown on plan below:



Plan of Site showing nearby residential properties

9.66 As the two residential blocks are not located directly opposite the application site (with Block E located slightly south and Block H located directly north of the development site), the impacts on daylight and sunlight have been kept to a relatively low level. Moreover, only the windows/rooms located on the northern section of the eastern elevation of Block E and the southern section of the eastern elevation of Block H are affected. The image below shows the proposed building in situ with the affected properties opposite.

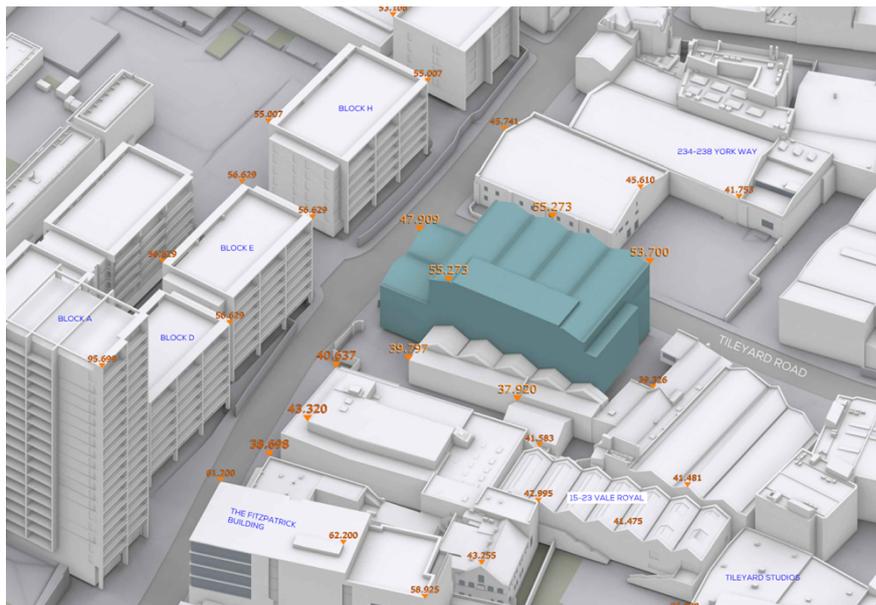


Image showing development in situ with surrounding buildings

9.67 Given the location of existing buildings and the relatively modest size of the proposed development, only 2 No windows, serving bedrooms, on the first floor of Block E, would experience noticeable losses of daylight, i.e. over 20%. The two windows serve rooms whose daylight distribution would not be affected (against BRE standards). None of the other windows within Block E would be noticeably affected. The affected windows and rooms on the first floor in Block E are shown in the table below.

			Vertical Component		Sky	No Sky Line (Daylight Distribution)		
Maiden Lane (Block E)	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
First Floor	R6/W9 Flat 2	Bedroom	15.4	11.6	24.7	84.9	84.9	0
First Floor	R7/W10 Flat 2	Bedroom	18.2	13.8	24.2	94.7	94.7	0

9.68 Similar results are found in Block H, where a number of windows would experience losses of between 20%-30%. In total, of the windows tested in Block H, 7No. would experience losses of daylight above 20% as measured by VSC, but none would experience noticeable losses of daylight distribution.

			Vertical Component		Sky	No Sky Line (Daylight Distribution)		
Maiden Lane (Block H)	Room / Window	Room use	Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	Percentage reduction Daylight Distribution
First Floor	R4/W8 Flat 4	LKD	13.2	9.8	25.8			
First Floor	R5/W9 Flat 4	Bedroom	19.4	14.5	25.3	94.4	85.5	9.4
First Floor	R6/W10 Flat 4	Bedroom	19.2	14.6	24	96.9	89.2	7.9
First Floor	R7/W11 Flat 4	Bedroom	15.9	11.6	27	97.1	93.6	3.4
First Floor	R8/W13 Flat 3	LKD	19	15.1	20.5			
First Floor	R9/W14 Flat 3	Bedroom	15.7	12.1	22.9	96.6	96.6	0
First Floor	R13/W18 Flat 2	LKD	11.9	9.3	21.8	99.2	99.2	0

9.69 Of the 178 windows tested in these two blocks, 166 (93%) would meet BRE target values, with only minor transgressions on those windows not meeting target values. Moreover, all of the rooms would meet target values in relation to daylight distribution. An exercise has been carried out to ascertain the impact of the proposed development with the balconies removed from the Maiden Lane Estate properties, as per paragraph 9.84 of this report. It can be confirmed that in this scenario, none of the windows would experience noticeable losses of daylight or losses beyond the BRE target values.

- 9.70 No. 15-23 Vale Royal is the studio of the artist Anthony Gormley and is located in close proximity to the site, to the south-east. The daylight impacts on this property have been tested and it can be confirmed that there would be no daylight impacts to this nearby property. None of the other neighbouring buildings would experience noticeable losses of daylight as measured by the VSC or daylight distribution.

Sunlight

- 9.71 The GIA report suggests there would be very little impact on sunlight as the windows to the main elevations of Maiden Lane facing the application site are generally not within 90° of due south, and the few windows to the southern flank elevations are already obstructed by their neighbours. However, the some of the windows to the main elevations within Block H are within 90 degrees of due south and have been tested for loss of sunlight. It can be confirmed that none of these windows would experience losses greater than the target values set out in paragraph 9.85 above.

Overlooking

- 9.72 Development Management Policy 2.1 states 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'.
- 9.73 The buildings would face an existing commercial premises to the north and east, and a development site with commercial uses to the south. To the west, the buildings would face Blocks D, E and H of the Maiden Lane Estate. The distance between the interfacing windows would be between 18 and 24m, as such as the minimum distance is not less than 18m and the views are across York Way. It is not considered that residents of the Maiden Lane Estate would suffer from an unacceptable loss of privacy.

Noise

- 9.74 Rooftop plant is proposed for the proposed building and there are surrounding residential occupiers, who would need to be protected from potential noise impacts from plant/equipment. The noise report submitted with the application includes a baseline sound survey which sets out typical background levels for the area. Environmental Health officers consider the report to be acceptable and advise that a standard noise condition be attached if permission were granted to restrict noise from the plant to at least 5dB(A) below the background noise level. Plant noise should be conditioned (11) as below:
- 9.75 *"The design and installation of new items of fixed plant shall be such that, when operating, the cumulative noise level $L_{Aeq Tr}$ 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 $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014."*
- 9.76 As there is no specific information about the proposed plant, a further condition (12) is proposed to ensure plant noise is kept to a minimum:
- "A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition the above-referenced condition. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter."*
- 9.77 Another source of noise and disturbance involves impacts from servicing and delivery. As such, a further condition (18) is proposed in the event of planning permission being granted, which would

require a final Delivery and Servicing Plan to be submitted and approved in writing by the Local Authority in order to minimise impacts from servicing and delivery.

Contaminated Land

- 9.78 The submission includes a land quality report, which provides details of potential land contamination among other things. The site is to be redeveloped with a basement across the whole site. This would entail removing much of the made ground off site and there are no areas of soft landscaping proposed. It is advised that the advice of the contaminated land report is followed and site waste is disposed of appropriately, a watching brief is kept and a verification report is completed to validate the assumptions of the report. In the event of planning permission being granted, a condition (24) to that effect is recommended.

Air Quality

- 9.79 As there is no residential accommodation, the air quality limits are less onerous. The development has no boilers or CHPs listed, only an air source heat pump and the development would thus meet Air Quality Neutral.

Construction Impacts

- 9.80 Finally, the site is surrounded by other commercial office and industrial space on the Islington side and the Maiden Lane estate residential on the Camden side. There will need to be a site specific Construction Management Plan to set out how impacts will be mitigated following the guidance of our Code of Practice for Construction Sites (and any other relevant guidance). This should be via S106 CoPCS response document obligation or condition (5).

Conclusion

- 9.81 In conclusion, the proposed development is not considered to result in undue impacts on neighbouring residential amenity in terms of loss of daylight/sunlight, privacy, or an increased sense of enclosure and overlooking subject to appropriate conditions as detailed above. As such, the application is considered to be acceptable and in accordance with London Plan 2016 policies and Islington Development Management Policy DM2.1.

Highways and Transportation

- 9.82 The site has a low PTAL (Public Transport Accessibility Level) of 2 (low) and is served by only one bus route, the 390 (Archway Station to Notting Hill Gate via Kings Cross) with a southbound bus stop outside the site on York Way, however there are stops for other routes within 1km of the site. Five stations are within 1.3km/15 minutes' walk of the site: Caledonian Road (Underground), Camden Road (Overground), Caledonian Road & Barnsbury (Overground), Kings Cross (Underground, National Rail) and St Pancras (Underground, National Rail and Eurostar). York Way is the northern end of a signposted north-south cycle route to Copenhagen Street. Whilst there are options for public transport within the wider surroundings, the site does not benefit from good access to these and would not normally be considered a sustainable location for high density development. The site is within the Thornhill CPZ with restricted parking on weekdays from 08.30-18.30, and Saturdays 08.30-13.30. York Way (A5200) is a principal borough road but does not form part of the Transport for London Road Network.
- 9.83 Chapter 6 of the London Plan sets out transport policies and locally, Core Strategy policies CS10 and CS18 and chapter 8 of the Development Management Policies set out the Council's transport policies.
- 9.84 The applicants have submitted a Framework Travel Plan which suggests 29% of employees will travel by car initially (based on census data), with the plan aiming to reduce this to 24% by year 5.

The building will have its own Travel Plan Coordinator to promote walking, car-sharing and cycling to reduce car use. The Travel Plan would need to be monitored for a period of five years. If the application were acceptable, this would be secured as part of a section 106 agreement.

- 9.85 Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200sqm, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 9.86 The applicants have submitted a Framework Delivery and Servicing Plan which shows a delivery and servicing vehicular entrance with access from Tileyard Road. Swept path diagrams have been provided showing vehicles entering and exiting the site in forward gear. The existing crossovers on Tileyard Road will be removed, and the footway re-instated along with new on-street parking bays to replace the ones lost to make way for the new vehicular access. If the application were acceptable, this should be secure by section 106 agreement.
- 9.87 The vehicular entrance would be used by cycles, deliveries and refuse collection. In order to reduce potential conflict between cyclists, pedestrians and servicing vehicles, an on-site management team will be employed by the office to manage servicing activity at the site. Moreover, the submitted Framework Delivery and Servicing Plan states that all commercial operators will be provided with written/emailed instructions on how to book deliveries and the procedures to be adopted and suppliers will be encouraged to use smaller transit type vans to deliver goods where possible. Finally, the management team would work with delivery companies (including food retailers) to minimise the number of arrivals per day and to consolidate deliveries, where possible and would ensure that delivery vehicles remain in the vicinity of the site for as little time as required and that vehicle engines are switched off while stationary. A more detailed DSP would be required by condition (18) in the event of planning permission being granted.
- 9.88 The proposed development would be car-free with no parking spaces provided. It will provide 58No cycle spaces at basement level as well as 8No cycle parking space for non-standard cycles with associated showers and lockers. Further Sheffield Cycle stands will be provided for visitors in the public realm.
- 9.89 The proposal is considered to be acceptable in terms of highways impacts and sustainable transport options, subject to conditions on cycle parking, servicing/delivery and construction traffic. The application sets out adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The Council's Highways Officer has raised no objections to the proposal. The proposal would be acceptable in highways terms and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM8.2, DM8.5 and 8.6; and the London Plan SPG Land for Industry and Transport (September 2012). The proposal is therefore acceptable subject to conditions and S106 contributions.

Inclusive design

- 9.90 London Plan policy 7.2 requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime.

- 9.91 The inclusive design officer had initially raised some concerns to the proposed inclusive design and accessibility measures of the proposal, however these have now all been addressed in order to comply with London Plan and Islington Development Management Policies. As such, the basement cycle parking is now served by several lifts, sufficient space is provided for non-standard cycles and the guest cycle parking is provided in the form of Sheffield Cycle stands in the public realm.
- 9.92 In terms of toilet facilities, the plans now show sufficient accommodation for wheelchair users and WCs for ambulant disabled staff and guests, which would be Part M compliant. The doors to the B1c (light industrial) units are now shown to open inwards, i.e. not over ramp or stair, which is supported. Entry doors and corridor widths have been sufficiently-sized to comply with local policies, level access has been provided throughout and two refuge areas have been provided in case of emergency in accordance with guidance.
- 9.93 The application would also include financial contributions towards the provision of wheelchair-accessible parking or accessible transport improvements. As such, it is considered that the proposal has been inclusively-designed in accordance with London Plan Policy 7.2 and Islington DM Policy 2.2 subject to planning conditions (8 and 17) and appropriate section 106 obligations.

Energy and Sustainability

- 9.94 London Plan Policy 5.1 stipulates a London-wide reduction of carbon emissions of 60 per cent (below 1990 levels) by 2025. Policy 5.2 of the plan requires all development proposals to contribute towards climate change mitigation by minimising carbon dioxide emissions through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). London Plan Policy 5.5 sets strategic targets for new developments to connect to localised and decentralised energy systems while Policy 5.6 requires developments to evaluate the feasibility of Combined Heat and Power (CHP) systems.
- 9.95 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN (Energy efficiency standards)

- 9.96 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation.
- 9.97 The proposed U-values for the development are: external walls = 0.15w/m²k, roof = 0.12w/m²k, floors = 0.11 w/m²k and glazing = 1.5w/m²k. These U-values are consistent with (and improvements on) the values suggested in the Council's SPD. The air tightness would be 3.0³/m²/hr.
- 9.98 The Energy & Sustainability Statement specifies LED for all internal lighting with appropriate occupancy sensors. External lighting will be low energy and controlled by timers or daylight sensors. The Council's Energy Team have confirmed the energy efficiency measures to be acceptable.

BE CLEAN (Low-carbon Energy Supply)

- 9.99 Policy DM7.3(B) requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.
- 9.100 The proposed development is not within 500m of an existing or planned DEN and is not required to submit a feasibility assessment of connection. However, it has been confirmed by the application that there will be a protected pipe route to the site boundary to allow future connection to a DEN. Moreover, heating and cooling will be provided by air source heat pumps, which is considered acceptable by the Council's Energy Team.

BE GREEN (Renewable Energy Supply)

- 9.101 The Energy Statement includes a review of biomass, solar thermal, ground source heat pumps and wind turbines which have been discounted for valid reasons. Biomass heating has been discounted due to the biomass/biofuel transportation impact and delivery, access and storage constraints on the site. Adjacency to residential/commercial developments with consequent flue implications also represents a potential constraint. Solar water heating would conflict with the use of a PV system due to the limited roof area available on the building for the installation of panels. A PV system provides a higher carbon reduction than a solar thermal system. Ground source heat pumps (GSHPs) are not considered appropriate for this scheme due to an unbalanced heating/cooling load in the development. Stand-alone wind turbines and roof-mounted wind turbines have been discounted due to the high density of the site and close proximity of surrounding tall buildings, which would reduce the efficiency of any type of wind turbine applicable to the project site. In addition, wind turbines are not considered suitable for the site due to accessibility issues for large delivery vehicles, potential noise impact and shadow flicker and flashes of reflected light on neighbouring residential/commercial properties and public spaces. A 38.4kWp Solar PV array has been proposed for the development with a diagram showing that almost all of the useable roof space has been used. An area of roof has not been included because of a considerable amount of overshadowing from surrounding buildings. This was investigated by the Council's Energy Officer who verified the accuracy of this issue (i.e. the amount of solar panels has been maximised in this instance).
- 9.102 Green Performance Plan: Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation.
- 9.103 A draft Green Performance Plan has been submitted, which includes measurable targets for water, CO2 and energy consumption. This also includes detail of how the data will be collected, responsibility for managing the GPP and arrangements for addressing poor performance in line with the requirements in Islington's Environmental Design SPD.
- 9.104 It is recommended that the S106 Legal Agreement includes the requirement for a final post occupation Green Performance Plan to be submitted the Local Planning Authority following an agreed monitoring period.
- 9.105 Carbon Emissions: Policy CS10A promotes zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 9.106 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO2 emissions reduction target. The final stage of the hierarchy requires developers to:

'...offset all remaining CO2 emissions (Policy CS10) through a financial contribution, secured via a Section 106 agreement, towards measures which reduce CO2 emissions from the existing building stock (e.g. through solid wall insulation of social housing). For all major developments the financial contribution shall be calculated based on an established price per tonne of CO2 for Islington. The price per annual tonne of carbon is currently set at £920, based on analysis of the costs and carbon savings of retrofit measures suitable for properties in Islington.'

- 9.107 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The revised Energy Statement confirms a reduction of 47.4% in CO2 emissions from a 2013 baseline. This achieves the London Plan target. The application also results in a 27.7% reduction in total (regulated and unregulated) carbon emissions from a 2013 baseline, which achieves the policy target of 27%.
- 9.108 The sum of regulated emissions (after Be Lean, Be Clean & Be Green) and the un-regulated emissions are 121.79 kg CO2 per year. Based on the Council's carbon offset figure (£920/tonne). The scheme therefore gives rise to a requirement for a carbon offset contribution of £112,046.80.
- 9.109 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 9.110 Dynamic Thermal Modelling has been carried out using weather data from CIBSE TM49 and assessed against the criteria of CIBSE TM52 as required by Islington planning policy and guidance. This shows that there is a risk of overheating when only natural ventilation is used and as such active cooling is specified.
- 9.111 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litre/sec/ha), where feasible. The London Plan requires that drainage run offs in new developments be reduced by 50% including an allowance for climate change.
- 9.112 The existing site has a run-off rate of 20l/s and the site area is 0.14ha. The proposed development will reduce the drainage run off by use of a below ground attenuation tank. The greenfield run-off rate for the site would equate 1.12l/s, which is considered quite challenging given the absence of land on site to accommodate more ambitious SUDS features. However, the application proposes a run-off rate of 2l/s, which achieves the 50% reduction target set by the London Plan and a condition is proposed (7) in the event of permission being granted to ensure that water run-off rates are minimised through SUDS measures.
- 9.113 There are some green roofs proposed on site but there appears to be more roof space that could accommodate more green roof. This would be suitably conditioned (13) in the event that planning permission is granted.
- 9.114 Thames Water have not raised objections to the proposal in relation to foul or surface water drainage subject to informatives. Further details of Sustainable Urban Drainage would be required by condition (7).

Basement and SUDS

- 9.115 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This

includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E).

9.116 The Basement Development SPD sets out inter alia:

“All basement development will need to be appropriate and proportionate to its site and context.

Basement development should be proportionate in scale to the above ground portion of building, not unduly intensify the use of a site, or cause significant environmental harm.

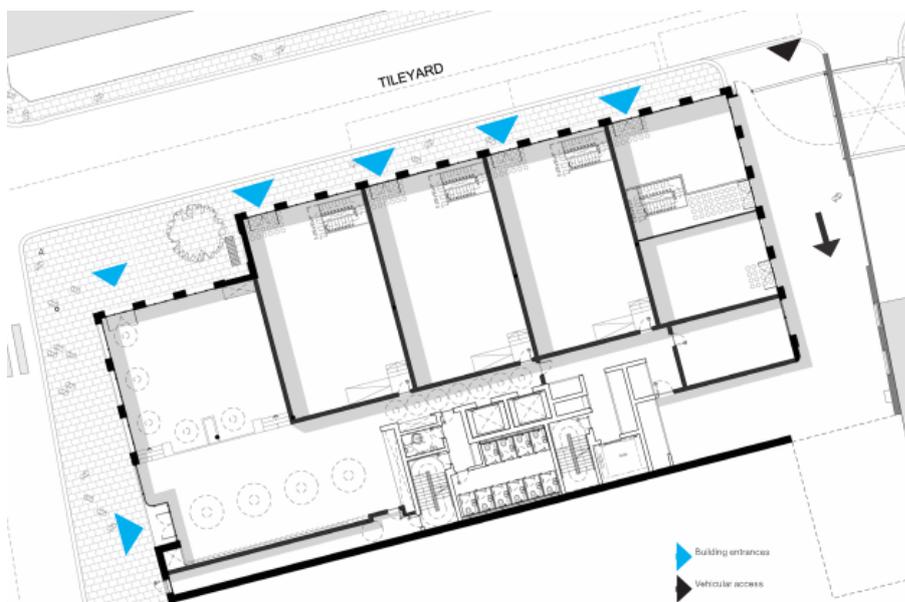
Design of basements and associated structures must be of a high quality and should respect and respond positively to existing buildings; streetscape and the wider context; surrounding heritage assets; and locally distinctive patterns of development and landscape.”

9.117 The extent and depth of the proposed basement accords with the principles of the Basement Development SPD. A Structural Method Statement approved by a chartered Civil Engineer has been submitted. The proposals include excavations at basement level which are considered necessary to enable development and facilitate construction. The Structural Method Statement confirms that the proposed development comprises a steel framed superstructure above a single storey reinforced concrete basement construction. Moreover, the basement will be constructed in insitu reinforced concrete on bored pile foundations supporting structural steel and concrete framed superstructures above ground. This will be conditioned (16) in the event of permission being granted.

Trees and landscaping

9.118 No arboricultural assessments have been submitted in support of the application, however it is unlikely that there would be any impacts on trees as there are no trees on site or in the immediate surroundings.

9.119 The application proposes an increased public realm by widening the pavement and providing a recessed area in front of the front elevation, which would be landscaped. The landscaped area includes the provision of an additional tree as shown on plan below.



Plan showing Public Realm

9.120 In the event of planning permission being granted, a condition (21) would require further details of landscaping to be provided in order to ensure that the landscaping is of an adequate quality and is maintained as such thereafter.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.121 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development. Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.
- 9.122 Islington's CIL Regulation 123 infrastructure list (no longer in place, following recent legislative changes) specifically excluded measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.
- 9.123 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.
- A bond/deposit of £15,732 to cover costs of repairs to the footway and £23,260 for repairs to the highway (total £38,992). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
 - Compliance with the Code of Employment and Training.
 - Facilitation, during the construction phase of the development, of the following number of work placements: 4. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £22,000
 - Compliance with the Code of Local Procurement.
 - Compliance with the Code of Construction Practice, including a monitoring fee of: £4,721 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
 - The provision of 11 additional accessible parking bays or a contribution of £22,000 towards provision of on-street bays or other accessible transport initiatives.
 - A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £112,046.80.
 - The submission of a Green Performance Plan.
 - Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and

future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Payment towards employment and training for local residents of a commuted sum of: £58,481.
- The full demolition of the Fayer's Building prior to commencement of construction works.
- 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.

9.124 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) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10 SUMMARY AND CONCLUSION

Summary

- 10.1 The application site consists of a two-storey warehouse building, a proportion of the Fayers Building (former plumber's merchants) and an open area at the front providing vehicular access to the site. The site is within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS) and is bordered by Tileyard Road to the north and York Way to the west. To the south are a number of warehouse buildings, including the Fayers Buildings, for which there is an existing planning application (P2019/3410/FUL). The site is surrounded on three sides by light industrial buildings typical of the LSIS, whilst to the west is the borough's boundary with the London Borough of Camden, mainly characterised by large apartment buildings.
- 10.2 The proposal is to demolish the existing buildings on site and erect a part 3-, part 5-storey (plus basement) building to create Class B1(c) (light industrial), Class B1 (flexible workspace) and A3 (ancillary café) floorspace, as well as a service yard, cycle parking, plant room, refuse / recycling storage and other ancillary works. The proposed mix of uses, which involves an uplift in floorspace suitable for the LSIS in the form of B1c (light industry) is considered to be in accordance with Islington's Core Strategy (ICS, 2011) policies CS6 (part D) and CS13 (part B) for the Vale Royal/Brewery Road LSIS, Islington's Development Management Policy DM5.3, adopted London Plan (2016) Policies 4.2 and 4.4, the objectives of the Land for Industry and Transport Supplementary Planning Guidance (2012) as well as the new emerging London Plan Policies E4 and E7.
- 10.3 The proposed development is considered to be well-designed, responding successfully to its context and maintaining the setting of surrounding heritage assets. As such, the application is considered in accordance with the objectives of the National Planning Policy Framework Chapter 12 (Achieving well-designed places), the London Plan 2016 policies 7.4 (Local character) and 7.6 (Architecture), Islington Core Strategy 2011 policy CS8 (Enhancing Islington's character) and policy CS9 (Protecting and enhancing Islington's built and historic environment), Islington Development Management Policies DM2.1 (Design), the principles of Islington's Urban Design Guide as well as emerging Islington Local Plan Policy SP3.
- 10.4 The proposed development is not considered to result in undue impacts on neighbouring residential amenity in terms of loss of daylight/sunlight, privacy, or an increased sense of enclosure and overlooking subject to appropriate conditions as detailed above. As such, the application is

considered to be acceptable and in accordance with London Plan 2016 policies and Islington Development Management Policy DM2.1.

- 10.5 The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy.
- 10.6 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development and as such the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

Conclusion

- 10.7 The proposal is considered to comply with local, regional and national planning policy and guidance. It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1– RECOMMENDATIONS.

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.

- A bond/deposit of £15,732 to cover costs of repairs to the footway and £23,260 for repairs to the highway (total £38,992). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 4. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £22,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £4,721 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 11 additional accessible parking bays or a contribution of £22,000 towards provision of on-street bays or other accessible transport initiatives.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount: £112,046.80.
- The submission of a Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Payment towards employment and training for local residents of a commuted sum of: £58,481.
- Full demolition of the Fayer's Building prior to commencement of construction works.

- 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.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	<p>Commencement (compliance)</p> <p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list (compliance)</p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Existing Plans 1515-PP-00-DR-a-01-0099; 0100; 0101; 0102; 0201; 0202; 0203; 0204; 0250; 0251;</p> <p>Demolition Plans 1515-PP-00-DR-a-02-0099; 0100; 0101; 0102; 0200; 0002;</p> <p>Site Location Plan 1515-PP-00-DR-a-00-0001;</p> <p>Proposed Plans 1502-PP-zz-XX-DR-A-10-099 Rev 14; 100 Rev 16; 101 Rev 14; 102 Rev 14; 103 Rev 14; 104 Rev 14; 105 Rev 14;</p> <p>Proposed Elevations 1502-PP-zz-XXDR-A-11-100 Rev 9; 101 Rev 9; 102 Rev 9; 103 Rev 9;</p> <p>Proposed Sections 1502-PP-zz-XX-DR-A-12-100 Rev 9; 101 Rev 9; 102 Rev 9;</p> <p>Detailed elevations 1502-PP-zz-XX-DR-A-20-100 Rev 09; 001 Rev 9; 002 Rev 9;</p> <p>Cycle Store detail 1515-A-SK-009 Revision 01;</p> <p>Cover Letter by CMA Planning dated 30th October 2019;</p> <p>Construction Logistics Plan by Vectos dated February 2020;</p> <p>Construction Logistics and Indicative Programme;</p> <p>Planning Statement by CMA Planning dated October 2019;</p> <p>Stage 1 Road Safety Audit Ref PW/AJP/20/0106 by Vectos dated 3rd February 2020;</p> <p>Area Schedule Revision 4 by Pilbrow & Partners dated 30th January 2020;</p> <p>Sustainability & Energy Statement Revision 1 dated January 2020;</p> <p>Air Quality Neutral Assessment by RPS dated October 2019;</p> <p>Air Quality Assessment by RPS dated October 2019;</p> <p>Daylight & Sunlight Assessment by GIA dated October 2019;</p> <p>Daylight & Sunlight Addendum by GIA dated November 2019;</p>

	<p>Structural Method Statement by Campbell Reith dated November 2019; Design & Access Statement by Pilbrow & Partners Townscape & Visual Impact Assessment by Peter Stewart Consultancy dated October 2019 Ecology Appraisal by RPS dated October 2019; Framework Travel Plan by Vectos dated October 2019; Transport Statement by Vectos dated October 2019; Health Impact Assessment by CMA Planning; Land Quality Statement by Campbell Reith; Noise Impact Assessment by Sharps Redmore; Surface Water Management Plan by Campbell Reith dated 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	<p>Materials and Samples (Compliance and Details)</p>
	<p>CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Window manufacturer's detail including glazing, sections and reveals and sample; b) Details and sample panel of all brickwork; c) Details of all rooftop materials; d) Details of the materiality to the ground floor frontage; e) Details of zinc cladding; f) Details of all entrances and openings; g) Any external boundary treatments; h) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Plumbing (No pipes to outside of building) (Compliance)</p>
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
5	<p>Construction Management Plan and Construction Logistics Plan (Details)</p>
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers</p>

	<p>together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
6	Impact Piling (Compliance)
	<p>CONDITION: No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
7	Sustainable Urban Drainage (Details and compliance)
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec. The details shall demonstrate how the site will manage surface water in excess of the design event, and shall set out a clear management plan for the system. The drainage system shall be installed/operational prior to the first occupation of the development. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
8	Cycle Parking Provision (Compliance)
	<p>CONDITION: The bicycle storage area(s) hereby approved, which shall be covered, secure and accessible and should provide for no less than 58 bicycle spaces and 8No accessible bike stands in the basement and 7 guest cycle spaces (including 1 accessible space) in the public realm, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	Lighting (Details)

	<p>CONDITION: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the superstructure works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.</p>
10	Refuse/Recycling Provided (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 ensure that responsible waste management practices are adhered to.</p>
11	Fixed Plant (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg.</p> <p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided.</p>
12	Noise from Plant (Details and Compliance)
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. The report shall include site measurements of the plant in situ. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided.</p>
13	Green/Brown Biodiversity Roofs
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <ol style="list-style-type: none"> a) how the extent of green/brown roof has been maximised b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and c) 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).

	<p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
14	BREEAM (Compliance)
	<p>CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
15	Energy Strategy (Compliance)
	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, which shall provide for a reduction in carbon emissions of no less than 27.7% as detailed within the revised 'Sustainability and Energy Statement' dated January 2020 shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy features/ measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
16	Basement Excavation Inspection and Monitoring (Compliance)
	<p>CONDITION: The development shall be constructed in accordance with the approved Structural Method Statement unless otherwise agreed in writing.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) with relevant experience shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with Council's Basement Development SPD.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>
17	Inclusive Design (Compliance)
	<p>CONDITION: All inclusive design measures identified within the application submission shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>The inclusive design measures shall be retained as such in perpetuity.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
18	Final Servicing and Delivery Plan (Details and Compliance)

	<p>CONDITION: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
19	Green Procurement Plan (Details and Compliance)
	<p>CONDITION: Prior to the commencement of superstructure works, unless otherwise agreed in writing by the Local Planning Authority, a green procurement plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
20	Lighting and Roller Blinds (Details and Compliance)
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the conservation area 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:</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 blinds are to be set on an automated timer and automatically lowered daily between the hours of 20:00 to 07:00 the following day, and shall cover the full extent of the windows</p> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
21	Landscaping (Details and Compliance)
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the hereby approved development.</p> <p>The landscaping scheme shall include the following details:</p> <ol style="list-style-type: none"> a) a scaled plan showing vegetation to be retained and plants to be planted; b) specification to ensure successful establishment and survival of new planting. c) a schedule detailing sizes, species and numbers of all new trees/plants; d) soft plantings: including grass and turf areas, shrub and herbaceous areas; e) hard landscaping: including surface treatments, permeability of hard surfaces, kerbs, edges, ridge and flexible paving, unit paving, furniture, modular soil systems, steps and if applicable synthetic surfaces; f) a plan showing gradients and step free access suitable for wheelchair users to the entrances of the buildings;

	<p>g) details as to how the landscaping design and materials would result in maximum passive on-site sustainable urban drainage (SUDS);</p> <p>h) any other landscaping features forming part of the scheme.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first available planting season following the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The landscaping and tree planting shall have a two-year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
22	<p>Use of Flat Roofs (Compliance)</p>
	<p>CONDITION: The flat roofs of the development hereby approved shall not be used as amenity spaces and shall not be accessed other than for maintenance.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected.</p>
23	<p>Bird / Bat Boxes (Compliance)</p>
	<p>CONDITION: 3 bat boxes and 3 bird boxes (including swift boxes) shall be installed prior to the first occupation of the development hereby 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.</p>
24	<p>Contaminated Land (Details and Compliance)</p>
	<p>Prior to any superstructure works commencing on site the details of the following works in response to the NPPF and in accordance with CLR11 and BS10175:2011 shall be submitted to and approved in writing by the Local Planning Authority:</p> <p>a) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing</p>

	<p>b) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part a). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of any gas membrane placement.</p> <p>All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination or the current UK requirements for sampling and testing.</p> <p>REASON: In order to minimise the impacts of land contamination.</p>
25	Restrictions of Use
	<p>CONDITION: At least 1,647sqm (GIA) of B1(c) floorspace shall be provided. The B1(c) shall be strictly limited to uses within the B1(c) use class and not for the purposes of Use Class B1a or B1b - of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: To ensure that the use hereby approved is not able to change to B1a via permitted rights allowed under the Town and Country Planning (Use Class) Order 1987 (As Amended) in the interest of preserving the economic function of the Locally Significant Industrial Site.</p>
26	Amalgamation / Subdivision of Units
	<p>CONDITION: The development shall be carried out strictly in accordance with the floorplans so approved, and no change therefore shall take place without the prior written consent of the Local Planning Authority.</p> <p>The commercial units on the ground floor of the building shall not be amalgamated or further subdivided unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The amalgamation or further subdivision of the commercial units is likely to have operational, transportation, aesthetic and amenity implications which would need to be considered under a separate planning application to ensure the provision of premises suitable for small businesses.</p>

List of Informatives:

1	Planning Obligations Agreement
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	Community Infrastructure Levy (CIL)
	<p>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</p>

	<p>Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window.</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 http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
3	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
4	Thames Water (Waste Comments)
	<p>The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>Thames Water requests that the Applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</p> <p>'We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991.'</p>
4	Thames Water (Water Mains)
	<p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.</p>
5	Thames Water (Groundwater)

	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
6	Thames Water (Mains Water Pressure)
	<p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p>
7	Groundwater Risk Management Permit
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing riskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality.</p>
8	Secured by Design
	<p>You are advised that, where relevant, the development hereby approved should incorporate all of the 'Secured by Design' requirements detailed in the 'Commercial Developments 2015' Guide.</p>
9	CIL Informative
	<p>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>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window.</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 http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
11	Highways Requirements (1)
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This</p>

	<p>relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
12	<p>Highways Requirements (2)</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
13	<p>Highways Requirements (3)</p> <p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk</p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p>

	<p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
<p>14</p>	<p>Fire Brigade Requests</p>
	<p>The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied.</p> <p>If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly.</p> <p>The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website.</p> <p>The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2 Development Plan

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

The London Plan 2016 - Spatial Development Strategy for Greater London

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.9 Inner London

Policy 2.17 Strategic industrial locations

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.4 Managing industrial land and premises

Policy 4.10 New and emerging economic sectors

Policy 4.12 Improving opportunities for all

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.9 Overheating and cooling

Policy 5.11 Green roofs and development site environs

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.18 Construction, excavation and demolition waste

Policy 5.21 Contaminated land

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Lifetime neighbourhoods

Policy 7.2 An inclusive environment

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Islington Core Strategy 2011

Spatial Strategy

Policy CS6 (King's Cross)

Policy CS8 (Enhancing Islington's Character)

Strategic Policies

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS13 (Employment Spaces)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)

Policy CS19 (Health Impact Assessments)

Policy CS20 (Partnership Working)

Development Management Policies 2013:

Policy DM2.1 (Design)

Policy DM2.2 (Inclusive design)

Policy DM2.3 (Heritage)

Policy DM2.4 (Protected views)

Policy DM5.1 (New business floorspace)

Policy DM5.2 (Loss of existing business floorspace)

Policy DM5.3 (Vale Royal/Brewery Road Locally Significant Industrial Site)

Policy DM5.4 (Size and affordability of workspace)

Policy DM6.6 (Flood prevention)

Policy DM7.1 (Sustainable design and construction)

Policy DM7.3 (Decentralised Energy Networks)

Policy DM7.4 (Sustainable design standards)

Policy DM7.5 (Heating and cooling)

Policy DM8.2 (Managing transport impacts)

Policy DM8.4 (Walking and cycling)

Policy DM8.5 (Vehicle parking)

Policy DM8.6 (Delivery and servicing for new developments)

Policy DM9.1 (Infrastructure)

Policy DM9.2 (Planning obligations)

Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)

Inclusive Design (Feb 2014)

Inclusive Landscape Design (Jan 2010)

Planning Obligations (S106) (Dec 2016)

Urban Design Guide (Jan 2015)

Development Viability (Jan 2016)

Basement Development (Jan 2016)

Islington Employment Land Study (Jan 2016)

Vale Royal/Brewery Road Locally Significant Industrial Site Height Study (2016)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)

The Control of Dust and Emissions During Construction and Demolition SPG (adopted July 2014)

Character and Context SPG (adopted June 2014)

Sustainable Design and Construction SPG (adopted April 2014)

Land for Industry and Transport (Sep 2012)

London Industrial Land Supply & Economy Study (2015)

Industrial Intensification Primer (2017 Draft)