



## PLANNING COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	<b>B2</b>
<b>Date:</b>	27 May 2021		

Application number	P2020/1891/FUL
Application type	Full Planning Application
Ward	Caledonian
Listed building	N/A
Conservation area	No
Development Plan Context	Kings Cross Key Area Local Cycle Routes Local View from Dartmouth Park Hill Vale Royal & Brewery Road Locally Significant Industrial Site
Licensing Implications	N/A
Site Address	43 - 53 Brewery Road, London, N7 9QH
Proposal	Replacement and extension of rear portion of building at ground and first floors, creation of larger loading bay at ground floor facing Brandon Road, extension of building at second, third and partial fourth and fifth floors, re-cladding of front and rear elevations and provision of lift run and plant on roof, in association with use of building for Class B8 (self-storage) purposes

Case Officer	Stefan Kukula
Applicant	A&A Self-Storage Ltd
Agent	Jon Dingle Ltd

### 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 (site outlined in red)**

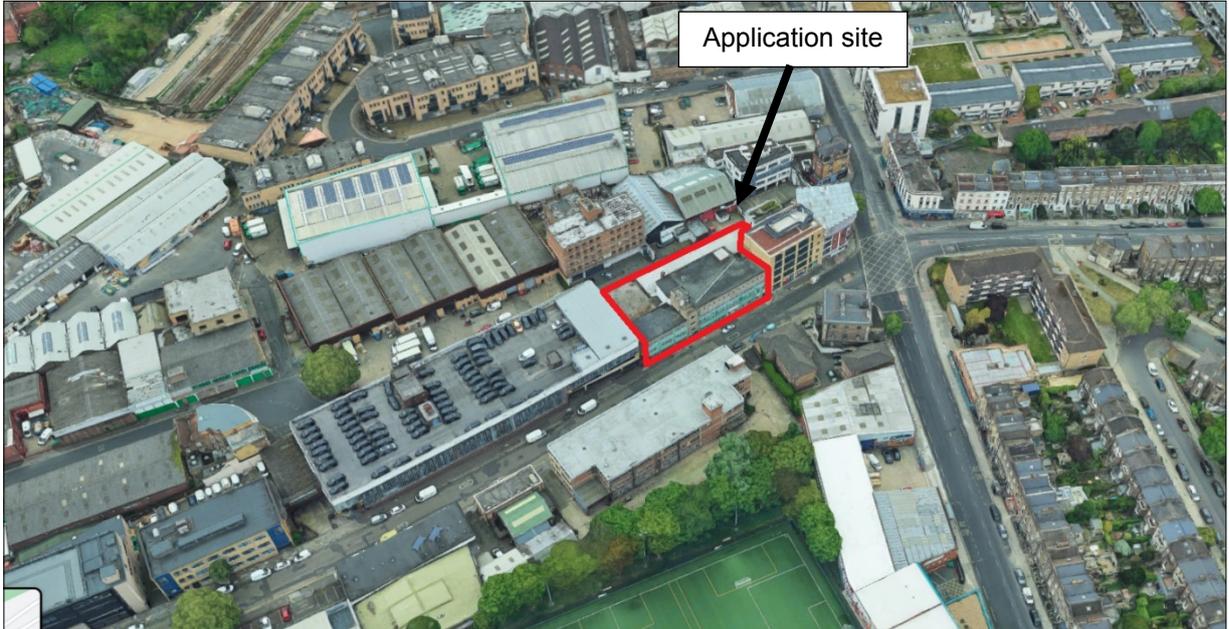


*Figure 1: Site Location Plan*

**3. PHOTOS OF SITE/ STREET**



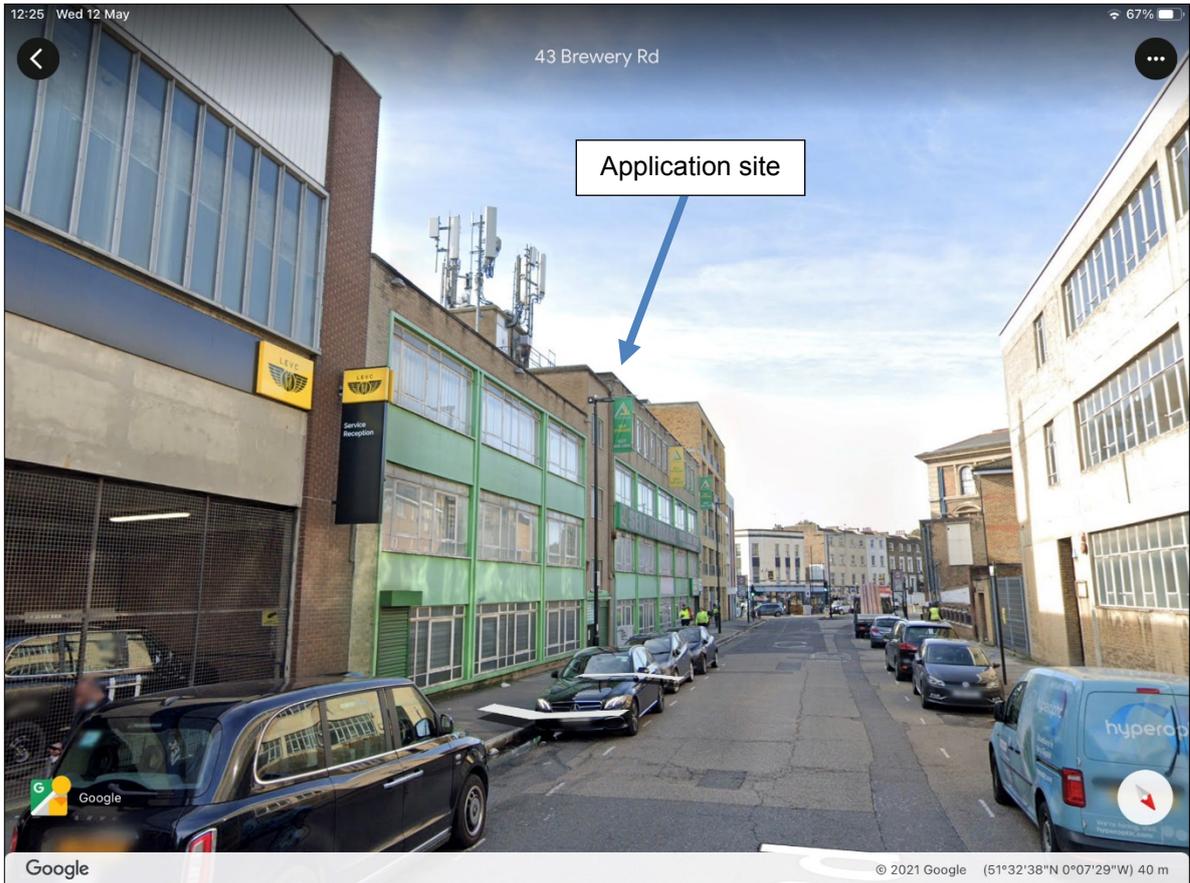
*Photograph 1: Aerial view from the south.*



*Photograph 2: Aerial view from the north.*



*Photograph 3: Brewery Road elevation, looking east.*



*Photograph 4: Brewery Road elevation, looking west.*



*Photograph 5: Brandon Road elevation looking west.*



*Photograph 6: Brandon Road elevation looking east.*



*Photograph 7: Brandon Road, looking west.*

## **4. SUMMARY**

- 4.1 The application proposes the expansion of the existing B8 self-storage use at the site through redevelopment and extensions to create a five-storey building, with the re-cladding of the front and rear elevations. The proposal would also involve the replacement and extension of the rear portion of building and the creation of larger loading bay at ground floor level accessed from Brandon Road.
- 4.2 A similar proposal (application ref: P2018/0136/FUL) was presented to Committee on 2 April 2019. Members resolved to defer the application so that the applicant could to obtain further details on room sizes for the residential properties at Simla Court, to allow the Committee to consider more accurate daylight/sunlight assessment results affecting these residents. The 2019 application was later withdrawn by the applicant.
- 4.3 The current application involves an amended scheme, featuring a top storey cut-back to the Brewery Road elevation. It is also accompanied by a daylight and sunlight assessment, which includes details of the internal layout and room sizes for the properties at Simla Court.
- 4.4 The development proposes a 2,452 sqm (GIA) uplift in B8 floorspace creating a total of 5,650.5 sqm (GIA) over the five floors of the new building. The proposal would serve to successfully support and enhance the functions of the Vale Royal/ Brewery Road Locally Significant Industrial Site (LSIS) designation and is strongly supported in terms of land use.
- 4.5 The proposal is not considered to have an unacceptable impact on neighbouring residential amenity in terms of loss of daylight, sunlight, outlook, privacy, noise and disturbance or an increased sense of enclosure. The application is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport. The proposal is not considered to result in undue implications of the surrounding highway network in terms of loading/ unloading and servicing and delivery.
- 4.6 For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is therefore recommended for approval subject to conditions and the completion of a S106 Agreement to secure the necessary mitigation measures.

## **5. SITE AND SURROUNDING**

- 5.1 The application site comprises a 1950s industrial building with a four-storey frontage on Brewery Road, stepping down at the rear to a two storey section at Brandon Road. The building has a B8 (storage and distribution) use and is currently occupied by A&A Self Storage Ltd, providing rental storage units for personal and business purposes. The main façade and reception entrance is on Brewery Road with a loading bay area located to the rear at Brandon Road.
- 5.2 The site is located at the western end of Brewery Road close to the junction with York Way (A5200). Immediately to the east, the site adjoins the London Taxi Company (39-41 Brewery Road) building. The western boundary of the site adjoins 55-61 Brewery Road, which is a recently completed development (planning application ref: P2018/1637/FUL) comprising a five-storey building providing office accommodation and light industrial floorspace.
- 5.3 There is residential accommodation to the north of the site, on the opposite side of Brewery Road, which includes a three-storey detached residential block at Simla Court (126



- 6.3 As with the previous proposal, the intention is for the building to retain its B8 (self-storage) use with the proposal seeking to expand the storage capacity of the building as well as enhancing and upgrading the existing facades.
- 6.4 As such, the application proposes the extension of the building at second, third and fourth floors to create a five-storey building, with the re-cladding of the front and rear elevations and the provision of a lift run and plant on roof. The proposal would also involve the replacement and extension of the rear portion of building and the creation of larger loading bay at ground floor level accessed from Brandon Road.



Figure 3: Proposed Brewery Road elevation (front) – note top floor ‘cutback’ element.

- 6.5 The following table provides details of existing and proposed internal floorspace (NIA) on a floor by floor basis (note that Class B8 is considered to be a use appropriate to the LSIS):

Floor	Existing	Proposed	Uplift
Ground	780	373	-407
First	1,137	1,141	4
Second	528	1,046	518
Third	390	1,046	656
Fourth	0	762	762
Fifth	0	510	510
<b>Total</b>	<b>2,835 sqm</b>	<b>4,878 sqm</b>	<b>2,043 sqm</b>

- 6.6 The position of the main ground floor entrance would be retained on Brewery Road, leading to a customer lobby and reception area and providing through access to the centrally positioned stair and lift cores. The Brewery Road part of the ground floor would be used for self-storage, with the rear section of the ground floor arranged to accommodate the enlarged rear loading bay accessed from Brandon Road. As with the existing building, a doorway would be included in the Brewery Road elevation providing access to a retained UK Power Networks sub-station located at a basement level of the building.

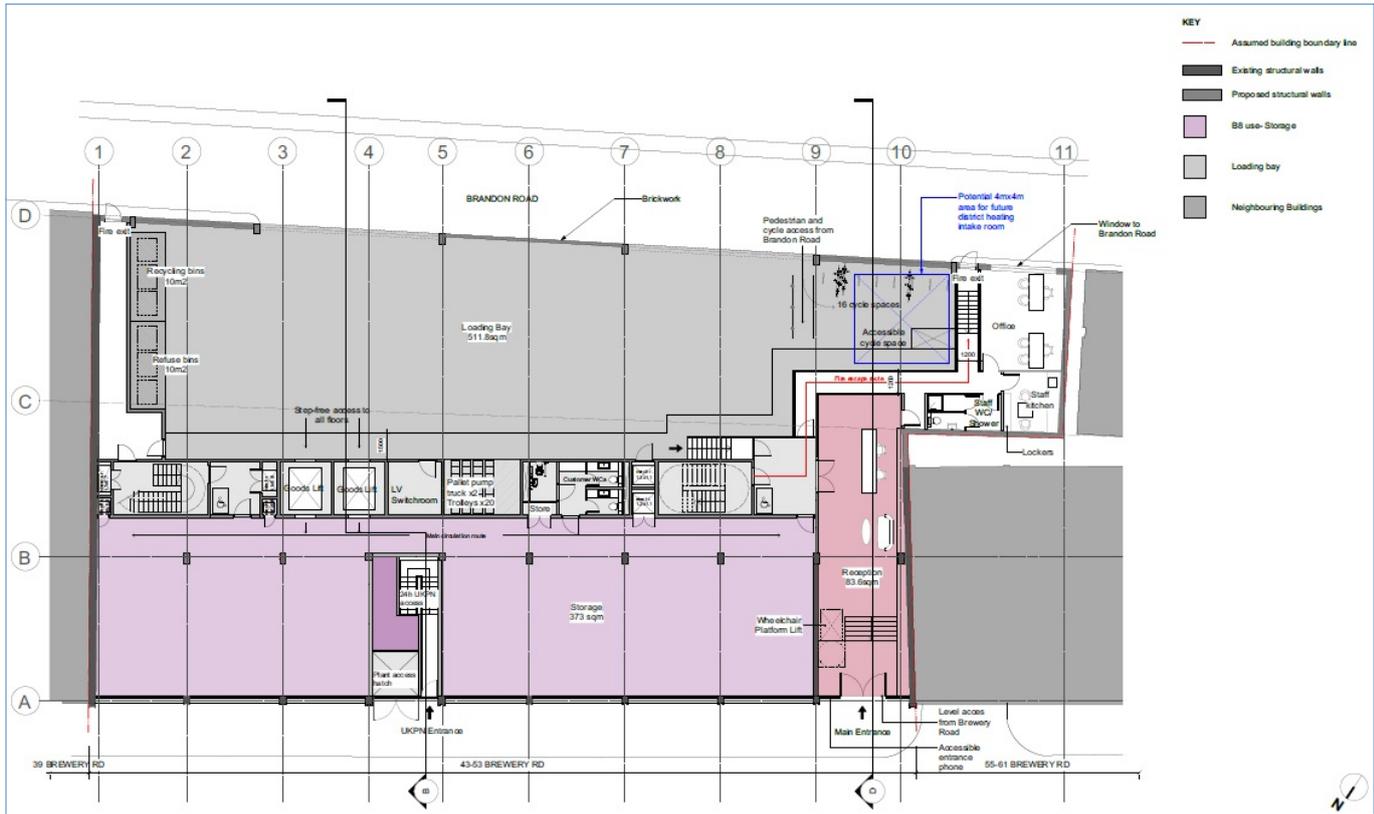


Figure 4: Proposed Ground Floor Layout

- 6.5 The upper floors (first floor through to fifth floor) would be used for B8 self-storage arranged around the two centrally positioned lift and stair cores. The floorplates on the second/ third floors and fourth/ fifth floors would include stepped setbacks from Brandon Road, in order to reduce the bulk and massing of the rear sections of the proposed building. The fifth floor would also include a partial cutback on the Brewery Road elevation, again to reduce the overall bulk and massing of the top floor. At roof level the proposal would include plant enclosures and lift overrun positioned through the central section of the building.
- 6.6 No on-site vehicle parking is proposed. Six car loading bays and two panel van/ box van loading bays would be provided, which would be for the sole use of customers loading/unloading in association with the main storage business use.

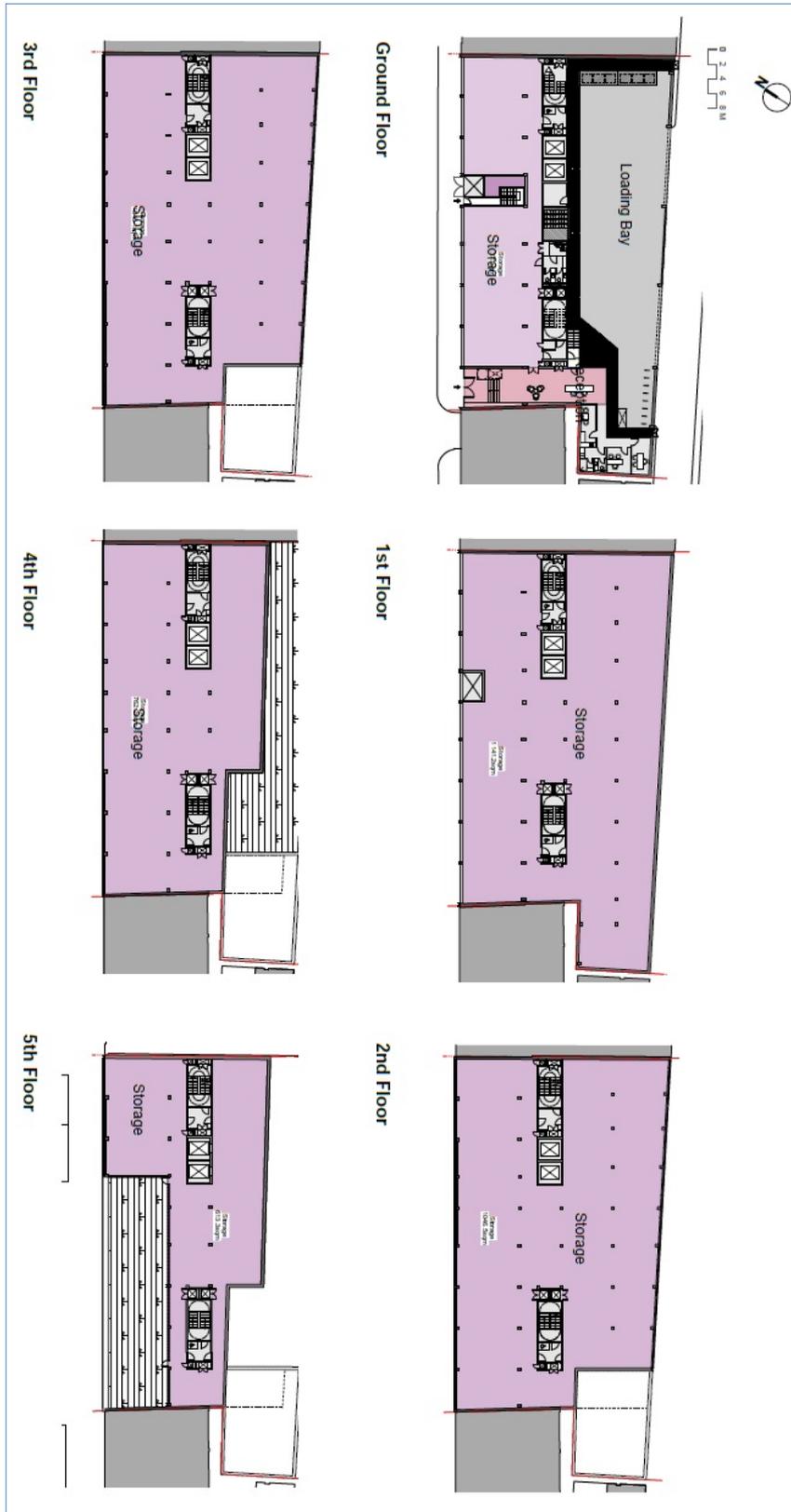


Figure 5: Proposed floor layouts – ground floor to fifth floor



Figure 6: CGI visual of the proposed Brewery Road elevation, looking west towards York Way.



Figure 7: CGI visuals of the proposed Brandon Road elevations.

## 7. RELEVANT HISTORY:

7.1 The following is the most recent and relevant planning history for the application site:

- P2018/0136/FUL - Replacement and extension of rear portion of building at ground and first floors, creation of larger loading bay at ground floor facing Brandon Road, extension of building at second, third and partial fourth and fifth floors, re-cladding of

front and rear elevations and provision of lift run and plant on roof, in association with use of building for Class B8 (self-storage) purposes – Withdrawn, 15 November 2019.

- P2016/3958/FUL- Extension to existing storage facility part two story extension to provide additional 1415m<sup>2</sup> of storage facility – Withdrawn, 29 November 2016.

### Relevant planning applications in the vicinity

#### **55-61 Brewery Road**

7.2 The recent planning history at the adjoining site, 55-61 Brewery Road, is a material consideration and includes the following planning permissions:

- P2018/1637/FUL - Two storey extension to the existing building to provide business floorspace (B1) including light industry floorspace (B1c) at ground and first floor levels, as well as the refurbishment of the existing facades. The proposal involves an uplift of 502sqm (GIA) of employment floorspace – Approved, 5 September 2018.
- P2015/5102/FUL - Demolition of the existing building and the erection of a 5-storey (plus basement) building incorporating a total of 1, 319 sqm (GEA) of B1 office and 426sqm (GEA) of B1(c) floorspace – Approved, 1 February 2017.

7.3 These schemes granted consent to increase the height of the adjoining building at 55–61 Brewery Road by two storeys. The height and massing is effectively being matched by the proposed application at 43-53 Brewery Road, particularly with regards to the Brewery Road elevation. This scheme has now been built out and completed.



*Figure 8: Google Streetview image showing the built out and completed scheme at the adjoining site (55-61 Brewery Road) approved in September 2018.*



*Figure 9: CGI visual showing the proposed scheme at 43-53 Brewery Road and the scheme approved in February 2017 at 55-61 Brewery Road.*

- 7.3 In addition, Planning permission (P2018/0617/FUL) was refused on 2 May 2018 at 55-61 Brewery Road for a two storey extension to the existing building to provide business floorspace (B1) including light industry floorspace (B1c) at ground floor level, as well as the refurbishment of the existing facades. The grounds for refusal included the failure to provide sufficient floorspace appropriate to the Locally Significant Industrial Site (LSIS). The loss of floorspace appropriate to the LSIS was not considered to be justified by exceptional circumstances or the submission of clear and robust evidence of continuous marketing, and the failure to provide affordable or SME floorspace to meet local needs. The proposal was considered to be out of character with the industrial nature of the area, would compromise the economic function of the LSIS and would cause unacceptable and unsustainable harm to the borough's supply of land to meet future sustainable economic development.
- 7.4 The application was dismissed at appeal on 3 December 2018, with the Inspector noting that the proposal would fail to provide sufficient business floorspace of the types which the Council has explicitly identified in the development plan as being appropriate to the role of the LSIS. That appeal scheme would result in the loss of industrial floorspace in the B1(c)/B8 Use Classes which has not been justified by exceptional circumstances. Consequently, the proposal would be in direct conflict with DMP Policy DM5.3 in this regard.

### **34 Brandon Road**

- 7.4 Planning permission P2016/2692/FUL was approved on 26 August 2016 for the removal of an existing single storey ground floor side element to a workshop and the introduction of an entrance courtyard to a residential and workshop unit plus alterations to rear the ground floor roof slope. Erection of four storey side extension. Erection of three storey rear extension plus roof extension and associated roof terrace. Alterations to rear fenestration and to ground floor front elevation. Internal reconfiguration of workshop space.

## **Enforcement**

7.5 No relevant history.

## **PRE-APPLICATION ADVICE**

7.7 The applicant sought pre-application (Q2017/2147/MJR) advice in June 2017 for a proposed scheme that would involve the refurbishment of the existing storage building, including a new façade and the erection of an additional three storeys on the existing building along Brewery Road. Demolition of the existing rear part of the building along Brandon Road and the erection of a terraced seven storey rear extension. The main points of that advice were:

- Proposal was considered policy-compliant in terms of land use - the building proposes an uplift in commercial floorspace, which is supported in principle.
- Seven storeys would be excessive resulting in an incongruous form of development without regard for the scale, mass, height or orientation of surrounding buildings.
- proposed building falls within and would compromise the protected local view from Dartmouth Park Hill (LV7).
- Although the Council would have no objection to the significant changes to the building's facades, the proposal in massing and scale fails to relate well to surrounding buildings and is considered excessive in height.
- Any application will need to be supported with information addressing potential impacts upon the existing residential amenity, particularly with regard to privacy, outlook and sunlight/daylight levels currently enjoyed by the residents of 34 Brandon Road and 126 Brewery Road.
- A Transport Assessment and Travel Plan will need to be submitted with any planning application.

## **8. CONSULTATION**

### **Public Consultation**

- 8.1 Letters were sent to occupants of 280 adjoining and nearby properties at Brewery Road, Brandon Road and York Way on 8 September 2020. A site notice and press advert were displayed on 10 September 2020. The public consultation of the application therefore expired on 4 October 2020, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report no responses had been received from the public with regard to the application.

### **External Consultees**

- 8.3 **The London Fire Commissioner** – satisfied with the proposals.
- 8.4 **Islington Swifts** – **requested** that swift nest boxes are installed near roof level which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and improve the local biodiversity, in line with Islington Council's guidance on this issue (Biodiversity Strategy & Action Plan 2010 section 5.4.1 Biodiversity Going Through Planning, and the Green Construction Supplementary Planning Guidance) (*see condition 22*). We request a biodiverse roof to ensure a net gain for biodiversity (*see condition 9*).

## Internal Consultees

- 8.5 **Design and Conservation Officer** – no objections, the simple but innovative architecture, including the selected materials and the manner of their application, is welcomed and will likely provide a good quality, well mannered, contemporary building within the increasingly intensifying LSIS. There are no adverse impacts on any nearby heritage assets given the height of the building adheres to the newly emerging storey height ambient and given the calibre and quality of the design proposals.
- 8.6 **Planning Policy** – no objections, welcome the increase in B8 space which is in line with the priority uses protected and promoted in the Vale royal and Brewery Road LSIS, as well as the emerging allocation. The Vale Royal study (and emerging policy) limit heights to five storeys which this would be in accordance with.
- 8.7 **Public Protection** – no objections. Recommended the inclusion of standard conditions in relation to the control of noise from roof top mechanical plant (*see condition 17*), standby plant (*see condition 18*) and the submission of a construction management plan (*see conditions 13 and 14*).
- 8.8 **Energy Conservation Officer** – no objections.
- 8.9 **Sustainability Officer** – no objection, the scheme is targeting an excellent BREEAM rating, which is welcomed and is policy compliant. Require conditions to ensure green roof measures (*see condition 9*) and bird boxes (*see condition 22*) are delivered.
- 8.10 **Inclusive Design Officer** – no objections, further details of inclusive design measures to be secured through condition 7.
- 8.11 **Highways** – no objections.

## 9. RELEVANT POLICIES

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

### National Guidance

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

### Development Plan

- 9.2 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:
- 9.3 **The London Plan 2021 - Spatial Development Strategy for Greater London**

GG1 Building strong and inclusive communities GG2 Making the best use of land	Policy E4 Land for industry, logistics and services to support London's economic function
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<p>Policy D1 London's form, character and capacity for growth</p> <p>Policy D3 Optimising site capacity through design led approach</p> <p>Policy D4 Delivering Good Design</p> <p>Policy D5 Inclusive Design</p> <p>Policy D11 Fire safety</p> <p>Policy D13 Agent of Change</p> <p>Policy D14 Noise Policy</p> <p>Policy SI 1 Improving air quality</p> <p>Policy SI4 Managing heat risk</p> <p>Policy SI5 Water infrastructure</p> <p>Policy SI7 Reducing waste and supporting the circular economy</p> <p>Policy SI2 Minimising greenhouse emissions</p> <p>Policy SI13 Sustainable drainage</p>	<p>Policy E6 Locally Significant Industrial Sites</p> <p>Policy E7 Industrial intensification, co-location and substitution</p> <p>Policy HC3 Strategic and Local views</p> <p>Policy G5 Urban Greening</p> <p>Policy T2 Healthy Streets</p> <p>Policy T3 Transport capacity, connectivity and safeguarding</p> <p>Policy T4 Assessing and mitigating transport impacts</p> <p>Policy T5 Cycling</p> <p>Policy T6 Car parking</p> <p>Policy T7 Deliveries, servicing and construction</p>
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#### 9.4 Islington Core Strategy 2011

<p><b>Spatial Strategy</b></p> <p>Policy CS6 (King's Cross)</p> <p>Policy CS8 (Enhancing Islington's Character)</p> <p><b>Strategic Policies</b></p> <p>Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)</p> <p>Policy CS10 (Sustainable Design)</p> <p>Policy CS11 (Waste)</p> <p>Policy CS13 (Employment Spaces)</p>	<p><b>Infrastructure and Implementation</b></p> <p>Policy CS13 (Employment spaces)</p> <p>Policy CS18 (Delivery and Infrastructure)</p>
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#### 9.5 Development Management Policies 2013

<p>Policy DM2.1 (Design)</p> <p>Policy DM2.2 (Inclusive design)</p> <p>Policy DM2.3 (Heritage)</p> <p>Policy DM2.4 (Protected Views)</p> <p>Policy DM3.7 (Noise and Vibration)</p> <p>Policy DM4.12 (Social and strategic infrastructure and cultural facilities)</p> <p>Policy DM5.1 (New business floorspace)</p> <p>Policy DM5.2 (Loss of existing business) floorspace</p> <p>Policy DM5.3 (Vale Royal / Brewery Road Locally Significant Industrial Site)</p> <p>Policy DM6.1 (Healthy development)</p> <p>Policy DM6.5 (Landscaping, trees &amp; biodiversity)</p>	<p>Policy DM7.4 (Sustainable design standards)</p> <p>Policy DM7.5 (Heating and cooling)</p> <p>Policy DM8.2 (Managing transport impacts)</p> <p>Policy DM8.4 (Walking and cycling)</p> <p>Policy DM8.5 (Vehicle parking)</p> <p>Policy DM8.6 (Delivery and servicing for new developments)</p> <p>Policy DM9.1 (Infrastructure)</p> <p>Policy DM9.2 (Planning obligations)</p>
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Policy DM6.6 (Flood prevention) Policy DM7.1 (Sustainable design & construction) Policy DM7.3 (Decentralised Energy Networks)	
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**Designations**

9.6 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Kings Cross & Pentonville Road Key Area
- Vale Royal & Brewery Road Locally Significant Industrial Area
- Local Cycle Routes
- Local View from Dartmouth Park Hill
- Article 4 direction B1c to C3

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

9.7 The following SPGs and/or SPDs are considered relevant:

<b>Islington SPD</b> Basement Development (January 2016) Environmental Design (Oct 2012) Inclusive Design (Feb 2014) Inclusive Landscape Design (Jan 2010) King's Cross neighbourhood framework Planning Obligations (S106) (Dec 2016) Urban Design Guide (Jan 2017) Streetbook SPD (Oct 2012)	<b>London Plan</b> Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014) Sustainable Design and Construction SPG (adopted April 2014)
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**Emerging Policy**

9.8 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 with the examination process now in progress. As part of the examination consultation on pre-hearing modifications took place from 19 March to 9 May 2021.

9.9 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).

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

Policy SP3: Vale Royal / Brewery Road Locally Significant Industrial Site Policy B1: Delivering a range of affordable business floorspace Policy B2: New business floorspace Policy B3: Existing business floorspace Policy B5: Jobs and training opportunities Policy G4: Biodiversity, landscape design and trees Policy G5: Green roofs and vertical greening Policy S1: Delivering Sustainable Design Policy S2: Sustainable Design and Construction Policy S3: Sustainable Design Standards Policy S4: Minimising greenhouse gas emissions Policy S5: Energy Infrastructure Policy S6: Managing heat risk	Policy S7: Improving Air Quality Policy S9: Integrated Water Management and Sustainable Drainage Policy S10: Circular Economy and Adaptive Design Policy T1: Enhancing the public realm and sustainable transport Policy T2: Sustainable Transport Choices Policy T3: Car-free development Policy T5: Delivery, servicing and construction Policy DH1: Fostering innovation while protecting heritage Policy DH4: Basement development Policy DH5: Agent-of-change, noise and vibration Policy ST2: Waste
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## 10. EVALUATION

10.1 The main issues arising from this proposal relate to:

- Land use
- Design and appearance
- Inclusive design
- Neighbour amenity
- Sustainability, energy efficiency and renewable energy
- Highways and transportation
- Other considerations

### Land use

10.2 The application site is within the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS). Policy CS13 of Islington’s Core Strategy states that the Vale Royal / Brewery Road Site will be retained for industrial / warehousing / employment land.

10.3 In support of this policy, Development Management Policy DM5.3 encourages the retention and intensification of uses appropriate to the role of the Locally Significant Industrial Site (i.e. within the B1(c), B2 and B8 Use Classes). More specifically, Policy DM5.3 states that “proposals that would result in a loss or reduction of floorspace in the B1(c), B2 or B8 Use Classes will be refused unless the applicant can demonstrate exceptional circumstances, including through the submission of clear and robust evidence related to the continuous marketing of vacant floorspace for a period of at least two years.”

- 10.4 The site is also within the King's Cross Key Area for which Policy CS6 of Islington's Core Strategy is of relevance. The King's Cross area will be expected to accommodate estimated growth in jobs of approximately 3,200 from B-use floorspace. Moreover, Policy CS6 also states that the Vale Royal / Brewery Road area will be retained as the only locally significant concentration of industrial/warehousing/employment land in the borough. Furthermore, the policy states that accommodation for small enterprises will be particularly encouraged. This aspiration is echoed by Policy CS13, which requires new business floorspace to be flexible to meet future business needs and for a range of unit types and sizes, including those for SMEs to be provided.
- 10.5 The industrial cluster east of York Way, in which the site is located, is the only remaining significant concentration of industrial uses in Islington and is thus of significant importance.
- 10.6 The London Plan Policy E4 (Land for industry, logistics and services to support London's economic function), Policy E6 (Locally Significant Industrial Sites) and Policy E7 (Industrial intensification, co-location and substitution) and the Land for Industry and Transport SPG recognise the strategic importance of Islington's industrial land and requires these areas to be identified and protected. As such, any proposal that does not specifically promote its function will be resisted. Because of the high level of pressure for development in the Vale Royal / Brewery Road area, the council started work on preparing a piece of planning guidance for the LSIS, however, this work was aborted and was carried forward in the Local Plan review. As part of this work, the council produced a discussion paper (March 2017), which has been used alongside the Employment Land Study (ELS) to inform the Local Plan review. The ELS recommends that the borough retains its protection of existing floorspace as well as encouraging its intensification. The ELS goes on to state that there is an emerging need for further intensification of older industrial stock to meet growing demand.
- 10.7 The proposal would result in a 2,043 sqm uplift in B8 (storage and distribution) floorspace and would successfully support the functions of the LSIS. Set against the policy context, the proposal is considered to be acceptable in land use terms. The proposal would be in accordance with London Plan Policies E4, E6 and E7, Islington Core Strategy Policies CS6 and CS13 and Development Management Policy 5.3.

## **Design and Appearance**

### **Policy Context**

- 10.8 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Planning policies relevant to design and conservation are set out in chapter 7 of the London Plan. Policies CS8, CS9 and CS10 in Islington's Core Strategy, and policies in chapter 2 of Islington's Development Management Policies, are also relevant. The council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of the current application.
- 10.9 London Plan Policy D3 (Optimising capacity through the design-led approach) states that development should have consideration of design options to determine the most appropriate form of development that responds to a sites context and capacity for growth. Policy D3 also states that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to existing and emerging street hierarchy, building types, forms and proportions and be of high quality. The Mayor of London's Character and Context SPG notes at paragraph 7.26 that "the key or essential

characteristics of a place provide an important reference point against which change can be assessed”.

10.10 Policy DM2.1 of Islington’s Development Management Policies requires development (including alterations and extensions) to be based upon an understanding and evaluation of an area’s defining characteristics, confirms that acceptable development will be required to respect and respond positively to existing buildings, and sets out a list of elements of a site and its surroundings that must be successfully addressed – this list includes urban form including building heights and massing. The policy requires that all developments are to be of high quality, and must make a positive contribution to the local character and distinctiveness of an area. It also states that permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

### **Assessment**

10.11 The site’s immediate neighbours are a three-storey building at 55-61 Brewery Road, which was granted planning permission in September 2018 (P2018/1637/FUL) for a 5 storey building providing office space and light industry. To the east, the site adjoins the London Taxi Company (39-41 Brewery Road) building, which in terms of height is equivalent to approximately four-storeys.

10.12 Across the street on the other side of Brewery Road is one of the few buildings in the surrounding area with any architectural or historic value: 256 York Way, an old Victorian pub now converted to an HMO. Immediately to the east of this building is a three-storey modern apartment building, whilst the remainder of Brewery Road is generally characterised by relatively low-rise light industrial and warehouse buildings. To the west of the subject site is York Way, which is characterised by a variety of light industrial and warehouse buildings, four-storey Victorian terraces and more high-rise apartment buildings.

10.13 Specifically relating to the site, the evidence base within the Discussion Paper of the Vale Royal and Brewery Road LSIS SPD (March 2017) provides guidance, that a maximum height of 20 metres or five commercial storeys would be appropriate to the LSIS. The evidence is based on a detailed and robust assessment of the area and its surroundings. The study sets out parameters for acceptable building heights as well as more detailed guidance on the implementation of Islington’s current adopted policy on the LSIS, which prioritises B1c (light industrial), B2 (industrial) and B8 (storage and distribution) alongside a limited amount of complementary uses (i.e. office or ancillary café) where it supports the economic and employment function of the LSIS, and a strong resistance to residential and other non-business uses.

10.14 In view of the study referred to above and an assessment of the site’s surrounding context, it is considered that the proposed five storeys is appropriate in height. In terms of the Brewery Road street scene, the proposed development would stand approximately 5 metres taller than the adjacent London Taxi Company (39-41 Brewery Road) building, and at five storeys in height would align with height of the recently approved schemes at 55-61 Brewery Road. The proposed plant and lift overrun would be set back from the front elevation and would only be visible from longer views.

10.15 To the rear of the building the floorplates on the second/ third floors and fourth/ fifth floors would include stepped setbacks from Brandon Road. It is considered that design of the rear elevation is successful and serves to reduce the overall bulk and massing of the rear sections of the building and to mitigate daylight impacts on neighbouring properties.

### **Heritage**

- 10.16 The site is not within a conservation area, but is located on the opposite side of the road to a converted Victorian public house (now in use as a HMO) at 256 York Way. The former pub is included on the Council's local list of buildings of local architectural, historical or environmental importance and is regarded as one of the few buildings in the immediate surroundings with any architectural or historic value.
- 10.17 In terms of heritage assets, it is the Council's statutory duty to preserve to do no harm. Officers have been mindful of the duty and placed great weight on this. Therefore, the impact on the setting of nearby heritage assets is a key consideration in assessing this proposal.
- 10.18 The Council's Design and Conservation Officer has reviewed the details and advised that the proposed boundary treatments would not have an impact on the setting of the adjacent locally listed building.

### **Inclusive Design**

- 10.19 London Plan Policy D5 requires all new development to achieve the highest standards of accessible and inclusive design. 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.
- 10.20 Overall, the scheme incorporates positive features in terms of inclusive design, such as a proposed platform lift to allow wheelchair users to access the reception and a positive approach to customer toilets. However, the proposal lacks an inclusive design strategy for egress and evacuation. The building features five different floors and the Inclusive Design SPD argues that a fire-fighting lift is the most inclusive form of evacuation.
- 10.21 It is considered that these details could be addressed by condition (see condition 7). In the event of planning permission being granted, a condition would be required to ensure the proposed egress and evacuation would comply with relevant planning policies and the relevant parts of the Inclusive Design in Islington SPD.

### **Neighbouring Amenity**

- 10.22 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. In this regard, the proposal is subject to London Plan Policy D3 and D6 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy 7.6 requires for buildings in residential environments to pay particular attention to privacy, amenity and overshadowing.

### **Daylight and Sunlight**

- 10.23 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.24 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”.*

## **Daylight**

10.25 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).*

10.26 At paragraph 2.2.7 of the BRE Guidelines it states: *“If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.”*

10.27 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.28 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”.*

10.29 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.

10.30 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is *“in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as*

*a target value for development in that street if new development is to match the existing layout”*

10.31 Paragraph 1.3.45-46 of the Mayor of London’s Housing SPD states that:

*“Policy 7.6Bd requires new development to avoid causing ‘unacceptable harm’ to the amenity of surrounding land and buildings, particularly in relation to privacy and overshadowing and where tall buildings are proposed. An appropriate degree of flexibility needs to be applied when using BRE guidelines to assess the daylight and sunlight impacts of new development on surrounding properties, as well as within new developments themselves. Guidelines should be applied sensitively to higher density development, especially in opportunity areas, town centres, large sites and accessible locations, where BRE advice suggests considering the use of alternative targets. This should take into account local circumstances; the need to optimise housing capacity; and scope for the character and form of an area to change over time.*

*The degree of harm on adjacent properties and the daylight targets within a proposed scheme should be assessed drawing on broadly comparable residential typologies within the area and of a similar nature across London. Decision makers should recognise that fully optimising housing potential on large sites may necessitate standards which depart from those presently experienced but which still achieve satisfactory levels of residential amenity and avoid unacceptable harm.”*

### **Sunlight**

10.32 The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11:

*“If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:*

- *Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;*
- *Receives less than 0.8 times its former sunlight hours during either period and;*
- *Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.”*

10.33 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.”*

10.34 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”.*

### **Open spaces**

10.35 The Guidelines state that it is good practice to check the sunlighting of open spaces where it will be required and would normally include: *‘gardens to existing buildings (usually the back garden of a house), parks and playing fields and children’s playgrounds, outdoor swimming pools and paddling pools, sitting out areas such as those between non-domestic*

buildings and in public squares, focal points for views such as a group of monuments or fountains’.

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

### **Assessment**

- 10.37 The neighbouring properties in closest proximity to the site are Simla Court (126 Brewery Road) and 256 York Way located to the north on the opposite side of Brewery Road and 34 Brandon Road and 248-250 York Way, located to the south west of the application site. The windows within these properties have been tested for loss of daylight.
- 10.38 The quality of the daylight and sunlight within the neighbouring properties has been assessed using the Vertical Sky Component (VSC), No Skyline (NSL)/ Daylight Distribution and Annual Probable Sunlight Hours (APSH) assessments as recommended within the BRE document. The results have shown that the majority of properties would retain compliant daylight levels in line with the BRE criteria.
- 10.39 However, some minor transgressions in NSL can be reported in relation to the impact on Simla Court and 248-250 York Way.

### **Simla Court**

- 10.40 Simla Court (126 Brewery Road) is a three-storey residential flatted block located directly to the north of the application site on the opposite side of Brewery Road. Consideration must therefore be given to this, both in terms of the numbers of rooms adversely affected, and the degree to which each of those rooms would be impacted.



*Figure 10: 1-6 Simla Court (126 Brewery Road)*

Room/ Window	Vertical Sky Component (VSC)			No Skyline (NSL)			
	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
<b>1-6 Simla Court (126 Brewery Road)</b>							
Ground Floor R2 / W4 Bedroom	22.9	19.9	13.1	10.2	5.9	4.4	<b>23.8</b>
Ground Floor R3 / W5 Bedroom	21.9	18.8	14.3	10.8	5.9	4.5	<b>23.9</b>
First Floor R1 / W3 Living Room	26.4	23.6	10.8	18.4	13.7	10.4	<b>24.2</b>
First Floor R2 / W4 Bedroom	26.6	23.3	12.2	10.2	8.3	5.8	<b>29.6</b>
First Floor R3 / W5 Bedroom	26.7	22.9	14.0	10.9	8.6	6.2	<b>29.1</b>
Second Floor R1 / W3 Living Room	23.0	20.1	12.4	18.5	17.6	13.2	<b>25.7</b>
Second Floor R2 / W4 Bedroom	23.2	19.9	14.0	10.2	9.9	7.4	<b>25.9</b>
Second Floor R3 / W5 Bedroom	23.3	19.6	16.0	10.8	10.6	7.6	<b>27.6</b>

*Figure 11: NSL transgressions at 1-6 Simla Court*

10.41 The windows at Simla Court most affected in terms of loss of daylight by development are highlighted in the table above (Figure 11). The BRE guidance suggests that reductions should be kept to less than 20%. In Islington, given the built up context, transgression of up to 30% are often accepted (reflecting the dense urban nature of the Borough and that these reductions are modest).

10.42 As can be seen from the results within the table, there are several windows at Simla Court that would be affected in terms of NSL losses above BRE guidelines. However, the NSL transgressions are all below 30% and are regarded as a minor infringement. It should be noted that that in terms of the impact on VSC to the affected windows, the proposed development is fully compliant with BRE guidelines.

## 248-250 York Way

10.43 248-250 York Way is a two-storey building located to the west of the application site and sits on the corner of York Way and Brandon Road. A first floor rear window in the building faces towards the flank elevation of the application site.



Figure 12: 248-250 York Way

Room/ Window	Vertical Sky Component (VSC)			No Skyline (NSL)			
	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
<b>248-250 York Way</b>							
First Floor R2 / W3 Residential	17.1	16.1	5.7	10.89	4.1	2.1	<b>52.0</b>

Figure 13: NSL transgressions at 248-250 York Way

10.44 Turning to the NSL transgression at 248-250 York Way, the assessment predicts a 52% reduction at first floor W3. This result is somewhat anomalous, in comparison to the impacts to other rear windows at this property. The predicted reduction is acknowledged, but on closer inspection the affected window actually relates to a door with a glazing panel, to a room with two further south facing windows. The two main side windows serving this room have not been included in the assessment. As a result, the reported transgression is

erroneous and it is not considered that the implications for NSL would in practice result in a harmful impact.

### **Annual Probable Sunlight Hours**

10.45 The scheme is compliant with the BRE annual probable sunlight hours requirements.

### **Daylight Conclusions**

10.46 It should be noted that the NSL test is just one component of the daylight/ sunlight assessment and the proposed development would only result in minor infringements of the BRE guidelines. Despite the NSL reductions the proposal would be BRE compliant in terms of the VSC test.

10.47 Having regard to the transgressions it is not considered that the impact to any individual property or group of properties are so significant as to warrant refusal of planning permission. In addition, the impacts from development on daylight should not stand in isolation from other planning policy considerations, but should be weighed with other planning objectives. These include bringing forward a 2,043 sqm uplift in B8 (storage and distribution) floorspace which would serve to successfully support and enhance the functions of the LSIS. In this context, overall, it is considered that the majority of neighbouring properties would retain adequate levels of amenity in relation to natural light.

### **Outlook**

10.48 Outlook is the visual amenity provided by the immediate surroundings of a (usually residential) property, as experienced from its windows or outdoor spaces. It can be affected by the close siting of another building or structure, which depending on its proximity, size and appearance can create an oppressive, increased sense of enclosure to the detriment of the amenities of rooms in a neighbouring property, particularly those of single aspect dwellings, or those that already have limited outlook. Outlook does not refer to views of a particular landmark or feature of interest, or long views over land not in the ownership of the viewer.

10.49 As the proposal would increase the height of the building by two storeys it is expected that there would be some impacts on outlook. In particular, the outlook from windows on the top floor of Simla Court (126 Brewery Road) and the side windows of the HMO on the opposite side of Brewery Road would be curtailed. At 34 Brandon Road, the recently permitted extensions and alterations would introduce a new roof terrace at 3rd floor level. The outlook to the north from this roof terrace would be altered by the application being considered here. However, it is considered that the reduction in outlook would not be to an extent that would significantly reduce the amenities of residents of these buildings.

### **Privacy**

10.50 Paragraph 2.14 of Islington's Development Management Policies states that "to protect privacy for residential development and existing residential properties, there should be a minimum distance of 18m between windows of habitable rooms. This does not apply across the public highway – overlooking across a public highway does not constitute an unacceptable loss of privacy". In the application of this policy, consideration must be given to the nature of views between habitable rooms – for instance, where views between habitable rooms would be oblique as a result of angles or height differences between windows, there may be no harm.

10.51 Paragraph 2.3.30 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these

measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's more recent Development Management Policies, and there remains a need to ensure that the proposed development maintains adequate levels of privacy for neighbouring residents.

- 10.52 The existing three-storey building at 43-53 Brewery Road contains windows in the Brewery Road elevation and it is recognised that there is an existing relationship with the residential block on the opposite side of Brewery Road at Simla Court – which at the closest point is separated by a distance of approximately 17 metres. Nevertheless, this is over a highway and whilst the proposal would effectively introduce two further storeys, including windows, (whilst also increasing the extent of the glazing in the whole of the Brewery Road elevation); given the self-storage use, the windows would serve either corridors or self-storage units rather than habitable accommodation. As such the proposal would not introduce undue concerns with regards to a loss of privacy at Simla Court.
- 10.53 The proposal introduces new windows in the second and third floor on the rear elevation of the property which would be within 18 metres of surrounding properties. However, privacy of residential occupiers would not be reduced as the buildings to the south on the opposite side of Brandon Road are either in non-residential use or the elevations facing the application site are windowless.
- 10.54 In terms of the impact on 34 Brandon Road, which is in residential use, the second and third floor windows would be facing south and would not provide an outlook towards the habitable windows or the private roof terrace area.

### **Conclusion**

- 10.55 It is considered that the proposal would result not result in unacceptable impacts on neighbouring residential amenity in terms of loss of daylight and sunlight, outlook, privacy nor an increased sense of enclosure.

### **Energy and Sustainability**

- 10.56 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.
- 10.57 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 10.58 The new London Plan Policy SI2 stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. Policy SI.2 also requires all development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund. The new London Plan has only recently been adopted so the applicant's energy strategy

has focused on meeting adopted local policies, which are broadly in line with new London Plan Policies.

- 10.59 Policy SI4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure. Policy SI.7 'Reducing waste' states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
- 10.60 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.
- 10.61 Development Management Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

### **Carbon dioxide emissions**

- 10.62 The applicant proposes a reduction in regulated emissions of 32.55%, compared to a 2013 Building Regulations baseline. Although they are not meeting the London Plan target of 35% reduction in regulated CO2 emissions the Council's energy services team have accepted that this is the maximum achievable and are satisfied with the assumptions and recommendations made. In order to mitigate against the remaining carbon emissions generated by the development a Carbon Offset contribution payment of £78,853 will be sought by way of a section 106 agreement.

### **Sustainability**

- 10.63 The submitted roof plan shows areas of green roof proposed on the building which would enable a reduction in the extent of the site covered by impermeable surfaces. The application was referred to the Sustainability Officer and no objections were raised subject to conditions ensuring the delivery of green roofs and bird boxes. Given the nature of the site there is otherwise little scope for landscaping as part of the proposed development.

### **Highways and Transportation**

- 10.64 Policies relevant to highways and transportation are set out in section 4 of the NPPF and chapter 6 of the London Plan. Islington's Core Strategy policy CS10 encourages sustainable transport choices through new development by maximising opportunities for walking, cycling and public transport use. Detailed transport policies are set out in chapter 8 of Islington's Development Management Policies.

### **Existing site**

- 10.65 The application site has a Public Transport Accessibility Level (PTAL) of 4. It is within walking distance of Caledonian Road underground station, and York Way and Caledonian Road are served by several bus routes. Bus and cycle lanes exist on York Way.
- 10.66 The site is located approximately 25 metres from the junction with York Way, which is controlled by a traffic light. A single yellow line covers Brewery Road to the front of the site, whilst nearer to the junction it becomes a double yellow line.
- 10.67 The site has an existing on site loading bay located on Brandon Road which requires vehicles to reverse out of the loading area onto Brandon Road.
- 10.68 Whilst some limited on-street parking is permitted in the vicinity, Brewery Road and Brandon Road are subject to the following parking restrictions:
- Brewery Road is within the Holloway West Controlled Parking Zone (CPZ) (weekdays 9:30am to 4:30pm)
  - Brewery Road – Short Stay Bays pay and display (2 hours) weekdays 9:30am to 4:30pm.
  - Brewery Road – resident/ business permit parking, weekdays 9:30am to 4:30pm
  - Brandon Road is within the Thornhill CPZ (weekdays 8:30am to 6:30pm, Saturdays 8:30am to 1:30pm)
  - Brandon Road – Short Stay Bays pay and display (1 hour) – residential and business - weekdays 8:30am to 6:30pm, Saturdays 8:30am to 1:30pm)

### **Trip generation and loading/unloading**

- 10.69 Vehicular access will continue to be taken from Brandon Road and pedestrian access will continue from Brewery Road. The applicant's Transport Assessment details the transportation and highways implications of the proposed development and has assessed the trip generation for the storage floorspace. The assessment concludes that the proposal is likely to result in an increase of 6no. additional vehicle trips during the morning peak hour and 4no. during the evening peak hour. On a daily basis it is suggested that the site will generate 39no. additional trips when compared to the existing situation.
- 10.70 The development proposals include a newly designed loading bay which would allow vehicles to reverse into the site and exit in a forward gear.
- 10.71 It is considered that this new layout will improve safety as well as minimising any possible delay to other road users on Brandon Road.
- 10.72 The nature of this section of Brandon Road is generally characterised by low volumes of traffic travelling at low speed. Given the proposed layout and access arrangements coupled with the size and number of vehicles using the loading bay and low number of vehicle trips, the Council's Highways officer has advised that the proposed self-storage loading/ unloading bay and servicing/ delivery arrangements would be acceptable.
- 10.73 The Highways Officer have also advised that the proposed increase in vehicle trips would be acceptable resulting in relatively low numbers of vehicles movements, which given the self-storage use are likely to be dispersed throughout the day and not concentrated to peak times or congested periods. In addition, vehicles would not have to reverse out of the loading bay onto Brandon Road – quieter periods would allow cars to manoeuvre through

the loading bay area internally and leave the site in a forward gear through one of the alternative loading bay doorways.

- 10.74 Should planning permission be granted condition 21 would be included to restrict the use of the loading bay for vehicles loading/unloading in association with the main storage business use and not for the parking of vehicles.

### **Servicing and refuse collection**

- 10.75 It is intended that all servicing and delivery activities would take place on site using the loading bay on Brandon Road, which would be in close proximity to refuse stores as well as an access to the main reception area.
- 10.76 The estimated number of servicing and delivery trips would include refuse collection. Refuse collection would be undertaken outside the reception operational hours and on a weekly basis. Further details of refuse collection and servicing and delivery details will be required by condition (15).

### **Cycle Parking**

- 10.77 York Way and Caledonian Road are the key strategic routes surrounding the site. Dedicated cycle lanes can be found along York Way and Market Road.
- 10.78 In terms of cycle parking, space for a total of 16 cycles will be provided which would be accessed via the ground floor level loading bay on Brandon Road at the ground floor level at the south western boundary of the site. This provision is in accordance with Islington standards and would be secured by condition (8).

### **Construction Traffic**

- 10.79 In the event that planning permission is granted, the permission would be subject to a condition requiring a Construction Environmental Management Plan to be submitted and approved in writing to the local planning authority in the interests of residential amenity, highway safety and the free flow of traffic on streets, and to mitigate the impacts of the development (condition 13).
- 10.80 Any works to the highway including reinstatement of footways would be secured by section 278 agreement with the costs covered by the developer.
- 10.81 In conclusion, the highways and transportation impacts are considered acceptable and in accordance with relevant planning policy subject to conditions and section 278 agreement.

### **Planning Obligations, Community Infrastructure Levy and local finance considerations**

- 10.82 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.83 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 3
- Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.75 as at 01/04/17).

If these placements are not provided, LBI will request a fee of: £15,000

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £2,292

and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.

- The provision of an additional number of accessible parking bays: 1 or a contribution towards bays or other accessible transport initiatives of: £2,000
- Developments providing wheelchair accessible private or shared ownership units will be required to market them as such for a minimum period of 6 months. Developers should include prominent information on the design standards met by all units and the specific qualities and capacity of the wheelchair accessible units in their marketing brochures and show rooms, on their websites and any billboards used to advertise the development.
- 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: £78,853
- 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 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: £6,798

## **11. SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 The application proposes the expansion of the existing B8 self-storage use at the site through redevelopment and extensions to create a five-storey building, with the re-cladding of the front and rear elevations. The proposal would also involve the replacement and extension of the rear portion of building and the creation of larger loading bay at ground floor level accessed from Brandon Road.
- 11.2 The development proposes 2,043 sqm (NIA) uplift in B8 floorspace creating a total of 4,878sqm (NIA) over the five floors of the new building. The proposal would serve to successfully support and enhance the functions of the Vale Royal/ Brewery Road Locally Significant Industrial Site (LSIS) designation and is strongly supported in terms of land use.
- 11.3 The proposal is not considered to have an unacceptable impact on neighbouring residential amenity in terms of loss of daylight, sunlight, outlook, privacy, noise and disturbance or an increased sense of enclosure. The application is considered to be a sustainable form of development in terms of energy efficiency, renewable energy and the provision of sustainable forms of transport. The proposal is not considered to result in undue implications of the surrounding highway network in terms of loading/ unloading and servicing and delivery.
- 11.4 For the reasons given above and explained in more detail in the subsequent sections of this report, the proposal is considered to be acceptable and in accordance with relevant planning policy and is thus recommended for approval subject to conditions and the completion of a S106 Agreement to secure the necessary mitigation measures.

### **Conclusion**

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

# APPENDIX 1 – RECOMMENDATIONS

## RECOMMENDATION A

That 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.

- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 3
- Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practise of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£9.75 as at 01/04/17).

If these placements are not provided, LBI will request a fee of: £15,000

- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £2,292

and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.

- The provision of an additional number of accessible parking bays: 1  
or a contribution towards bays or other accessible transport initiatives of: £2,000
- Developments providing wheelchair accessible private or shared ownership units will be required to market them as such for a minimum period of 6 months. Developers should include prominent information on the design standards met by all units and the specific qualities and capacity of the wheelchair accessible units in their marketing brochures and show rooms, on their websites and any billboards used to advertise the development.
- 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: £78,853
- 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 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).
- Other as necessary.
- Payment towards employment and training for local residents of a commuted sum of: £6,798

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) 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, and that there is delegated to each of the following: the Head of Development Management, the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

### List of Conditions:

<b>1</b>	<b>Commencement (Compliance)</b>
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of 3 years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Approved plans and documents list (Compliance)</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>232-00-000 Location Plan 232-00-001 Block Plan</p>

	<p>232-02-001 Existing Ground Floor Plan  232-02-002 Existing First Floor Plan  232-02-003 Existing Second Floor Plan  232-02-004 Existing Third Floor Plan  232-02-005 Existing Roof Plan  232-02-006 Existing Basement Plan  232-02-100 Existing Brewery Road Elevation  232-02-101 Existing Brandon Road Elevation  232-02-201 Existing Section BB  232-02-010 Rev C Proposed Ground Floor Plan  232-02-011 Proposed First Floor Plan  232-02-012 Proposed Second Floor Plan  232-02-013 Proposed Third Floor Plan  232-02-014 Rev B Proposed Fourth Floor Plan  232-02-015 Rev C Proposed Fifth Floor Plan  232-02-016 Rev C Proposed Roof Plan  232-02-017 Proposed Basement Plan  232-02-110 Rev C Proposed Brewery Road Elevation  232-02-111 Rev C Proposed Brandon Road Elevation  232-02-211 Rev B Proposed Section BB</p> <p>Acoustic Report – prepared Hilson Moran (7 December 2017) &amp; design note prepared by Hoare Lea (16 June 2020)  Air Quality Assessment (Revision 02 – 16 June 2020) prepared by Hoare Lea  Construction Management and Site Waste Management Plan (June 2020) prepared by Jon Dingle Ltd  Daylight and Sunlight Report (6<sup>th</sup> June 2020) prepared by eb7  Delivery and Servicing Management Plan (June 2020) prepared by Motion  Design and Access Statement Addendum (24 February 2021)  Ecology Report prepared by Hilson Moran  Flood Risk Assessment incl. SuDS prepared by Hilson Moran  Structural Concept Report prepared by Meinhardt  Sustainable Design and Construction Statement (4 June 2020) prepared by Hilson Moran  Transport Statement (June 2020) prepared by Motion  Travel Plan (June 2020) prepared by Motion</p> <p>REASON: For the avoidance of doubt and in the interest of proper planning.</p>
<p><b>3</b></p>	<p><b>Materials and samples (Details – Pre-Commencement)</b></p> <p>CONDITION: (A) A Green Procurement Plan for sourcing the materials to be used in the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability, including through the use of low impact, sustainably-sourced, reused and recycled materials and the reuse of demolition waste. The materials shall be procured and the development shall be carried out strictly in accordance with the Green Procurement Plan so approved.</p> <p>(B) Details of facing materials including samples shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details and samples shall include:</p> <p>a) brickwork, bond and mortar courses;</p>

	<p>b) metal cladding panels (including details of the edge and seams/gap treatments, method(s) of fixing, and any profiling);</p> <p>d) windows, doors and balustrades;</p> <p>e) roofing materials;</p> <p>f) any other materials to be used on the exterior of the development;</p> <p>g) metal mesh on glazing;</p> <p>h) interface between glazing to Brewery Road elevation and internal storage lockers</p> <p>The development shall be carried out strictly in accordance with the details and samples so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard and contributes positively to the significance of heritage assets.</p>
<b>4</b>	<b>Roof-level structures (Details)</b>
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding streetscene or the character and appearance of the area.</p>
<b>5</b>	<b>External pipes, cables and CCTV (Compliance and Details)</b>
	<p>CONDITION: No cables, plumbing, down pipes, rainwater pipes, foul pipes or CCTV cameras or related equipment and installations shall be located/fixed to any elevation(s) of the buildings hereby approved.</p> <p>Should additional cables, pipes be considered necessary the details of these shall be submitted to and approved in writing by the Local Planning Authority prior to their installation.</p> <p>Notwithstanding the drawings hereby approved, no CCTV cameras or related equipment and installations are hereby approved.</p> <p>REASON: To ensure that the resulting appearance and construction of the development is to a high standard.</p>
<b>6</b>	<b>Security and general lighting (Details)</b>
	<p>CONDITION: Notwithstanding the approved drawings listed under condition 2, details of general or security outdoor lighting (including full specification of all</p>

	<p>luminaries, lamps and support structures) shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The development shall be carried out strictly in accordance with the details so approved prior to the first occupation of the development hereby approved and shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of good design, security and protecting neighbouring and future residential amenity and existing and future habitats from undue light-spill.</p>
<b>7</b>	<p><b>Inclusive design – business floorspace (Details)</b></p> <p>CONDITION: Details including floorplans, sections and elevations of all business floorspace at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of any of the development’s business floorspace. The details shall include:</p> <ul style="list-style-type: none"> <li>• accessible WC provision;</li> <li>• public entrances including sections showing level access, door furniture and manifestations to glazing;</li> <li>• space for the storage and charging of mobility scooters;</li> <li>• details of accessible changing facilities for staff; and</li> <li>• details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design.</p>
<b>8</b>	<p><b>Cycle parking (Compliance)</b></p> <p>CONDITION: The bicycle storage areas, which shall be secure and provide for no less than 16 bicycle spaces (and additional space for accessible parking, the parking of trailers or tricycles, and the parking and charging of mobility scooters) shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>9</b>	<p><b>Green roofs (Details and Compliance)</b></p> <p>CONDITION: Notwithstanding the plans hereby approved, details of green roofs to the development hereby approved (including details of the extent of green roofs, and the species to be planted/seeded) shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing. The green roofs shall:</p> <ul style="list-style-type: none"> <li>• form biodiversity-based roofs with extensive substrate bases (depth 80-150mm);</li> <li>• cover at least all of the areas shown in the drawings hereby approved, confirmed by a location/extent plan; and</li> </ul>

	<ul style="list-style-type: none"> <li>• be planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works.</li> </ul> <p>An explanation as to why any areas of roof would not be covered with green roofs shall be included with the above details. Green roofs shall be expected to extend beneath any photovoltaic arrays proposed at roof level.</p> <p>No roofs, including the green roofs, shall be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity, to protect neighbouring privacy, and to ensure surface water run-off rates are reduced.</p>
<b>10</b>	<b>Sustainable urban drainage (Details)</b>
	<p>CONDITION: Prior to any works commencing on site a drainage strategy including full justification for any non-compliance with the requirements of Development Management Policy DM6.6 and London Plan Policy SI13, and confirmation that best endeavours have been made to comply with these policies, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the drainage strategy 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 the development achieves appropriate surface water run-off rates.</p>
<b>11</b>	<b>Energy/carbon dioxide reduction (Compliance)</b>
	<p>CONDITION: The proposed measures relevant to energy as set out in the Energy Assessment hereby approved which shall together provide for no less than a 32.55% on-site total (regulated and unregulated) carbon dioxide reduction in comparison with total emissions from a building which complies with Building Regulations 2013 shall be installed and operational prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interests of sustainable development and to ensure that the Local Planning Authority may be satisfied that the carbon dioxide reduction target is met.</p>
<b>12</b>	<b>Demolition and Construction Management and Logistics Plan (Details)</b>
	<p>CONDITION: No demolition shall take place unless and until a Demolition and Construction Management and Logistics Plan (DCMLP) has been submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London.</p> <p>The development shall be carried out strictly in accordance with the approved DCMLP throughout the demolition and 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>
<b>13</b>	<p><b>Construction Environmental Management Plan (Details)</b></p> <p>A Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including (but not limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interests of residential and local amenity, and air quality.</p>
<b>14</b>	<p><b>Delivery and Servicing Management Plan and Waste Management Plan (Details)</b></p> <p>CONDITION: A Delivery and Servicing Management Plan (DSMP), including a Waste Management Plan (WSP), shall be submitted to and approved in writing by the Local Planning Authority in consultation with Transport for London prior to the first occupation of the development.</p> <p>The DSMP shall include details of all servicing and delivery requirements, including details of how waste (including recyclable waste) would be transferred and collected, and shall confirm the timings of all deliveries and collections from service vehicles.</p> <p>The development shall be carried out strictly in accordance with the DSMP so approved.</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>
<b>15</b>	<p><b>Waste storage (Compliance)</b></p> <p>CONDITION: The dedicated refuse/recycling stores hereby approved shall be provided prior to first occupation of the development hereby approved and shall be maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure the necessary physical waste storage to support the development is provided.</p>
<b>16</b>	<p><b>Plant Noise (Compliance)</b></p> <p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>

<p><b>17</b></p>	<p><b>Noise from the standby plant (Details)</b></p> <p>This approval is subject to the prior written approval by the Local Planning Authority of a written code for the management of noise from emergency plant and equipment, the subject of this consent. The code shall be submitted to and approved prior to the occupation of the use to which this consent relates. The code shall be fully implemented and operated at all times in accordance with the approved details. The management code shall identify measures to reduce the impact of the noise on the community.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<p><b>18</b></p>	<p><b>Site contamination (Details)</b></p> <p>CONDITION: Prior to the commencement of development the following assessment 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 land contamination investigation.</p> <p>Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site:</p> <p>b) A programme of any necessary remedial land contamination remediation works arising from the land contamination investigation.</p> <p>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.</p> <p>c) 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 b).</p> <p>REASON: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water.</p>
<p><b>19</b></p>	<p><b>Site contamination – unsuspected contamination (Details)</b></p> <p>CONDITION: If during development contamination not previously identified is found to be present at the site no further development shall be carried out (unless otherwise agreed in writing with the Local Planning Authority) until a remediation strategy has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: Previous industrial and/or commercial activities at this site may have resulted in contaminated soils and groundwater, the underlying groundwater is vulnerable to pollution and potential contamination must be investigated and a risk assessment carried out to determine impacts on the water environment.</p>

<b>20</b>	<b>Parking Restriction (Compliance)</b>
	<p>CONDITION: The ground floor loading bay hereby permitted shall only be used for vehicles loading/unloading in association with the main storage business use and not for the parking of vehicles.</p> <p>REASON: To ensure the development is car free.</p>
<b>21</b>	<b>Nesting Boxes (Compliance)</b>
	<p>CONDITION: A total of 2No. bird or bat boxes shall be installed prior to the first occupation of the building to which they form a part, or the first use of the space in which they are contained, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision in respect of the creation of habitats and valuable areas for biodiversity.</p>
<b>22</b>	<b>Restrictions on use (Compliance)</b>
	<p>CONDITION: At least 2,043 sqm (NIA) of B8 floorspace shall be provided. The B8 floorspace shall be strictly limited to uses within the B8 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>

**List of Informatives:**

<b>1</b>	<b>S106</b>
	<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>
<b>2</b>	<b>Superstructure</b>
	<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>
<b>3</b>	<b>Community Infrastructure Levy (CIL) (Granting Consent)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a>.</p>

	<p>The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at:  <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a></p> <p>Pre-Commencement Conditions:  These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	<p><b>Car-Free Development</b></p> <p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	<p>The Management code shall include measures to address the following matters:</p> <ol style="list-style-type: none"> <li>1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.</li> <li>2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour.</li> <li>3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test.</li> <li>4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level (LA90). The rating level to be determined as per the guidance provided in BS4142:2014.</li> <li>5. A report to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the use hereby permitted and permanently retained thereafter.”</li> </ol>
6	<p><b>Roller Shutters</b></p> <p><b>ROLLER SHUTTERS</b>  The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>