



ISLINGTON

Development Management Service
 Planning and Development Division
 Environment and Regeneration
 Department
 Town Hall
 LONDON N1 2DU

COMMITTEE REPORT

PLANNING COMMITTEE		AGENDA ITEM NO: B1
Date:	29 th June 2021	

Application number	P2021/1062/FUL
Application type	Full Planning Application
Site Address	20 Tileyard Road, London, N7 9AH
Proposal	Demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage.
Ward	Caledonian Ward
Listed building	None
Conservation area	None
Development Plan Context	Local View from Dartmouth Park King's Cross and Pentonville Road Key Area Vale Royal / Brewery Road LSIS
Licensing Implications	None

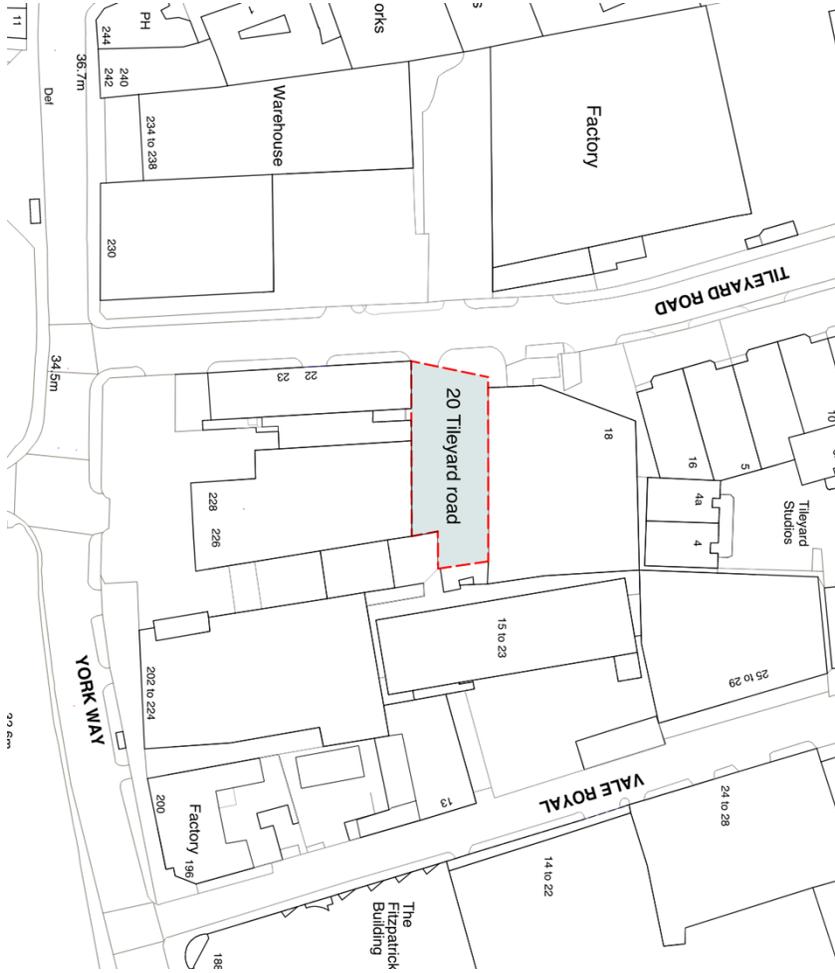
Case Officer	Stefan Sanctuary
Applicant	Sands Catering
Agent	Maddox & Associates

1. RECOMMENDATION

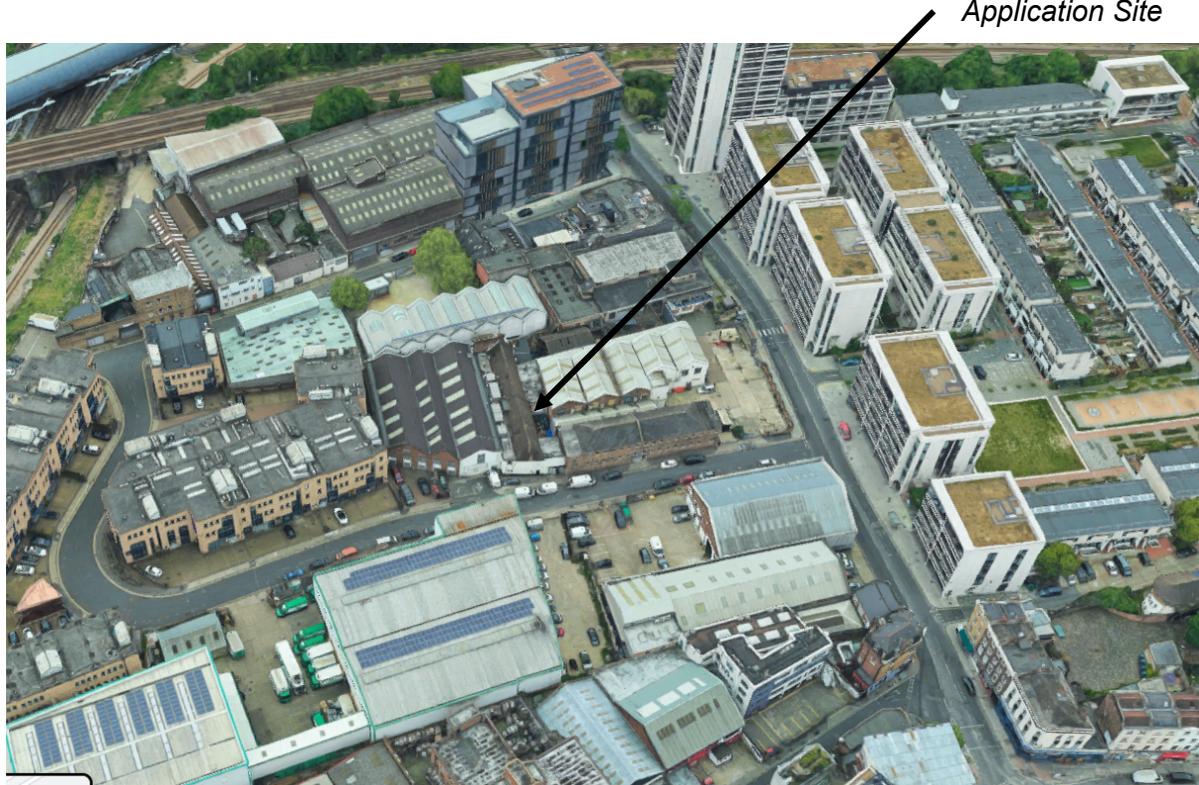
The Committee is asked to resolve to **GRANT** planning permission:

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

2. SITE PLAN / PHOTOS OF SITE



Application Site



Birdseye View 1 looking south

Application Site



Birdseye View 2 looking east



View of Front Elevation



Photos of Site

3.0 SUMMARY

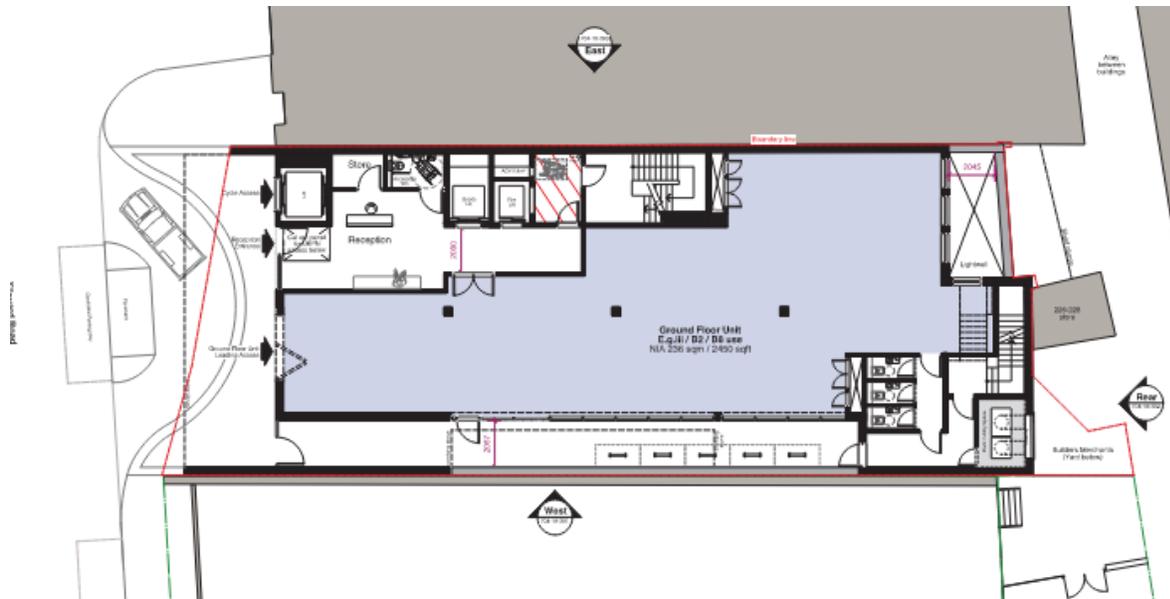
- 3.1 The application is for full planning permission for the demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage.
- 3.2 The principle of the planning application, in delivering a new commercial building with predominantly industrial uses is supported. Whilst the proposal introduces a modest amount of office floorspace, this is not considered to have a detrimental impact on the area's primary economic function, in accordance with London Plan Policies E4 and E6 as well as Development Management Policy DM5.3.
- 3.3 The proposal is considered to introduce a well-designed and contextual building that would enhance the character of the LSIS in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.
- 3.4 The proposed development is considered to have been designed to minimise impacts on neighbouring amenity and would not affect daylight, sunlight, privacy or outlook to neighbouring properties to an unacceptable extent. As such, the application is considered to be acceptable and in accordance with London Plan 2016 policies and Islington Development Management Policies DM2.1.
- 3.5 The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy. The proposal would require separate highways agreements under section 278 in order to be implemented.
- 3.6 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

4.0 SITE & SURROUNDINGS

- 4.1 The site is rectangular in shape with frontage onto Tileyard Road and near to the junction with York Way. The site comprises a two-storey building of no architectural merit with a small service/delivery yard occupying a small area along the site's western boundary, and is located within the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS). The applicant has confirmed the site to be occupied by a catering company (Sands Catering) with all the floorspace on site used for the purpose of light industrial use.
- 4.2 The immediate context is mainly commercial / industrial in character. The site is bordered by an industrial building with a saw-tooth roof occupied by a manufacturer and distributor of cycle accessories and clothing on its eastern boundary, while on its western boundary is a two-storey commercial building which forms part of a site with planning permission for a new part 3-, part 5-storey office workspace / industrial building. Opposite the subject site on the northern side of Tileyard Road are further commercial and industrial buildings including an open area providing storage and parking for motor vehicles. To the immediate south of the site are the studios of the artist Anthony Gormley.
- 4.3 In general, the prevailing heights of surrounding buildings are low, usually two to four storeys, though a little further to west on the Camden side of York Way are the higher rise residential buildings of the Maiden Lane Estate, which are separated from the LSIS by York Way. The site is considered to have a moderate level of accessibility to public transport with a rating of 2. The site is within walking distance to Caledonian Road & Barnsbury London Overground station. There are also a number of bus routes in the immediate area running along York Way and Agar Grove, as well as local cycle routes.

5.0 PROPOSAL (IN DETAIL)

- 5.1 The application involves the demolition of the existing building on site and development of the site for industrial and office uses, involving 2,493sqm of commercial floorspace within a new 5-storey building. The proposed ground floor includes a loading bay at the front providing access to a further internal loading bay. The main entrance to the building is also at the front providing access to the reception area with lift and stair core as well as accessible bathroom facilities. The ground floor also includes 236sqm (NIA) of 'industrial' floorspace, encompassing Eg(iii)/B2/B8 floorspace.



Ground Floor Plan

- 5.2 The proposed basement, which is accessed via the lift/stair core including bicycle and goods lifts, includes accessible bathroom/shower facilities, cycle storage, refuse storage and plant room as well as a further 83sqm (NIA) of 'industrial' floorspace. Lightwells have been provided to the front and rear to provide access to natural daylight at basement level. On the upper floors, the 1st floor and 2nd floors include 380sqm (NIA) of 'industrial' floorspace each alongside a lift/stair core, ancillary bathroom facilities and plant/utility room. The 3rd and 4th floors include respectively 380sqm and 345sqm of office floorspace with the top floor also housing further plant room. Inclusive design features including access via two lifts has been provided throughout.



Proposed Front and Side Elevation

- 5.3 The roof-top includes an area of green roof as well as an extensive area of solar PVs. The canopy over the ground floor entrance also includes a green roof and the several soft landscaping interventions have been proposed at ground floor level around the entrance area.

6.0 RELEVANT HISTORY

- 6.1 The most relevant planning history related to the site is as follows:

A planning application (**870143**) for the erection of two-storey storage accommodation on part of existing yard was **approved** on the 25th June 1987.

A planning application (**P2013/5015/FUL**) for the erection of a first floor infill extension and two storey extension to create new second and third floors to an existing commercial building to be constructed

on top of existing two floor property that houses a catering firm; extension of first floor to fill in existing courtyard, with retention of delivery access on ground floor beneath was **approved** on the 18th February 2014.

A Certificate of Lawfulness (Existing) for continued use of the first floor of the building as an independent office (Use Class B1a) was **refused** under **P2016/3054/COL** on the 28th September 2016 due to lack of supporting evidence. It was thereby confirmed that the 1st floor office was ancillary to the building's main function as a light industrial use.

A planning application (**P2018/2640/FUL**) for two storey extensions to rear elevation and additional floorspace (192.7 sqm) within existing void space for existing use as food preparation and external alterations to front elevation including new roller shutters and new doors was **approved** on the 22nd October 2018.

Pre-Application

6.2 The applicant approached the Council at pre-application stage and had a series of meetings at which the following points were raised and discussed. Officers advised the following:

- The proposal should involve predominantly industrial floorspace in line with adopted and emerging planning policy;
- The design and architectural expression of the proposal, which pick up on the industrial aesthetic and context of the area, is supported in principle;
- The proposal should not be higher than 5 storeys and should be below the parapet height of the adjoining development at 22-23 Tileyard Road;
- The right balance needs to be achieved between inclusive design and delivery and servicing requirements for industrial occupiers;
- Loss of daylight, particularly to the artist's studios to the rear of the site should be minimised;
- Any successful proposal would need to include sustainability features and reductions in carbon emissions in line with adopted planning policy.

It is considered that the matters raised at the pre-application stage have been adequately addressed.

Design Review Panel

6.3 The proposal was not presented to the Council's Design Review Panel, given the relatively straightforward nature of the site and the uncontentious nature of the design.

7.0 CONSULTATION

Public Consultation

7.1 Letters were sent to occupants of 251 adjoining and nearby properties on York Way, Tileyard Road, Brandon Road and Vale Royal, on the 16th April 2021. A site notice and press advert were displayed on the 22nd April 2021. The public consultation of the application expired on the 16th May 2021, though it is the Council's practice to accept comments and objections up until the day of Committee.

7.2 A total of 1 letter of objection and 1 letter of comment and support were received from the public in response to consultation on this planning application The following points of objection were made *[with the paragraphs in brackets indicating where in the report the respective points have been addressed]*:

- The proposal's height is excessive and its massing and character is incongruous and would not fit into the industrial character of the area [9.26 – 9.31];
- The proposal would interrupt a protected viewing corridor [9.28];
- Surrounding buildings typically have pitched roofs and the proposed flat roof would break this pattern [9.32 – 9.39];
- The proposed lightwell is too narrow and would not result in good quality floorspace in the basement [9.15];
- The green/sustainability features appear to be token and the proposal would not be truly sustainable [9.75 – 9.96];
- A more sustainable solution would be to retain the existing building [9.22 – 9.25 & 9.77 – 9.81];

Points of support

- The height, mass, and design of this building is a reasonable addition to our LSIS.
- We continue to support the council in their efforts to maintain and protect the industrial use of this LSIS.

Comments:

- The developer should work collegiately with neighbouring sites when considering the equipment and methodology for the removal of the existing building.
- Additional detail on any potential noise, odour, or air disturbance from the planned bank of plant units should be provided.

External Consultees

7.3 Thames Water

Thames Water has raised no objection to the proposal subject to standard conditions and informatives on piling methods, groundwater, sewerage infrastructure, waste, water and surface water.

7.4 London Fire & Emergency Planning Authority

No comments received.

7.6 Designing Out Crime

No objections to the development but the following comments and recommendations on the following points:

- Any glass facades of the building to follow BS EN 356:2000 security rating.
- We would strongly advise a secondary layer of defence to basement bicycle storage. Access should be controlled through an encrypted key fob registered to each employee who requires access.
- It is recommended that all staff and visitors use a common main entrance.
- The risk of unauthorised persons wandering around the site can be offset by the use of security rated doors and controlled access in the form of encrypted key fob.
- If reception desks are to be considered then they should be positioned in a place within direct line of sight to the main entrance.
- As a general rule all internal door sets should be fitted with locking furniture so that they can be locked when the room is not in use.
- Rooms storing high risk/value equipment, such as IT servers, and materials or security systems/utilities services will require most robust door sets and locking systems.
- London stands are preferred over Sheffield stands. The London stands have a tapping bar. When the user locks their bicycles to the bar the lock should be above the tapping bar. This reduces the risk of the lock being smashed against the floor and a blunt instrument.
- Light wells have been seen in the design. It is recommended that the windows accessible within this area be security rated to PAS24:2016.
- Consider the bin strategy as from the drawings it would appear that the refuse store is basement level and the rubbish may have to be taken up in the same lift as the employee's bicycles.
- Anti-graffiti treatments for exposed gable ends. There are treatments for both concrete/brick as well as metal textured materials. Also consider defensive planting or a rail or a combination of both to create a defensive space and provide a layer of additional security.
- CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB).

Further consultation is required in the pursuit of achieving SBD certification for the development. The advice has been adjusted taking into consideration crime statistics and analysis of the area. Further consultation is required in the pursuit of achieving SBD certification for the development (condition 20).

Internal Consultees

7.7 Design and Conservation

The Design & Conservation Team made the following points:

- This is a well-mannered, well considered proposal that, while developing the site to its maximum capacity, sits comfortably within its context and provides for a good quality of contemporary industrial and commercial floorspace.

- The architecture will enrich the intensifying LSIS and help establish and maintain a qualitative benchmark for the area going forward.
- The scheme designs represent a high quality of architecture in accordance with plan policy and local design guidance. And as a result, it is supported.

7.8 Planning Policy

A number of comments have been made by the planning policy team. These can be summarised as follows:

- The quantum of office floorspace is still significant, which would be contrary to emerging Policy SP3 which resists office uses, though this policy still has limited weight.
- There is a considerable increase in 'industrial' floorspace, which is supported.
- Inclusive design and servicing arrangements should be considered separately.

7.9 Access & Inclusive Design

General comments

A few extra details requested but in general a scheme that shows inclusive design principles integrated throughout, facilitated by early and positive engagement at pre-app.

Transport

Two on-street blue badge spaces are referred to in the Transport Assessment which states the location of these bays will be discussed with LBI. Assurances sought that the design of these bays will accord with Islington Inclusive Design SPD 4.1 – *this has been confirmed*.

Cycle access - lift model and size of lift is requested. This must be large enough to accommodate adapted cycles and ideally mobility scooters – *this has been confirmed*.

Entrance and Egress

Following constructive engagement with the applicant, the willingness to differentiate between the footway and carriageway is noted. This should be suitably conditioned (*condition 17*).

Ideally, legibility features to aid differentiation between the 4 entrances should be included as the number could lead to confusion – *this has been confirmed (condition 27)*.

Doors - need to be of under 30N opening weight or be power operated. They should include an intercom with door release, sited so they are usable for wheelchair users (located between 750 and 1200mm above finished floor level). Doors should be in a colour that contrasts with the door frame – this would be suitably conditioned (*condition 3*).

Circulation

Make and dimensions of goods lift and fire lift also requested – *this is confirmed and accepted*.

Accessible Toilets

Confirmation requested of size of accessible toilets- please note this should be 1500mm x 2200mm minimum – *this has been confirmed*.

7.10 Public Protection

- There is a significant amount of building services plant proposed for the site (10 x air con units) which is described as being located at "different floor levels discharging to the rear elevation of the building." There is some distance from the plant to the nearest sensitive receptors. In any case, *condition 11* is advised to control noise from plant.
- The report includes a brief section on noise from the proposed use and servicing. The current use of the building and surrounding area is noted and concludes there are no significant adverse impacts from the intensification.
- The site has a long history of potentially contaminating uses. The submission includes a desktop report and the development includes a basement level and hardstanding across the site. *Condition 12* is recommended to address any potential outstanding contamination issues.
- The AQ assessment advises that there are no gas boilers/CHPs proposed for the site and the development is car-free. The proposed building is surrounded by other office and industrial

receptors, along with the residential on the Maiden Lane estate in Camden. With the demolition of the existing building, excavation of the basement and piling and construction of the new building there is the potential for disruption and it is advised that a site specific CMP/CoPCS response document is required either via condition (5) or S106 obligation. Any submission should pay reference to Islington's Code of Practice for Construction Sites.

7.11 Energy

The energy team raised a few points on sustainability and energy, which have now all been addressed. The proposal would now be future-proofed for future DHN connection and propose a significant reduction in carbon emissions. Energy is considered in subsequent sections of this report and relevant conditions are included in Appendix 1.

7.12 Sustainability

Drainage

The proposals for reducing the runoff rates to greenfield levels supported. A good level of detail on the blue roofs and permeable paving has been submitted so will need to ensure these proposals are maintained as the application progresses. A condition (*condition 7*) requiring them to comply with the submitted FRA SuDS Report would be prudent.

Green roof

Note from the proposed roof plan that green roof is not proposed for the whole roof area. Green roof should also be installed under and around solar panels in the form of a bio-solar roof if this is also a flat roof – this has been amended accordingly and suitably conditioned (*condition 14*)

Biodiversity

The recommendations of the Preliminary Ecological Appraisal should be followed (*condition 23*), including those relating to installation of integrated bat boxes, wildlife-friendly landscaping, and proposals for the planting and log pile on the green roof.

In addition, swift bricks should be installed as advised by an ecologist and in accordance with CIEEM guidance.

7.13 Transport / Highways

No objection in terms of transport impacts. Works to the footway would require a section 278 agreement and/or stopping up order.

8.0 RELEVANT POLICIES

National Guidance

8.1 The National Planning Policy Framework (NPPF) 2018 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF and the National Planning Practice Guidance (NPPG) are material considerations and have been considered as part of the assessment of these proposals.

Development Plan

8.2 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and Islington Development Management Policies 2013. The following policies of the Development Plan are considered relevant to this application:

8.3 **The London Plan 2021 - Spatial Development Strategy for Greater London**

<p>Policy GG1 Building strong and inclusive communities Policy GG2 Making the best use of land Policy GG5 Growing a good economy Policy D1 London's form, character and capacity for growth Policy D3 Optimising site capacity through design-led approach Policy D4 Delivering Good Design</p>	<p>Policy HC3 Strategic and Local Views Policy G5 Urban Greening Policy G6 Biodiversity and Access to Nature Policy SI2 Minimising greenhouse emissions Policy SI4 Managing heat risk Policy SI5 Water infrastructure Policy SI7 Reducing waste and supporting the circular economy Policy SI12 Flood risk management</p>
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Policy D5 Inclusive Design Policy D8 Public Realm Policy D10 Basement Development Policy D11 Fire safety Policy D14 Noise Policy E1 Offices Policy E2 Providing sustainable business space Policy E4 Land for industry, logistics and services Policy E6 Local Significant Industrial Sites Policy E7 Industrial intensification, co-location and substitution Policy E11 Skills and opportunities for all	Policy SI13 Sustainable drainage Policy T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car parking Policy T7 Deliveries, servicing and construction
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8.4 Islington Core Strategy 2011

<u>Spatial Strategy</u> Policy CS8 (Enhancing Islington's Character) <u>Strategic Policies</u> Policy CS10 (Sustainable Design) Policy CS11 (Waste) Policy CS13 (Employment Spaces)	<u>Infrastructure and Implementation</u> Policy CS18 (Delivery and Infrastructure) Policy CS19 (Health Impact Assessments) Policy CS20 (Partnership Working)
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8.5 Development Management Policies 2013:

Policy DM2.1 (Design) Policy DM2.2 (Inclusive design) Policy DM2.4 (Protected Views) Policy DM3.7 (Noise and Vibration) Policy DM5.1 (New business floorspace) Policy DM5.3 (Vale Royal / Brewery Road LSIS) Policy DM5.4 (Size and affordability of floorspace) Policy DM6.1 (Healthy development) Policy DM6.5 (Landscaping, trees & biodiversity) Policy DM6.6 (Flood prevention) Policy DM7.1 (Sustainable design & construction) Policy DM7.3 (Decentralised Energy Networks)	Policy DM7.4 (Sustainable design standards) Policy DM7.5 (Heating and cooling) Policy DM8.2 (Managing transport impacts) Policy DM8.4 (Walking and cycling) Policy DM8.5 (Vehicle parking) Policy DM8.6 (Delivery and servicing for new developments) Policy DM9.1 (Infrastructure) Policy DM9.2 (Planning obligations)
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8.6 Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)
 Inclusive Design (Feb 2014)
 Planning Obligations (S106) (Dec 2016)
 Urban Design Guide (Jan 2015)
 Streetbook SPD (Oct 2012)
 Basement Development (Jan 2016)
 Islington Employment Land Study (Jan 2016)
 Vale Royal/Brewery Road Locally Significant Industrial Site Height Study (2016)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)
 Character and Context SPG (adopted June 2014)
 Sustainable Design and Construction SPG (adopted April 2014)
 The Control of Dust and Emissions During Construction and Demolition SPG (adopted July 2014)

Draft Islington Local Plan 2020

8.7 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 in progress. As part of the examination consultation on pre-hearing modifications took place between 19 March and 9 May.

8.8 In line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:

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

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

Policy SP3 Vale Royal/Brewery Road LSIS Policy SC3 Health Impact Assessment Policy B1 Delivering business floorspace Policy B2 New business floorspace Policy B5 Jobs and Training Opportunities G4 Biodiversity, Landscaping and Trees 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 emissions Policy S6 Managing Heat Risk	Policy S8 Flood risk management Policy S9 Integrated water management and sustainable design Policy T1 Enhancing the public realm and sustainable transport Policy T2 Sustainable transport choices Policy T3 Car-free development Policy T4 Public Realm Policy T5 Delivery, servicing and construction Policy DH1 Fostering innovation while protecting heritage Policy DH3 Building Heights Policy DH4 Basement Development Policy DH5 Agent of Change, noise and vibration
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9.0 EVALUATION

Land use

- 9.1 The existing building has been occupied by the current owner, a catering company, for a number of years and its lawful use was confirmed through the above-referenced Certificate of Lawfulness (ref. P2016/3054/COL) as being in light industrial use. The CoL refers to B2 use on site but it is arguable whether a catering company of the size and nature of Sands Catering should in fact be classified as B1(c), now E(g)(iii) use. In any case, the existing site is wholly in 'industrial' use.
- 9.2 The proposal involves the demolition of the existing building on site and development of the site for industrial and office uses. The existing building includes 787.2sqm (GIA) of light industrial floorspace while the proposal includes 1,555sqm (GIA) of 'industrial' floorspace in the form of Eg(iii)/B2/B8 use classes and 938sqm (GIA) of office floorspace. As such, the proposal is considered predominantly 'industrial' in nature involving an uplift in 'industrial' uses alongside the introduction of office uses.

Current Local Plan policies (Core Strategy, 2011; and Development Management Policies, 2013)

- 9.3 The Vale Royal/Brewery Road Locally Strategic Industrial Site (LSIS) is within close proximity to the CAZ, and serves a strategic purpose to Central London's businesses and the wider borough economy. Vale Royal/Brewery Road LSIS has a longstanding history of industrial activity dating back to the late 19th Century. It was identified as an Industrial Priority Area in Islington's Development Plan dating back to 1982, where investment on industrial uses were prioritised in the area to support the increasing industrial activity in the area. The current Development Management Policies (DMP, 2013) LSIS designation on the Vale Royal/Brewery Road area was carried over from the Unitary Development Plan (UDP, 2002) which recognised this area as an Industrial and Warehousing Area (IAWA), with policies focusing on safeguarding B2 and B8 uses and land.
- 9.4 Islington's Core Strategy policies CS6 (part D) and CS13 (part B) for the Vale Royal/Brewery Road LSIS set out the objectives for this LSIS designation and the appropriate land uses that are suited to industrial and warehousing uses, in line with the primary economic activity of the area; ensuring that new development proposals enhance the area's potential to retain and maximise industrial capacity. This is reiterated in policy DM5.3 of the council's Development Management Policies (DMP, 2013), that is specifically concerned with the Vale Royal/Brewery Road LSIS. Part A of this policy states that the council supports the retention and intensification of uses appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes). Part B protects the Vale Royal/Brewery Road LSIS from loss or reduction of B1c, B2 and B8 floorspace. Part C states that proposals will be also resisted where they would have a detrimental individual or cumulative impact on the area's primary economic function. Para 5.22 explains that proposals for uses which complement and support the economic and employment role of the LSIS will be considered acceptable "where there is no impact on its primary economic function". Offices are given as an example of the type of use which may fall into this category.

London Plan's approach to safeguarding industrial land

- 9.5 The London Plan (2021) confirms the need to protect and enhance industrial capacity in identified areas through Policy E4. The policy requires that a sufficient supply of land and premises exist in different parts of London, to meet current and future demand for industrial and related functions. Para 6.4.1 notes that "London depends on a wide range of industrial, logistics and related uses that are essential to the functioning of its economy and for servicing the needs of its growing population, as well as contributing towards employment opportunities for Londoners". Para 6.4.7 identifies the "need to provide essential services to the CAZ and Northern Isle of Dogs and in particular sustainable 'last mile' distribution/logistics, 'just-in-time' servicing (such as food service activities, printing, administrative and support services, office supplies, repair and maintenance) ...". Policy E4 (part C) of the new London Plan states that "The retention, enhancement and

provision of additional industrial capacity across the three categories of industrial land set out in Part B (i.e. including the LSIS) should be planned, monitored and managed.”

- 9.6 Part D of E4 states that the retention, enhancement and provision of additional industrial capacity should be prioritised in locations with certain characteristics, such as those that are accessible to the strategic road network; provide capacity for activities such as logistics, emerging industrial sectors or essential industrial-related services that support London’s economy and population; provide capacity for micro, small and medium-sized enterprises; are suitable for ‘last mile’ distribution services to support large-scale residential or mixed-use developments; and support access to supply chains and local employment in industrial and related activities.
- 9.7 Policy E6 requires London boroughs to designate and define boundaries for Locally Significant Industrial Sites, making clear the range of industrial and related uses acceptable in the LSIS to include, where appropriate, hybrid or flexible B1c/B2/B8 suitable for SMEs. The London Plan encourages all boroughs to explore the potential to intensify industrial activities on industrial land to deliver additional capacity (para 6.7.1 of the supporting text to policy E7). Policy E7 instructs both borough local plans and development proposals to be proactive and encourage the intensification of industrial (B1c, B2, B8) uses on all categories on industrial land (meaning SIL, LSIS and non-designated industrial sites) through various measures.
- 9.8 The Mayor’s current approach towards protection of industrial land is underpinned by robust evidence, including the London Industrial Land Demand Study (LILDS, 2017), the London Industrial Land Supply and Economy Study (LILSES, 2015) and The Industrial Land and Transport Study (ILTS, 2017). Para 6.4.4 from the new London Plan indicates that there will be positive net demand for industrial land in London over the period 2016 to 2041, mostly driven by strong demand for logistics to service growth in London’s economy and population. In addition, the ILTS (2017) concluded that the release of industrial land could have a negative impact on the efficient operations of the firms affected by land release; the labour market, if firms have to relocate a significant distance; the ability to achieve service level agreements and supply chain impacts on third parties more generally; and traffic congestion, air quality and emissions and road safety issues.
- 9.9 The Vale Royal/Brewery Road LSIS accommodates many of the type of uses suggested in the Mayor’s evidence, including ‘clean’ activities that provide for the expanding Central London business market. Such activities may also exist alongside more traditional forms of industrial uses, as well as emerging forms. The uses identified include:
- trade suppliers (plumbers and builders’ merchants);
 - companies supplying logistics and sound equipment for live events;
 - props hire companies;
 - artisan bread makers;
 - catering companies;
 - distribution companies (wine distributor);
 - a graphics company who design and manufacture hoardings; and
 - photographic and sound recording studios.

Emerging Local Policies

- 9.10 In accordance with the London Plan’s appeal to boroughs to explore the potential to intensify industrial activities on industrial land to deliver additional capacity, Islington’s emerging Local Plan policies (Strategic and DM Policies DPD Regulation 19, 2020) consider the latest employment and industrial land evidence base both at local and regional levels, in line with national policy. In response to the new London Plan, Policy SP3 part A of Islington’s emerging Local Plan identifies the principal objective of the Vale Royal/Brewery Road LSIS as being “to retain industrial land and intensify B1c light industrial, B2 general industry and B8 storage and distribution uses”, while part C from this policy states that “any proposal which introduces additional offices, regardless of

whether there is an existing office use on site, and which does not result in the building being in predominantly industrial use, will be refused.”

- 9.11 Policy B2, from the emerging Local Plan sets out that the overriding priority land uses in LSIS designations are industrial uses (B1(c), B2, B8 and Sui Generis uses which are akin to industrial uses). While B1(c) is now essentially within the Class E Category, light industrial is found within a sub-categorisation of Class E(g)(iii). The sub-categorisation of this use allows for control of these uses to remain (*through condition 13*), in the event of planning permission being granted. The retention and intensification of industrial uses and existing clusters of industrial activity in LSISs will be required as part of any proposal within a LSIS. The provision of hybrid space is supported. The development of office use may be permissible as part of a hybrid workspace scheme, but it must only constitute a small proportion of the overall gross floorspace proposed. The introduction of non-industrial uses would undermine the primary industrial economic function and compromise the future growth of LSISs and will therefore not be permitted unless they are clearly ancillary to a proposal. The provision of hybrid space in LSIS designations is also referenced in Policy SP3, part B, that encourages the provision of a range of flexible industrial uses including those suitable for SMEs, in line with policy E6 from the new London Plan.

Affordable workspace / SME space

- 9.12 Policy CS13 requires for new employment floorspace to be flexible to meet future business needs and for a range of unit sizes and types including those suitable for SMEs to be provided. Emerging Local Plan Policy B2 has a similar requirement for business floorspace to allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and to provide a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs. Emerging Local Plan Policy B4 has a requirement for affordable workspace on any major development proposals involving 1,000sqm or more gross B1(a) and/or B1(b) and/or general B1 and/or a Sui Generis use akin to B1(a)/B1(b) floorspace within an LSIS.

Assessment of Proposed Uses

- 9.13 The proposal includes 1,555sqm (GIA) of ‘industrial’ uses, which is a considerable uplift on the existing 787sqm (GIA) of ‘industrial’ floorspace and would thus comply with local adopted policy, in particular Policy CS6 and Policy DM5.3, which seek for new developments to retain and intensify uses that are appropriate to the role of the LSIS (i.e. within the B1(c), B2 and B8 Use Classes). While the proposal also includes office floorspace on the upper levels, the development would be industrial-led with the majority of floorspace in either B2, B8 or E(g)(iii) uses and would thus also comply with the new London Plan Policy E4, which states that the retention, enhancement and provision of additional industrial capacity should be prioritised in locations such as the Vale Royal / Brewery Road LSIS.
- 9.14 As referred to above, emerging Local Policies B2 and SP3 resist office floorspace in the LSIS by stating that B1a offices may only be permissible as a small proportion of the overall proposed floorspace. In paragraph 2.29 of the document it states in relation to this that the proportion of office floorspace should not result in the overall building being in predominant office use. The proposal includes two storeys of office floorspace which would equate to 37% of the overall. It is acknowledged that this is more than just a small proportion of the overall floorspace required by the emerging policy. However, this must be balanced against the fact that the size and width of the proposed floorplates are relatively narrow and compact and are not considered to lend themselves very well to some industrial processes. Given these constraints, the higher percentage of floorspace given over to office uses is deemed to be acceptable particularly as the proposal as a whole is still industrial-led and also within the context of the weight given to emerging and adopted policies at this point in time.
- 9.15 In terms of the size and affordability of workspace, there is no requirement for the proposal to provide affordable workspace on site, given that the site within the LSIS and the office floorspace is below 1,000sqm. However, the proposal is considered to demonstrate that the floorspace has

been designed with flexibility and the requirements of SMEs in mind. Floorplates are generally modest in size, in particular the basement which includes an industrial unit of 83sqm in size. While the basement floorspace only has natural daylight from a narrow lightwell, this is considered to be acceptable given the relatively small size and the industrial nature of the floorspace. Each of the floors have the required level of access and ancillary facilities in order for them to be used independently or as part of the same commercial operation.

- 9.16 As such, in land use terms, the proposed development is considered to be acceptable in principle, subject to a further assessment of the other more detailed aspects of the proposal, and thus would be consistent with the aims and objectives of NPPF as well as London Plan Policies E4 and E6 and Islington Policy DM5.3. The proposal would deliver an increase in industrial floorspace in the LSIS alongside a modest quantum of office floorspace which would not threaten to undermine the function and role of the industrial area, and is therefore supported

Design, Conservation and Heritage Considerations

Policy Context

- 9.17 The National Planning Policy Framework confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. London Plan Policy D3 (Optimising site capacity through the design-led approach) is concerned with good quality and contextual design and states, inter alia, that developments 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.'*
- 9.18 The London Plan Policy D3 also states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well. Furthermore, London Plan Policy D4 (Delivering Good Design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 9.19 Islington's Core Strategy Policy CS8 (Enhancing Islington's character) states that the scale of new development will reflect the character of a surrounding area. Policy CS9 (Protecting and enhancing Islington's built and historic environment) states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive. Moreover, where areas of Islington suffer from poor layout, opportunities will be taken to redesign them by integrating new buildings into surviving fragments of historic fabric. All development will need to be based on coherent street frontages.
- 9.20 Development Management Policy DM2.1 (Design) requires all forms of development to be of a high quality, incorporating inclusive design principles while making positive contributions to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. All new developments are required to improve the quality, clarity and sense of space around or between buildings, reinforce and complement local distinctiveness and create a positive sense of place. Point vii specifically states that buildings should respect and respond positively to existing buildings, the streetscape and the wider context.
- 9.21 Islington's Urban Design Guide (2017) provides guidelines and principles for good urban design, e.g. how buildings look and fit into their setting, the layout and organisation of public spaces and the appearance of street frontages. Of particular significance is paragraph 5.67 which states that

'new development should create a scale and form of development that relates to the existing built form and provides a consistent and coherent setting for the space or street that it defines or encloses'. The council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.

Site Context:

- 9.22 The site lies within the LSIS near the junction of Tileyard Road with York Way, to the south side of the street. It abuts a live and major development site of 20-22 Tileyard Road to its west which was granted planning consent for a mixed commercial and industrial redevelopment in October 2020. To the east the site abuts a run of low-rise buildings used for a range of commercial activities.
- 9.23 The site currently comprises a 2-storey building of no design merit that is reaching the end of its viable life. The broader LSIS context is currently experiencing a surge of investment as expressed in multiple redevelopment proposals and subsequent planning consents which are leading an ongoing intensification and transformation of the Borough's industrial area.

Principle of Development:

- 9.24 The principle of the proposed redevelopment is acceptable from a design perspective in terms of its height, bulk and mass, the configuration of the built form and the service elements on the site, together with the architectural language and expression. It accords with the principles within the Islington's Urban Design Guide (UDG) including addressing the importance of achieving a contextual fit based on a serious analysis of place and space as stated within Para 4.8:

"The design of new development must clearly relate and respond to its setting to ensure that the proposed density and uses are suited to the site and its wider context".

- 9.25 Redevelopment of the site is further supported in principle given the existing building is of a low quality and the site is not currently being used to its full capacity.

Bulk, height and massing

- 9.26 The height bulk and massing are considered to be contextually appropriate and adhere, where relevant, to those Key UDG Objectives required to enhance Islington's urban structure. These include responding to the street pattern, reducing the impact of vehicles of the built environment, creating safe streets and spaces, responding to the qualities of the traditional building hierarchy, and respecting the established order and local character of the urban form.
- 9.27 The proposed development has been refined through the pre application process. Specifically the height of the development has been reduced to that of 20.55m to top of the parapet with a small area of deeply recessed lift over-run, positioned toward the centre of the building, rising to 21.85m. This is considered acceptable given the guidance within the 2016 LSIS Heights Study suggests that the building could potentially rise to a maximum of 22m on the site.
- 9.28 The local viewing corridor from Dartmouth Park Hill to St Pauls is also an important consideration as the site is within the viewing corridor. The proposed development would however not be visible from this location as it is located behind a dense abundance of trees but also the roof of a building set in the foreground of the development. Other developments in the LSIS within the viewing corridor have recently come forward at similar heights that would also not infringe on the viewing corridor. The proposed building would not be visible above any townscape in between the viewpoint and the site nor does it breach any view of St. Paul's Cathedral.
- 9.29 Given the site's location on a secondary route within the urban structure, and having regard to the adjacencies with the 22 – 24 Tileyard Road development, with its frontage to York Way and thus onto a primary route, the height of the proposed building was required to sit below its new neighbour

in order to respect and respond to this emerging and established structure and hierarchy. This has been achieved.

- 9.30 The site is relatively deep and narrow. The proposed development occupies the full depth of the site and the full width, save for a central set back to the western elevation to successfully bring light and air into the deep floorplans. It is also set back from the front at ground floor to facilitate an appropriately positioned and proportioned entrance area including meeting the needs of vehicle servicing. It rises to five floors, and has a single storey basement.
- 9.31 The building footprint, while running parallel with the street edge to ground level, projects forward at the upper floors and is subtly stepped in response to the angled site boundary in this location. This configuration of both ground and upper floors has been cleverly designed as a considered architectural element as opposed to reading as a forced solution. While the site lies in close proximity to an internationally renowned artist's studio complex to the rear, separated by a narrow lane, given it is positioned to the north of this complex, and bearing in mind its narrow plot width, it is not considered to be excessively overbearing to this more sensitive neighbouring use and site.

Elevational treatment and materiality

- 9.32 The elevational treatment is well-considered, well-proportioned and elegantly detailed. While it is considered to have a degree of formality, the use of ceramic tiling to frame the fenestration adds a welcome contextual reference to arts, crafts and associated creative production and indeed references the namesake of the street – the Tile Yard.
- 9.33 The building is further enriched with its recognisable base, middle, and top. The ground floor is very legible. It is also well-animated and welcoming with a clear definition between the vehicular servicing entrance and that of the pedestrian visitor. It successfully incorporates the internally located vehicular servicing bay, minimising the visual and physical impact such a service entrance can have on the safety and quality of the public realm.



Proposed Front Elevation

- 9.34 The front and rear elevations are similarly treated utilising large fenestration modules in order to capture sufficient sun and daylight penetration. The front elevation does however have far more glazed elements and a greater level of formality as befits a front elevation on to the public realm. To the front facade, the fenestration pattern differs very subtly and effectively as it rises up the building, reflecting the change in storey heights between the higher proportioned industrial use

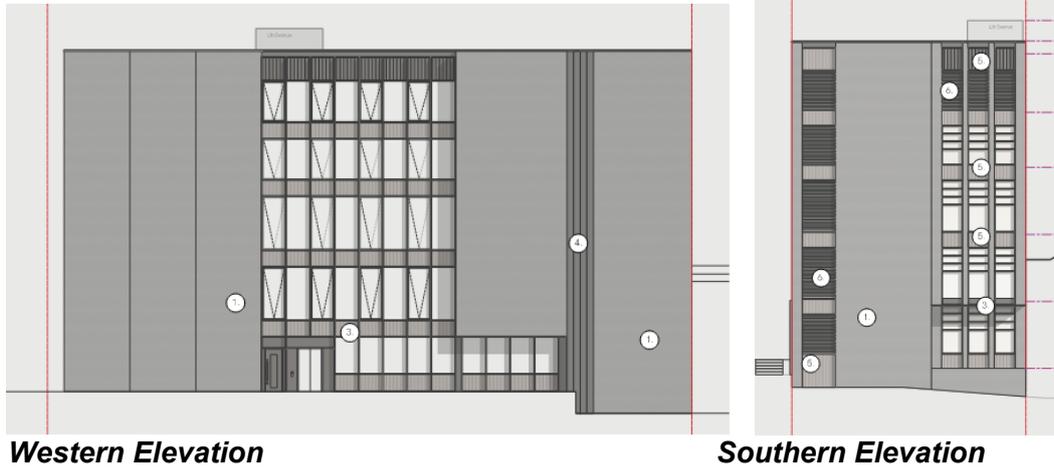
floors at 1st and 2nd floor levels, and the slightly lower floor-to-ceiling heights to the 3rd and 4th floor levels – the office/commercial use floors.

- 9.35 The ground floor treatment reflects some of the proportionality of the upper floor fenestration while a gently sweeping canopy projects forward effectively demarcating and celebrating the entrance. This contributes to the legibility of the public realm as well as the character and quality of the building. The flank elevation to the east, which would be visible from the public realm due to the low-rise nature of these adjacent buildings, has been simply but effectively detailed. It contains no fenestration given the realistic possibility of the adjacent site coming forward for redevelopment in the future. However it has been quietly animated with the use of standing seam metal sheeting applied in a considered vertical manner to align with the stair core to the predominantly brick façade, with the addition of two narrower vertical panels towards the front and the rear of the flank. This detailing helps to break up the mass and adds some visual liveliness.



Proposed Eastern Elevation

- 9.36 The western elevation is only obliquely visible from the public realm given the proximity of the larger scaled development currently on site at 20 – 22 Tileyard Road. However it too is lively with a heavily fenestrated recessed element positioned mid-way within this deep elevation. So although of limited visibility the elevational treatment is nevertheless considered to add a welcome richness to the architecture and thus the broader streetscape and public realm.
- 9.37 The rear elevation has a similarly stepped form using similar proportions to the front, and in response to the site boundary and characteristics. However it has more limited fenestration with glazing restricted to the eastern half of the stepped form and to floors ground to 3rd only. The western edge comprises a narrow vertical run of patterned perforated louvres. This treatment is considered to be appropriate for the rear elevation.



Western Elevation

Southern Elevation

- 9.38 The materials palette is welcomed indicating the use of a Petersen brick as the primary material, with applied decorative clay tiles, standing seam metal panelling, and dark coloured powder coated aluminium fenestration. Metal louvres are also applied to parts of the rear elevation. While indicative materials proposed are encouraging, these would be suitably conditioned (condition 3) in the event of permission being granted.
- 9.39 The indicative hard landscaping to the front is urbane with block work indicating a successful mix of texture, colour and patterns that delineate the primary functions of the forecourt space. The inclusion of bat boxes and green roof elements is a further enriching element that, alongside the above elements, helps categorise this as a high quality scheme.

Conclusion

- 9.40 This is considered to be a well-mannered proposal that, while developing the site to its maximum capacity, is considered to sit comfortably within its context and provides for a good quality of contemporary industrial and commercial floorspace. The architecture will enrich the intensifying LSIS and help establish and maintain a qualitative benchmark for the area going forward.
- 9.41 The scheme designs represent a high quality of architecture in accordance with plan policy and local design guidance and as a result, it is supported. As such, in relation to design and appearance, the planning application is considered to be in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.

Neighbouring Amenity

- 9.42 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. London Plan Policy D6 identifies that the design of development should provide sufficient daylight and sunlight to surrounding housing that is appropriate to its context, whilst minimising overshadowing and maximising the usability of outside amenity space. Policy DM2.1 of the Development Management Policies (2013) identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

Daylight/sunlight

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

9.45 Paragraph 1.6 states:

“The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design...In special circumstances the developer or local planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings”.

9.46 Daylight: the BRE Guidelines stipulate that... “the diffuse daylighting of the existing building may be adversely affected if either:

- *the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value*
- *the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).*

9.47 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value achievable is almost 40% for a completely unobstructed vertical wall. At paragraph 2.2.7 of the BRE Guidelines it states:

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

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

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

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

Analysis of Daylight & Sunlight Impact on Affected Properties:

9.49 There are no residential properties in the immediate surroundings that would be affected by the proposal. The closest residential occupiers are within the Maiden Lane Estate on the opposite side of York Way, which are at a considerable distance from the subject site and as such there would be no impacts on neighbouring residential occupiers in terms of losses of daylight, sunlight, privacy or an increased sense of enclosure.

9.50 All of the adjacent properties are of a commercial nature of which the neighbouring 22-23 Tileyard Road and the Anthony Gormley’s studios at 15-23 Vale Royal have been considered as part of this assessment. The neighbouring site at 22-23 Tileyard Road currently does not have any windows facing the subject site; however, there is an extant permission for a new commercial building which

is currently in the process of being implemented. This consented building has a heavily fenestrated eastern elevation facing the application site. As a result, the proposal being considered here has been designed with a set-back towards the central part of its western elevation to reduce impacts on future occupiers of this neighbouring building.

- 9.51 While no daylight assessment has been submitted to determine the precise impacts on this neighbouring building, it is important to note that there is currently no building and thus no potentially-affected occupiers at this neighbouring site. Moreover, once the respective buildings are indeed built out, the most affected windows would serve light industrial floorspace, which is not considered to be a particularly sensitive use.
- 9.52 In terms of the artist's studios to the rear at 15-23 Vale Royal, impacts on this building and its yard space have also been considered and the application has been accompanied by a daylight assessment to determine the potential impacts. The results show no noticeable impacts on this neighbouring property, in particular because it lies due south of the subject site and thus any proposal here would not cast a shadow on this property.

Overlooking

- 9.53 Development Management Policy 2.1 states that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'.
- 9.54 There are no residential properties within 18 metres of the application site. The adjoining properties are all in commercial use, so privacy is not a consideration in this instance.

Noise & Disturbance

- 9.55 There is a significant amount of building services plant proposed for the site (10 x air con units) which is described as being located at "different floor levels discharging to the rear elevation of the building." There is some distance from the plant to the nearest sensitive receptors. Nonetheless, condition 11 is advised to control noise from plant:

"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. When measured or predicted at 1m from the façade of the nearest commercial gallery or studio space the cumulative noise LAeq Tr shall not exceed 55dBA. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.

- 9.56 The submitted Noise Impact Assessment includes a brief section on noise from the proposed use and servicing. The current use of the building and surrounding area is noted and concludes there are no significant adverse impacts from the intensification. This is considered to be reasonable conclusion.

Other impacts

- 9.57 The site has a long history of potentially contaminating uses. The submission includes a desktop report and although the development includes a basement level and hardstanding across the site, a condition (12) is recommended to mitigate against contamination impacts.
- 9.58 The air quality assessment advises that there are no gas boilers/CHPs proposed for the site and the development is car-free. The proposed building is surrounded by other office and industrial receptors, along with the residential on the Maiden Lane estate in Camden. As such, impacts on air quality are not considered to be significant.

Construction Impacts

- 9.59 While construction impacts arising from a development are not on the whole a material planning consideration, construction could indeed result in noise, disturbance, dust and vibration impacts among other things which can be minimised if managed properly. With the demolition of the existing building, excavation of the basement and piling and construction of the new building there is the potential for disruption and it is advised that a site specific CMP/CoPCS response document is required either via condition and/or S106 obligation. Any submission should pay reference to Islington's Code of Practice for Construction Sites.
- 9.60 As such, a condition (5) is recommended in the event of planning permission being granted which would require details of the construction process and resulting impacts to be assessed and approved in writing by the Local Planning Authority prior to commencement of works on site.

Conclusion

- 9.61 In conclusion, the proposed development is not considered to result in unacceptable impacts in terms of loss of daylight, sunlight, privacy, noise, disturbance or an increased sense of enclosure to neighbouring properties subject to appropriate conditions and relevant obligations in the section 106 agreement in accordance with relevant London Plan Policies and Islington Policy DM2.1.

Highways and Transportation

- 9.62 The site has a moderate PTAL (Public Transport Accessibility Level) of 2 and is served by several bus routes within walking distance on York Way and Caledonian Road. Caledonian Road & Barnsbury Overground station is also within walking distance. An east-west cycle route runs along Brandon Road in close proximity to the site. The site is within the Thornhill CPZ with restricted parking during weekday working hours and weekends.
- 9.63 Chapter 10 of the new London Plan (2021) sets out transport policies and locally, Core Strategy policies CS10 and CS18 and chapter 8 of the Development Management Policies set out the Council's transport policies with chapter 7 setting out transport policies in the emerging Local Plan Policies.
- 9.64 The applicants have submitted a Framework Travel Plan which recommends a significant reduction in car journeys and increase in journeys by foot or bike to the site over a period of 5 years. The building will have its own Travel Plan Coordinator to promote walking, car-sharing and cycling to reduce car use. The Travel Plan would need to be monitored for a period of five years. If the application were to be approved, this would be secured as part of a section 106 agreement.
- 9.65 Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200sqm, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). The proposal includes an off-street servicing area with two access points to allow delivery and servicing vehicles to enter and exit the site in forward gear. Part of the proposed servicing and delivery bay is within adopted highway and a section 278 agreement would be required to facilitate the proposed changes. The Council's Highways Team have assessed the proposal and confirmed the proposed changes to be acceptable in principle.
- 9.66 The off-street servicing area would be a shared surface and raised to be level with the public footway, which would give priority to pedestrians passing the site, as well as pedestrians accessing the site. A 60mm high kerb is proposed within the servicing area to provide some separation between the servicing area and the pedestrian forecourt. Vehicles up to 6m in length would pull into the servicing area and then reverse into the internal loading bay which is accessed via a servicing entrance. Vehicles would then exit the loading bay in forward gear. Vehicles a maximum

of 7.2m in length would not use the internal loading bay and will load/unload within the off-street servicing area.

- 9.67 The application is accompanied by a Transport Statement which provides details of the proposed delivery and servicing arrangement. It is anticipated that the development would attract approximately 10 two-way trips of delivery and good vehicles per day with servicing and delivery carried out from within the site's loading bays. This is a moderate increase over the existing situation and one which the site and surrounding highway network could easily accommodate.
- 9.68 The application includes the provision of 24 long-stay cycle parking spaces within the basement cycle parking area and a further 5 short-stay cycle parking spaces would be provided at ground floor level. The number of cycle parking spaces proposed complies with policy requirements and would be secured by condition in the event of permission being granted.
- 9.69 The proposal is considered to be acceptable in terms of highways impacts and sustainable transport options, subject to conditions on cycle parking (8), servicing/delivery (18) and construction logistics/management (5). The application sets out adequate provision for waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The Council's Highways / Transport Officers have raised no objections to the proposal. The proposal would be acceptable in highways terms and would comply with Islington Core Strategy (2011) Policies CS11 and CS13; Islington Development Management Policies DM8.2, DM8.5 and 8.6. The proposal is therefore acceptable in terms of transport / highways subject to conditions and S106 contributions.

Inclusive design

- 9.70 London Plan Policy D5 (previously Policy 7.2) requires all new development to achieve the highest standards of accessible and inclusive design, and refers to the Mayor's Accessible London SPG. At the local level, Development Management Policy DM2.2 requires all developments to demonstrate that they i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone; and iv) bring together the design and management of a development from the outset and over its lifetime.
- 9.71 In terms of accessible transport, accessible parking bays must be provided for every 33 employees. The development would contribute towards the provision of 2No. accessible parking bays. Though these can not be provided within the application site itself, they would be secured through the section 106 agreement as detailed in Appendix 1 of this report, in the form of a financial contribution towards accessible transport infrastructure. Two locations have been identified along Tileyard Road in close proximity to the site, which could accommodate the required dimensions of a wheelchair accessible bay. In terms of cycle parking, details have been provided of accessible cycle spaces as well as the dimensions of the cycle lift to the basement and these are considered acceptable.
- 9.72 The vehicular and pedestrian access routes into the site are proposed to be delineated by a kerb or a chamfered edge separating the footway from the carriageway and servicing & delivery bay. It is important to get the right balance between operational requirements and inclusive design, so further details will be required by condition in the event of planning permission being granted (condition 17).
- 9.73 The internal spaces, including corridor and door widths and dimensions of bathroom and toilet facilities have been designed with inclusivity in mind and would meet relevant standards. All points raised by the Council's access officers to internal layouts have now been addressed. As such, the proposal is considered to have been inclusively-designed subject to relevant conditions (17).

Energy and Sustainability

- 9.74 The new London Plan Policy SI.2 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 can not 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.
- 9.75 Policy SI.4 '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.
- 9.76 Core Strategy Policy CS10 requires it to be demonstrated that new development has been designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO₂ emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO₂ emissions should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

BE LEAN (Energy efficiency standards)

- 9.77 The Council's Environmental Design SPD states 'The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified'. 'U values' are a measure of heat loss from a building and a low value indicates good insulation. The proposed U-values for the development are: external walls = 0.2w/m²k, roof = 0.16w/m²k, floors = 0.15 w/m²k and glazing = 1.41w/m²k. These U-values are generally consistent with the values suggested in the Council's SPD. The air tightness would be 3.0³/m²/hr.
- 9.78 The Sustainable Design & Construction Statement specifies LED for all internal lighting with appropriate occupancy sensors. MVHR has been specified to maximise energy efficiency. Mechanical Ventilation with Heat Recovery (MVHR) has been specified to maximise energy efficiency. The application also shows how the development has been orientated to reduce the risk of overheating, how glazing has been used to minimise reliance on artificial lighting and how the building has been designed to incorporate thermal mass through heavyweight cladding and the use of slab floors. The Council's Energy Team have confirmed the energy efficiency measures to be acceptable.

BE CLEAN (Low-carbon Energy Supply)

- 9.79 Development Management Policy DM7.3(B) requires that proposals for major developments within 500m of an existing or planned District Energy Network (DEN) should be accompanied by a feasibility assessment of connection to that network, to determine whether connection is reasonably possible. The Energy Statement confirms that the proposed development is not within 500m of a DEN, which removes the requirement for connection. The submission states that the building will be heated via air-source heat pumps to drive high efficiency fan coil units to provide heating and cooling.

9.80 The revised SDCS states that there is sufficient room in the plant room on the lower ground floor for plant necessary to connect to a future DEN. The design includes a protected pipe route to the site boundary and that the full requirements of Appendix 1 of Islington's Environmental Design SPD will be included in the detailed design. The SDCS shows that the applicant has contacted neighbouring developments about the possibility of forming a Shared Heating Network although it is not clear if any developments have responded.

BE GREEN (Renewable Energy Supply)

9.81 The SDCS includes a review of biomass, solar thermal, ground source heat pumps and wind turbines which have been discounted for valid reasons. Biomass heating has been discounted due to the biomass/biofuel transportation impact. Adjacency to residential/commercial developments with consequent flue implications also represents a potential constraint. Ground source heat pumps (GSHPs) are not considered appropriate for this scheme and stand-alone wind turbines and roof-mounted wind turbines have been discounted for valid reasons. A solar PV array of 80 panels has been proposed in the submission. The proposed solar PVs cover a large proportion of the roof and the Council's energy team have confirmed they are satisfied that renewable energy measures have been optimised. The energy and sustainability measures would be suitably conditioned in the event of permission being granted (condition 16 and 25).

9.82 Green Performance Plan: Islington Development Management Policy DM7.1 (Sustainable design and construction) part E requires provision of a Green Performance Plan (GPP) detailing measurable outputs for the occupied development, with respect to energy consumption, CO2 emissions and water use, and setting out arrangements for monitoring the plan over the first years of occupation.

9.83 A draft Green Performance Plan has been submitted (as an Appendix to the Sustainable Design & Construction Statement), which includes targets for water, CO2 and energy consumption. This also includes detail of how the data will be collected, responsibility for managing the GPP and arrangements for addressing poor performance in line with the requirements in Islington's Environmental Design SPD.

9.84 It is recommended that the s106 legal agreement includes the requirement for the submission of a final post occupation Green Performance Plan to be submitted to the Local Planning Authority following an agreed monitoring period.

9.85 Carbon Emissions: Policy CS10A promotes zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

9.86 Paragraphs 2.0.8 – 2.0.10 detail the Council's energy hierarchy which should be followed in meeting the Council's CO2 emissions reduction target. The final stage of the hierarchy requires developers to:

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

9.87 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The revised Energy Statement confirms a reduction of 47% in CO2 emissions from a 2013 baseline. A 20.59% reduction is achieved at the 'Be Lean' stage meeting the 15% requirement in the London Plan.

The application also results in a 28% reduction in total (regulated and regulated) carbon emissions from a 2013 baseline, which achieves the policy target of 27%.

- 9.88 The sum of regulated emissions (after Be Lean, Be Clean & Be Green) and the un-regulated emissions are 40.84 tonnes CO₂ per year. Based on the Council's carbon offset figure (£920/tonne). The scheme therefore gives rise to a requirement for a carbon offset contribution of £36,238.80.
- 9.89 Sustainability features: Through the incorporation of sustainable design and construction methods, energy, water and waste saving measures the proposed development is considered to be environmentally sustainable. The building has been designed to minimise the risk of overheating and the consequent reliance on cooling or mechanical ventilation. Green roofs have been included in all available roof space to maximise diversity, water-retention and urban cooling.
- 9.90 The application includes objectives to minimise waste generated on site during demolition and construction and to maximise the use of recycled materials. Materials will be selected based on the environmental impacts as far as is practical. Finally, the development will achieve a BREEAM 'New Construction' (2018) rating of no less than 'Excellent', which will be secured by condition (15).
- 9.91 Overheating and Cooling: Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 9.92 A revised Thermal Comfort Analysis has been submitted. This demonstrates that the proposed development is at risk of overheating against the criteria of TM52 using DSY 1 and DSY2. This justifies specification of active cooling. Further thermal modelling has been carried out with the proposed active cooling in place. This shows that the proposed development is not at risk of overheating against TM52 using DSY1 and DSY2. This meets the requirements of Islington DM7.5C.
- 9.93 Sustainable Urban Drainage System (SUDS): Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litre/sec/ha), where feasible. The London Plan requires that drainage run offs in new developments be reduced by 50% including an allowance for climate change. The proposed development will reduce the drainage run-off by use of a below-ground attenuation tank and permeable paving. The proposed run-off rates have been sufficiently reduced in the 1/100yr storm even to comply with policy requirements.

Conclusion

- 9.94 The planning application includes a number of energy efficiency, renewable and green energy and sustainability measures that would deliver a sustainable form of development subject to planning conditions and appropriate planning obligations in accordance with London Plan Policies SI.2 and SI.4, Islington Core Strategy Policy CS10 and Development Management Policies DM6.6, DM7.1, DM7.3 and DM7.5.

Trees and landscaping

- 9.95 Trees, shrubs and vegetation are protected by policy, specifically Policy DM6.5 which states that any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably

reprovided. Moreover, that the council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.

- 9.96 There are no signs of any significant vegetation on site. The proposal include some soft landscaping features at the front of the site as well as green roofs to add biodiversity on the canopy as well as roof level. The site is quite limited in terms of its potential for delivering additional vegetation but the subtle soft landscaping interventions proposed are well-considered and in accordance with Development Management Policies DM6.3 and DM6.5, subject to further detail through condition 21.

Basement and SUDS

- 9.97 The Islington Basement Development SPD was adopted in January 2016 and sets out requirements for the Council's application of planning policies in relation to basements. This includes the need for planning applications to be accompanied by Structural Method Statements (SMS) signed by a chartered Civil Engineer (MICE) or Chartered Structural Engineer (MIStruct.E).

- 9.98 The Basement Development SPD sets out inter alia:

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

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

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

- 9.99 The extent and depth of the proposed basement accords with the principles of the Basement Development SPD. A Structural Method Statement approved by a chartered Civil Engineer has been submitted. The proposals include excavations at basement level which are considered necessary to enable development and facilitate construction. The Structural Method Statement confirms that the proposed development comprises a steel framed superstructure above a single storey reinforced concrete basement construction.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.100 If the application is approved and the development is implemented, a liability to pay the Islington Community Infrastructure Levy (CIL) and Mayor of London CIL will arise, unless an exemption applies. CIL is intended to consolidate financial contributions towards the development's local infrastructure impacts, and additional separate contributions should not be sought towards the same infrastructure unless there is an exceptional and demonstrable need as a direct result of the proposed development. Any further planning obligations which are not covered by the CIL payment should be sought through a legal agreement under s.106 of the Town and Country Planning Act, (1990, amended) and need to comply with the statutory tests set out in the NPPF and CIL Regulations 2010 (amended) to avoid unjustified double counting.

- 9.101 Islington's CIL Regulation 123 infrastructure list (no longer in place, following recent legislative changes) specifically excluded measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.

- 9.102 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended, secured by a s.106 agreement.

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway. This ensures funds are available for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
- Section 278 Highways Agreement to be entered into with the Council with respect of any Highways works necessary to facilitate the development.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £1,806 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.
- 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 is £36,238.80.
- Submission 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).
- The submission of a final Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

9.103 Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) will be chargeable on this application on grant of planning permission. This will be calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2012 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.0 SUMMARY AND CONCLUSION

Summary

- 10.1 The application is for full planning permission for the demolition of the existing building and the erection of a five-storey (plus basement) commercial building comprising industrial (Class E(g)(iii)/B2/B8) and Class E(g) floorspace; and the provision of associated access, cycle parking and refuse storage. The principle of the planning application, in delivering a new commercial building with predominantly industrial uses is supported.
- 10.2 The scheme design represents a high quality of architecture in accordance with plan policy and local design guidance. And as a result, it is supported. As such, in relation to design and appearance, the planning application is considered to be in accordance with relevant London Plan Policies D3 and D4, Islington Core Strategy CS8 and CS9, Development Management Policies DM2.1, DM2.4 as well as Islington's Urban Design Guide.
- 10.3 The proposed development would not have adverse impacts on surrounding residential amenity in terms of loss of light, privacy or an increased sense of enclosure nor is it considered to have any unacceptable impacts on surrounding commercial properties. The proposal is considered to be a sustainable form of development on brownfield land in a sustainable location. The application proposes a number of energy efficiency measures, a reduction in carbon emissions and on-site renewable energy in accordance with adopted policy. Moreover, inclusive design measures have been incorporated into the scheme as well as landscape features and biodiversity measures, in accordance with planning policy.
- 10.4 Finally, the application includes a section 106 agreement with suitable planning obligations and financial contributions in order to mitigate the impacts of the development; thus, the planning application is considered to be acceptable and in accordance with adopted planning policy, subject to the planning conditions and planning obligations listed in Appendix 1.

Conclusion

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

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service.

- A bond/deposit of to cover costs of repairs to the footway and for repairs to the highway. This ensures funds are available for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
- Section 278 Highways Agreement to be entered into with the Council with respect of any Highways works necessary to facilitate the development.
- Compliance with the Code of Employment and Training.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000
- Compliance with the Code of Local Procurement.
- Compliance with the Code of Construction Practice, including a monitoring fee of: £1,806 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.
- 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 is £36,238.80.
- Submission 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).
- The submission of a final Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- The provision of 2 accessible parking bays or a contribution of £4,000 towards accessible transport measures.
- Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement (compliance) CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list (compliance) CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: Site Location and Block Plan 704-10-010 Existing Plans: DR-A-704-EX-100-S0; DR-A-704-EX-101-S0; DR-A-704-EX-102-S0; DR-A-704-EX-200-S0; DR-A-704-EX-201-S0; DR-A-704-EX-202-S0; Proposed Plans: 704-10-099-P7; 704-10-099-U-P4; 704-10-100-P7; 704-10-100-U-P4; 704-10-101-P7; 704-10-102-P7; 704-10-103-P7; 704-10-104-P7; 704-10-105-P7; 704-10-200-P2; 704-10-300-P3; 704-10-301-P2; 704-10-302-P2; 704-10-303-P2; Planning Statement by Maddox Planning; Design & Access Statement by GPAD dated April 2021; Sustainable Design & Construction Statement (V2) by eb7; Transport Statement by YES Engineering dated March 2021; Travel Plan by YES Engineering dated March 2021; Delivery & Servicing Plan dated March 2021; Blue Badge Parking Sketch SK015; Landscaping Addendum by GPAD dated April 2021; Air Quality Assessment dated March 2021 by Redmore; Phase 1 Desk Study by Pam Associates dated March 2021; Health Impact Screening Assessment by Maddox Planning dated March 2021; Demolition & Construction Management Plan dated 29 th March 2021; FRA & SUDS Strategy Report by eb7 dated March 2021; Noise Impact Assessment by Philip Acoustics Ltd dated March 2021; Preliminary Ecological Appraisal by Greengage dated April 2021; Daylight Report Ref: DR/FJ/JMR-Ti01 dated Jan 2021; Structural Method Statement by GDC Partnership dated 26 th March 2021; REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
3	Materials and Samples (Compliance and Details) CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include: a) Window manufacturer's detail including glazing, sections and reveals and samples;

	<p>b) Details and sample panel of all brickwork; c) Details of all rooftop materials; d) Details of the tile cladding; e) Details of the materiality to the ground floor frontage; f) Details of the standing seam metal profile; g) Details of the louvres; h) Details of all entrances and openings; i) Any external boundary treatments; j) Any other materials to be used.</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 interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Plumbing (No pipes to outside of building) (Compliance)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
5	Construction Management Plan and Construction Logistics Plan (Details)
	<p>CONDITION: No construction works shall take place unless and until a Construction Management Plan (CMP) and a Construction Logistics Plan (CLP) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The reports shall assess the impacts during the construction phase of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved CMP and CLP throughout the construction period.</p> <p>REASON: In the interests of residential amenity, highway safety, and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
6	Impact Piling (Compliance)
	<p>CONDITION: No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must</p>

	<p>be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
7	<p>Sustainable Urban Drainage (Details and compliance)</p> <p>CONDITION: The development hereby approved will be carried out in accordance with the approved FRA & SUDS Strategy Report (March 2021).</p> <p>The details approved shall be installed and operational prior to occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
8	<p>Cycle Parking Provision (Compliance)</p> <p>CONDITION: The bicycle storage areas, including the 24No. covered, secure and accessible staff bicycle spaces and the 5No visitor bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
9	<p>Lighting (Details)</p> <p>CONDITON: Details of any general / security lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the superstructure works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity nor those with visual impairments and is appropriate to the overall design of the building.</p>
10	<p>Refuse/Recycling Provided (Compliance)</p> <p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
11	<p>Fixed Plant (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise</p>

	<p>level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that an appropriate standard of accommodation is provided and surrounding amenity is not adversely affected.</p>
12	<p>Land Contamination (Compliance and Details)</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+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority</p> <p>a) A land contamination investigation.</p> <p>The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.</p> <p>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 remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation.</p> <p>This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing</p> <p>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). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to CLR 11: Model Procedures for the Management of Land Contamination (Defra 2004) or the current UK requirements for sampling and testing.</p> <p>REASON: To ensure risks associated with land contamination are minimised.</p>

13	Use Classes (Compliance)
	<p>CONDITION: The 1,555sqm of B2, B8, E(g)(iii) Use Class floorspace - of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2020 (or the equivalent use within any amended/updated subsequent Order) - hereby approved, shall be limited to those uses and for no other purpose (including any other purpose within Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification and not used for other purposes within Class E.</p> <p>Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is also precluded with regard to permitted B2 and B8</p> <p>REASON: To ensure that the use hereby approved is not able to change to other uses via permitted rights allowed under the Town and Country Planning (Use Class) Order 1987 (As Amended) in the interest of maintaining the function and capacity of the industrial area.</p>
14	Blue / Green Biodiversity Roofs
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <ul style="list-style-type: none"> a) how the extent of green roof has been maximised; b) details of the combined bio-solar / blue roof; c) that the green roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and d) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off.</p>
15	BREEAM (Compliance)
	<p>CONDITION: The development hereby approved shall achieve a BREEAM 'New Construction' (2018) rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
16	Energy Strategy (Compliance)

	<p>CONDITION: The energy efficiency measures/features and renewable energy technology, as detailed within the revised Sustainable Design & Construction Statement' (SDCS) shall be installed and operational prior to the first occupation of the development.</p> <p>Should there be any change to the energy features/ measures within the approved SDCS, a revised SDCS shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
17	Inclusive Design (Compliance)
	<p>CONDITION: All inclusive design measures identified within the application submission shall be installed and operational prior to the first occupation of the development hereby approved.</p> <p>Further details around the specification of the doors and lifts as well as on the pedestrian and vehicular entrance, in particular the delineation of material and level between footway and delivery/service bay, shall be submitted and agreed in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The inclusive design measures shall be retained as such in perpetuity.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
18	Final Servicing and Delivery Plan (Compliance)
	<p>DELIVERY & SERVICING: The development hereby approved shall be carried out in accordance with the submitted Delivery & Servicing Plan.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
19	Green Procurement Plan (Details and Compliance)
	<p>CONDITION: Prior to the commencement of superstructure works, a Green Procurement Plan for sourcing the proposed materials shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>REASON: In the interests of securing sustainable development and to minimise the environmental impacts of the development.</p>
20	Secured by Design (Details and Compliance)
	<p>CONDITION: Prior to superstructure works commencing of the development hereby approved, details of how the development achieves Secured by Design accreditation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>

	REASON: In the interests of safety and security.
21	Landscaping (Details and Compliance)
	<p>CONDITION: The landscape strategy shall be implemented in accordance with the submitted Landscaping Addendum (dated April 2021) unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Further details of landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the hereby approved development.</p> <p>The additional information shall include the following details:</p> <ul style="list-style-type: none"> a) soft landscaping features including details of proposed species; b) hard landscaping: including surface treatments, permeability of hard surfaces, kerbs, edges, ridge and flexible paving, unit paving, furniture, modular soil systems, steps and if applicable synthetic surfaces c) a plan showing gradients and step free access suitable for wheelchair users to the entrances of the buildings; d) details of how the landscaping would meet inclusive design principles; e) details as to how the landscaping design and materials would result in maximum passive on-site sustainable urban drainage (SUDS); f) any boundary treatment; g) any further biodiversity features or ecological enhancements; h) feasibility and details of a green wall on the proposed building's eastern façade; i) any other landscaping features forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first available planting season following the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
22	Bird / Bat Boxes (Compliance)
	<p>CONDITION: 4 bird and bat boxes shall be installed on the proposed building prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
23	Biodiversity / Ecology (Compliance)
	<p>CONDITION: All measures identified in the submitted 'Preliminary Ecological Appraisal' dated March 2021 shall be carried out in accordance within identified timescales and procedures.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
24	Roof-Level Structures (Details and Compliance)
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts and plant room) shall be submitted to and approved in writing by</p>

	<p>the Local Planning Authority prior to any superstructure work commencing on site. 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 in accordance with policies 3.5, 7.4, 7.6 and 7.8 of the London Plan 2016, policies CS8 and CS9 of Islington's Core Strategy 2011, and policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.</p>
25	Solar PVs (Details and Compliance)
	<p>CONDITION: Prior to first occupation of the development hereby approved, details of the proposed Solar Photovoltaic Panels shall be submitted to and approved in writing by the Local Planning Authority. These submission shall demonstrate how Solar PVs have been maximised on site, and details shall include but not be limited to: location; area of panels; how the PV output has been maximised and design (including section drawings showing the angle of panels in-situ, and elevation plans).</p> <p>The solar photovoltaic panels as approved shall thereafter be installed prior to the first occupation of the development and retained as such permanently thereafter.</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 of design.</p>
26	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
27	Signage Details (Details and Compliance)
	<p>CONDITION: Details of all signage for the development hereby approved shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The agreed details shall be installed prior to the occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing.</p> <p>REASON: In the interests of visual amenity and to ensure that the entrance approach is both welcoming and inviting.</p>

List of Informatives:

<p>1</p>	<p>Planning Obligations Agreement SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<p>2</p>	<p>Community Infrastructure Levy (CIL) Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil and the Islington Council website at www.islington.gov.uk/cilinfo. Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website at http://planningguidance.planningportal.gov.uk/blog/guidance/community-infrastructure-levy/</p>
<p>3</p>	<p>Superstructure DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<p>4</p>	<p>Thames Water (Waste Comments) The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>

5	Thames Water (Mains Water Pressure)
	Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
6	Thames Water (Groundwater)
	A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk . Please refer to the Wholesale; Business customers; Groundwater discharges section.
7	Thames Water (Water mains)
	There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes
6	Highways Requirements (1)
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
7	Highways Requirements (2)
	Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.

	<p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six month's notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing. Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
8	Highways Requirements (3)
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact streetlights@islington.gov.uk Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
9	Fire Brigade Requests
	<p>The requirements of B5 of Approved Document B must be met in relation to access and water supply whilst in construction phase and compliance with the Building Regulations and the Regulatory Reform (Fire Safety) Order 2005 once built and occupied.</p> <p>If the building is taken over 18m the Fire Brigade would expect a fire fighting shaft is provided. If approval is granted, it's advised that a building control submission is carried out as early as possible, to ensure any issues found around fire safety are addressed sufficiently and quickly.</p> <p>The Commissioner strongly recommends that sprinklers are considered for new developments and major alterations to existing premises, particularly where the proposals relate to schools and care homes. Sprinkler systems installed in buildings can significantly reduce the damage caused by fire and the consequential cost to businesses and housing providers, and can reduce the risk to life. The Commissioner's opinion is that there are opportunities for developers and building owners to install sprinkler systems in order to save money, save property and protect</p>

	<p>the lives of occupier. Please note that it is our policy to regularly advise our elected Members about how many cases there have been where we have recommended sprinklers and what the outcomes of those recommendations were. These quarterly reports to our Members are public documents which are available on our website.</p> <p>The London Fire Brigade promotes the installation of sprinkler suppression systems, as there is clear evidence that they are effective in suppressing and extinguishing fires; they can help reduce the numbers of deaths and injuries from fire, and the risk to firefighters.</p>
10	Roller Shutters
	<p>The scheme hereby approved does not suggest the installation of external roller shutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external roller shutters to be a material alteration to the scheme and therefore constitute development. Should external roller shutters be proposed, a new planning application must be submitted for the council's formal consideration.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

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

2 Development Plan

The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, The following policies of the Development Plan are considered relevant to this application:

The London Plan 2021 - Spatial Development Strategy for Greater London

Policy GG1 Building strong and inclusive communities
Policy GG2 Making the best use of land
Policy GG5 Growing a good economy
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through design-led approach
Policy D4 Delivering Good Design
Policy D5 Inclusive Design
Policy D8 Public Realm
Policy D10 Basement Development
Policy D11 Fire safety
Policy E1 Offices
Policy E4 Land for industry, logistics and services
Policy E6 Local Significant Industrial Sites
Policy E7 Industrial intensification, co-location and substitution

Policy G5 Urban Greening
Policy G6 Biodiversity and Access to Nature
Policy S12 Minimising greenhouse emissions
Policy S14 Managing heat risk
Policy S15 Water infrastructure
Policy S17 Reducing waste and supporting the circular economy
Policy S112 Flood risk management
Policy S113 Sustainable drainage
Policy T3 Transport capacity, connectivity and safeguarding
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling
Policy T7 Deliveries, servicing and construction

Islington Core Strategy (2011)

Spatial Strategy
 Policy CS8 (Enhancing Islington’s Character)

Strategic Policies
 Policy CS10 (Sustainable Design)
 Policy CS11 (Waste)
 Policy CS13 (Employment Spaces)

Infrastructure and Implementation
 Policy CS18 (Delivery and Infrastructure)
 Policy CS19 (Health Impact Assessments)
 Policy CS20 (Partnership Working)

Development Management Policies 2013:

Policy DM2.1 (Design) Policy DM2.2 (Inclusive design) Policy DM2.4 (Protected Views) Policy DM3.7 (Noise and Vibration) Policy DM5.1 (New business floorspace) Policy DM5.3 (Vale Royal / Brewery Road LSIS) Policy DM5.4 (Size and affordability of floorspace) Policy DM6.1 (Healthy development) Policy DM6.5 (Landscaping, trees & biodiversity) Policy DM6.6 (Flood prevention) Policy DM7.1 (Sustainable design & construction) Policy DM7.3 (Decentralised Energy Networks)	Policy DM7.4 (Sustainable design standards) Policy DM7.5 (Heating and cooling) Policy DM8.2 (Managing transport impacts) Policy DM8.4 (Walking and cycling) Policy DM8.5 (Vehicle parking) Policy DM8.6 (Delivery and servicing for new developments) Policy DM9.1 (Infrastructure) Policy DM9.2 (Planning obligations)
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Supplementary Planning Guidance (SPG) / Document (SPD)

Islington SPD

Environmental Design (Oct 2012)
 Inclusive Design (Feb 2014)
 Planning Obligations (S106) (Dec 2016)
 Urban Design Guide (Jan 2015)
 Streetbook SPD (Oct 2012)

London Plan

Accessible London: Achieving an Inclusive Environment SPG (adopted October 2014)
 Character and Context SPG (adopted June 2014)
 Sustainable Design and Construction SPG (adopted April 2014)

Draft Islington Local Plan 2020

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 in progress.

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).

Emerging policies relevant to this application are set out below:

Policy SP3 Vale Royal/Brewery Road LSIS Policy SC3 Health Impact Assessment Policy B1 Delivering business floorspace Policy B2 New business floorspace Policy B5 Jobs and Training Opportunities G4 Biodiversity, Landscaping and Trees 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 emissions Policy S6 Managing Heat Risk	Policy S8 Flood risk management Policy S9 Integrated water management and sustainable design Policy T1 Enhancing the public realm and sustainable transport Policy T2 Sustainable transport choices Policy T3 Car-free development Policy T4 Public Realm Policy T5 Delivery, servicing and construction Policy DH1 Fostering innovation while protecting heritage Policy DH3 Building Heights Policy DH4 Basement Development Policy DH5 Agent of Change, noise and vibration
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