



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Community Wealth Building
 Islington Town Hall
 Upper Street
 LONDON N1 2UD

PLANNING COMMITTEE		AGENDA ITEM NO:	B4
Date:	27 July 2021	NON-EXEMPT	

Application number	P2021/0616/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Listed/unlisted & grade
Conservation area	Moorfields Conservation Area
Development Plan Context	e.g CAZ, town centre, primary frontage etc
Licensing Implications	
Site Address	Willen House, 8-26 Bath Street, London, EC1V 9DX
Proposal	Extension, alteration and refurbishment of the existing building to provide re-modelled student accommodation comprising 212 student bedrooms (with 10% wheelchair accessible) with ancillary amenity spaces and secure cycle parking (sui generis use), together with retention and extension of existing office units (Class E) at ground floor and new landscaping at basement level, installation of pavement lightwells, removal of access ramp and replacement with platform lift

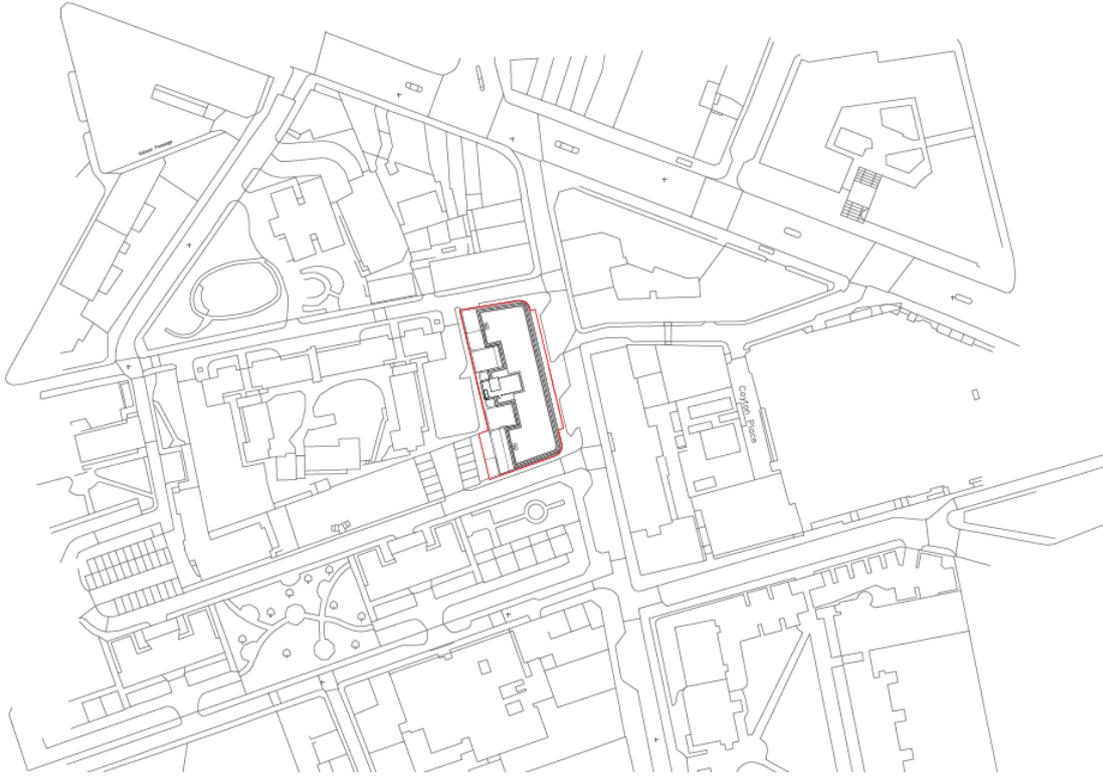
Case Officer	Nicholas Linford
Applicant	Mr Steven Gardner
Agent	TP Bennett LLP

1. RECOMMENDATION

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

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

2. SITE PLAN (site outlined in red)



3. PHOTOS OF SITE/STREET



Fig 1: Aerial image of Willen House, front elevation and local context.



Fig 2: Aerial image of rear of Willen House with Lever Street to left hand side and Galway Street to the right. Guinness Court estate situated to the bottom of image.



Fig 3: Willen House building in Bath Street at the junction of Galway Street with the institute of ophthalmology associated with University College London.



Fig 4: Front elevation of Willen House, with access and existing commercial units.



Fig 5: Front elevation to Willen House from Cayton Street junction.



Fig 6: Willen House at the junction of Bath Street and Lever Street.

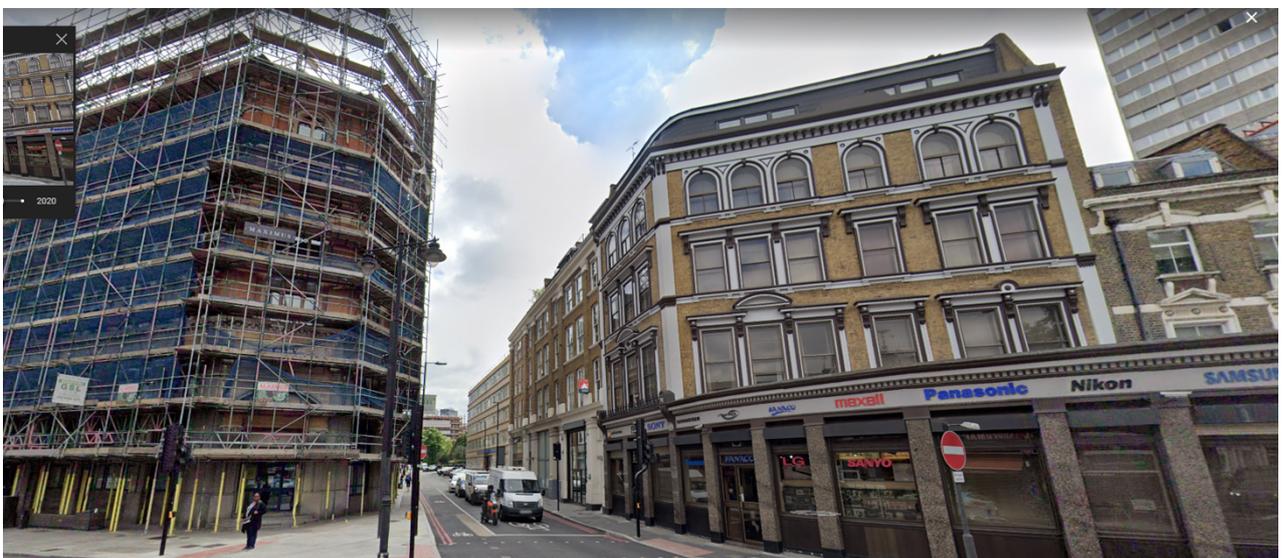


Fig 7: Willen House viewed from City Road



Fig 8: Willen House (L), 152 – 154 Lever Street with Merino Court on north side of Lever Street, centre of image.



Fig 9: Lever Street with Willen House to the left and Merino Court at 152 - 154 Lever Street to the right.



Fig 10: Side and rear elevations of Willen House from Lever Street, with edge of Guinness Court housing estate to the right.



Fig 11: View east along Lever Street with Willen House to the right and Merino Court to the left. Guinness Court to the far right. Eagle Point on City Road in rear background.



Fig 12: View of Willen House from western end of Galway Street.



Fig 13: View of Willen House from western end of Lever Street at junctions with Ironmonger Row. Student accommodation is situated at this junction.



Fig 14: View southeast towards Willen House from Mora Street with Gambier House tower block to the left.

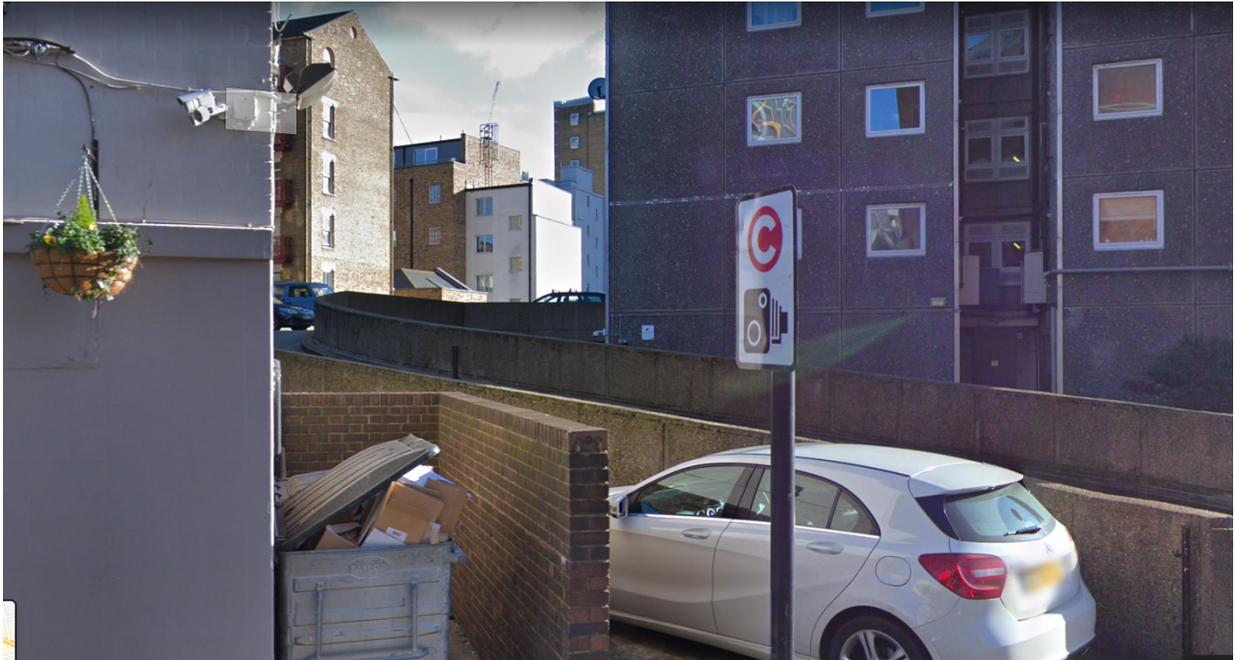


Fig 15: View from adjacent to the Royal Star PH close to the junction with Mora Street and City Road through gap between Royal Star, Gambier House and Merino Court to Willen House in background. St Luke's estate tower to the rear.

SUMMARY

- 3.1 The application is for full planning permission for extensions to the existing building, internal and external refurbishment associated with an increase in the number of student bedrooms within an existing student accommodation block. The application proposes an upgrade to the characterful façade to the front elevations to Bath Street including new fenestration as well as a much needed upgrade to the appearance of the rear elevation.
- 3.2 An additional two storeys would be added to the top of the existing building. This would be carried out through a demolition of the existing roof top structures, the erection of an additional floor to replicate the form, appearance and proportions of the original building followed by a recessed element in similar style. Along Galway Street, the application proposes a six storey rear side return extension in contrasting brick. A similar rear side return extension was proposed for the Lever Street elevation however, this has been reduced to a two storey structure. The existing centrally located projection would also be extended further rearwards partly to accommodate a new stair and lift core.
- 3.3 The building currently accommodates 157 student bedrooms. The scheme would provide an additional 57 student bedrooms within the building and include a refurbishment of the existing accommodation within the building. The building also comprises two separate, self contained office units either side of the main entrance. These will be retained within the scheme. External space for occupants, including amenity and communal space would be enhanced and improved.
- 3.4 The scheme has been modified by the applicant during the course of the application's lifetime. The daylight and sunlight assessment provided with the application demonstrated a significant reduction in the quality of daylight and sunlight for residential occupiers at 152 – 154 Lever Street. No mitigation or justification in association with the originally proposed building was possible and as such, the rear side return extension on Lever Street has been reduced from 6 storeys to 2 storeys and the extent of the roof extension has been withdrawn away from the Lever Street end of the building. In a dense urban grain within Bath Street and side streets, it is essential that the development operates as a good neighbour, and subject to safeguards in relation to the use, imposed by conditions, it is considered that the proposed development would achieve this.
- 3.5 The Adopted Local Plan incorporating the Core Strategy and the Development Management Policies DPD, the emerging local plan and the Bunhill Local Plan combine to restrict the development of new student accommodation in the Borough unless in defined and designated locations. However, given that the existing building is currently in student accommodation use, it is considered that this policy limitation would not be applicable. The applicant has offered to provide student bursaries as well as provide 35% of the student bedrooms as affordable bedrooms.
- 3.6 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.
- 3.7 Finally, the application includes a section 106 agreement with suitable planning obligations and financial obligations 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. SITE AND SURROUNDING

- 4.1 The site comprises Willen House which is a 7 storey building (incorporating a basement) on the western side of Bath Street. The building extends the full length of the street block between the junctions of Bath Street with Galway Street and Lever Street. The site is a short distance south of City Road and is to the west of the Old Street Roundabout. The area is mixed in both character and use. To the north and east, close to City Road and Old Street, the land use is predominantly commercial comprising employment and retail floorspace. To the south and west, the predominant land uses are residential.
- 4.2 Commercial buildings to the north and east are generally six storeys in height and constructed from brick with the exception of the Richard Desmond Children's Eye Hospital in Baldwin Street close by which is of modern construction. The residential land uses to the south and west vary with low rise flats blocks of flats and tower blocks within the Pleydell Estate which are set in spacious amenity space. Guinness Court which is located to the immediate rear of the site comprises part four and part five storey buildings. Part of the estate runs parallel to the rear of Willen House and therefore faces the rear elevation of this building. The elevations are 23m apart.
- 4.3 While the building was originally designed and occupied as a headquarters building for the Willen family ironmongery company, it was converted into student halls of residence following planning consent in 2007 initially with 142 bedrooms. Planning consent for a rear extension increased the bedrooms numbers to 157. The students are post graduate students in attendance at City University.
- 4.4 The building is a non-designated heritage asset located within the Moorfields Conservation Area to its southern edge. While the conservation area is primarily characterised by an impressive array of late Victorian and Edwardian commercial and institutional buildings lining City Road, it is a characterful building in a prominent location in the conservation area. Willen House was one of the first post war building projects in the Moorfields area. It is a sophisticated application of Bauhaus style.
- 4.5 The existing building is not situated within the setting of any designated listed or locally listed buildings.
- 4.6 The original frontage building has a simple and regular form, symmetrical around a main entrance fronting Bath Street, five storeys in height. Distinctive banding dressed in ridged ceramic tile gives it a strong horizontal emphasis and large glazed area. The glazing over five levels stretch uninterrupted across the frontage through the curved corners from Galway Street to Lever Street. The building has been extended to the rear. The rear elevations which includes a number of rear projections is significantly different with a grey render and a series of small window openings. The rear additions to the building overlap the roof of the building to create a set back storey from the side and front elevations.
- 4.7 At the basement layout the existing drawings indicate an area of building storage, cycle storage and plant. An area is indicated as being dedicated to staff and management. At the ground floor are two commercial units each with approximately 139sq.m either side of the main entrance. There are a number of studio bedrooms also located at ground floor. Some of the studios do not have access to natural daylight, sunlight or ventilation. There are two small courtyards to the rear. The upper floors have approximately 31 studios per floor including two wheelchair accessible units. There are 15 studio units on the recessed floor.
- 4.8 There is no car parking within the curtilage of the site although on street parking is available directly outside of the property, on Bath Street.

5. PROPOSAL (IN DETAIL)

- 5.1 Planning permission is sought for the alteration and extension of the existing student accommodation building to add an additional 50 student bedrooms. The proposals involve the upgrade to the external fabric of the existing facades including stonework and fenestration; an extension of an additional two floors above the existing building and the erection of a part two storey, part six storey rear extension combined with upgrades to the materiality of the existing rear elevation.

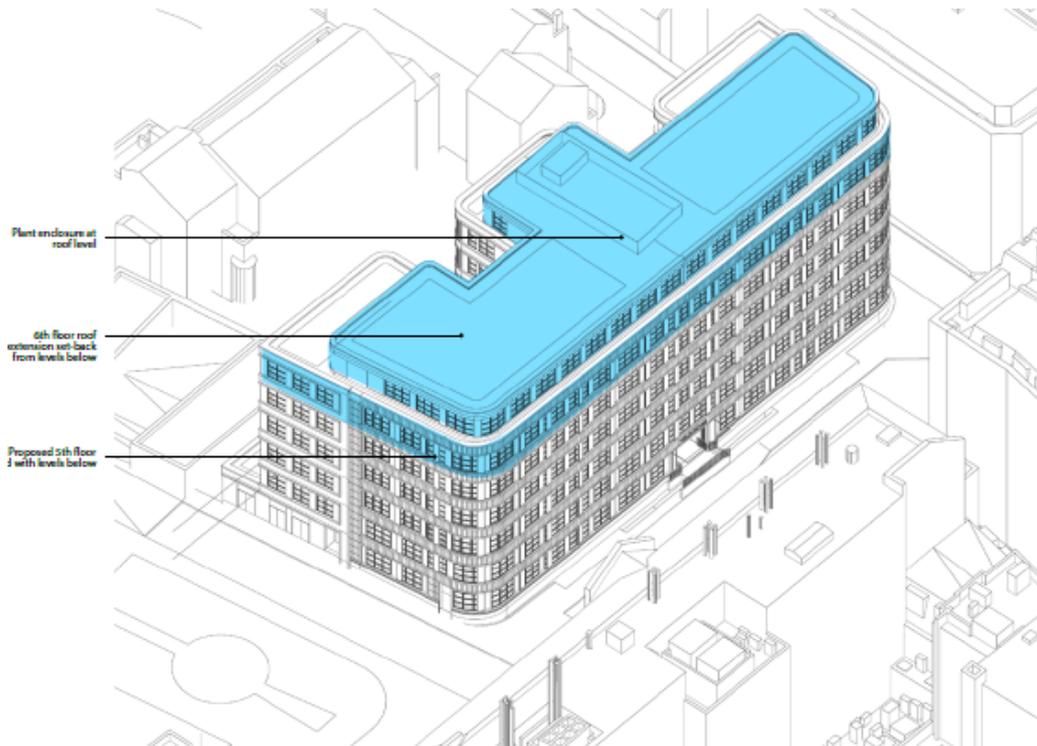


Fig 16: Shading in blue indicates additions to the building. view from southeast of front elevation and the Galway Street elevation.

North West



Fig 17: Views of building additions showing roof, rear and Lever Street elevations.

- 5.2 The additional 50 student bedrooms – developed by Infrastructure Investments Ltd – will support existing higher education institutions in the Borough. The 50 new units would be arranged through an additional 1752sq.m (GIA) of student bedroom floorspace. The additional accommodation would comprise 35% as affordable bedrooms through a long-term nominations agreement with City University London, with a proportion also subject to access to bursaries. 10% of new bedrooms and 21 (or 10%) of bedrooms overall within the scheme would be wheelchair units. Two separate self-contained commercial units at ground floor would be retained as existing.
- 5.3 While the scheme provides 50 new and additional bedrooms, the scope of the development also allows for the existing floorspace to be re-arranged to provide better, more modern and better equipped fit for purpose bedrooms with improved internal access and more effective use of space. The majority of rooms would have an internal floor area of between 17.5sq.m and 19.5sq.m, although room sizes range from 16.5sq.m to 31.5sq.m
- 5.4 The scheme provides the opportunity to improve the quality and setting of amenity space both internally and externally. Externally within the basement lightwells, new landscaped outdoor amenity areas will be provided and enhanced amenity space will be provided internally at ground floor and first floor with 505sq.m.
- 5.5 Externally, the proposed development would consist of the erection of an additional storey to replicate the form and proportions of the existing building, using a horizontal banding of beige fluted stone. This will be supplemented by the matching smooth stone for the projecting reveals, using the projection and textural differences to create differentiation. Crittal style window frames and panelling in a graphite grey tone are proposed for the windows to more effectively accentuate the banding. Perforated fluted metalwork panels are proposed in a tone a shade darker than the stone to add a lightweight filigree and subtle layering to the façade composition. The upper storey will maintain the symmetrical appearance of the building and would consist of a sympathetic recessed upper floor and would use materials of darker tones including darker beige metalwork.

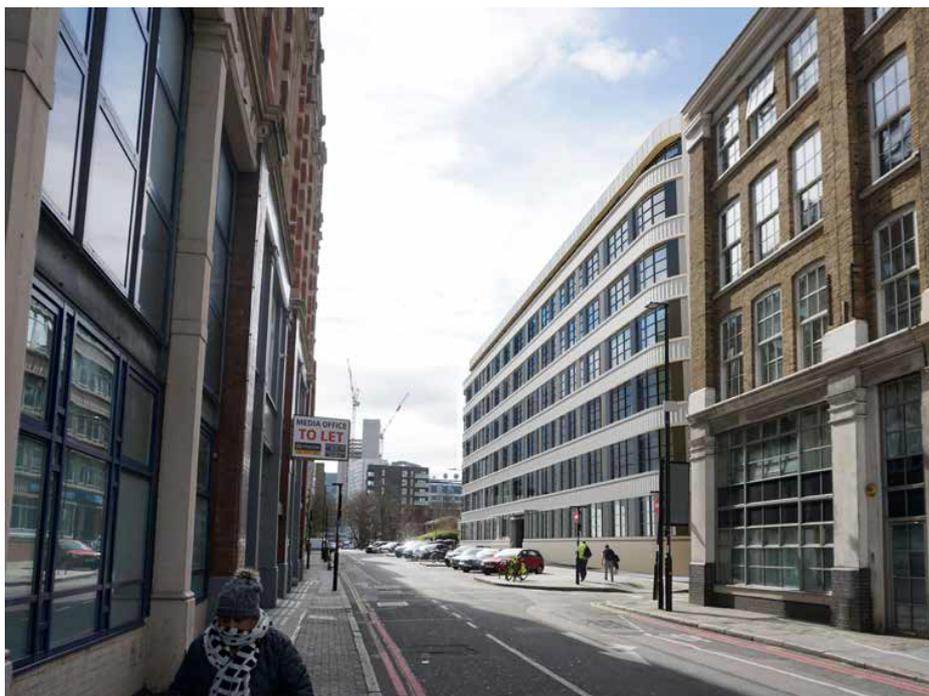


Fig 18: View along Bath Street towards Willen House as modified.



Fig 19: View towards rear along Lever Street with Merino Court on left and Guinness Court on the right.



Fig 20: View along Galway Street towards rear of Willen House.

- 5.6 The rear and side additions to the building will contrast with the form and materiality of the original building. A grey brick will be used with dark grey and dark beige fluted metalwork, stone cappings and crittal window frames.
- 5.7 At the rear the central and southern projections will be arranged overs six storeys while the northern rear projection will be arranged over two storeys to preserve daylight, sunlight and outlook amenity to the occupants of Merino Court in Lever Street.
- 5.8 Ground floor and basement will incorporate building facilities including cycle and accessible cycle storage, refuse storage and accessible refuse storage, building plant and residents' storage. An element of landscaping has been proposed for the basement external amenity areas. The roof level will prioritise biodiverse brown/green roofs and PV panels and as a result, no amenity roof terrace access is proposed as a result of this scheme.

Revision 1

- 5.9 Due to the negative impact the originally proposed development would have on the amenity of occupants at Merino Court in Lever Street, the proposed development was amended through the reduction of the scale and massing of the building and its extensions at the northern end and to the rear. The implication of this was a loss of symmetry of the building and its proposed extensions when viewed from the street which would be harmful to the character and appearance of the conservation area. Furthermore, the building when viewed from the west along Lever Street, appeared cluttered featuring four architectural elements that were not cohesive within the streetscene.

Revision 2

- 5.10 Whilst still maintaining acceptable levels of sunlight and daylight to the occupiers of Merino Court, the upper level extensions to the main building were restored and the side rear return extension to the building in Lever Street was reduced to ground floor plus one storey. This maintains the primacy of the original Willen House building in Bath Street, it removes the visual clutter from a complicated rear elevation, it allows for the rear projection to sit comfortably with the building and roof lines of Guinness Court in Lever Street and due to the width of the building and the lack of viewpoints, the rear projection on the northern side would not be viewed easily in the same context as the central and southern projections to the rear.
- 5.11 The second revision has been taken forward and is the scheme subject to the recommendation to Committee and has been subject to consultation which is described in more detail below.

6. RELEVANT HISTORY:

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

25.10.1984 – Conditional planning permission granted for the change of use from offices with storage space to use for education purposes (4463sq.m) (841159)

03.04.1997 – Condition planning permission granted for the construction of a concrete ramp to facilitate wheelchair access to existing education facility (970386)

29.07.1998 – Conditional advertisement consent for the installation of a non-illuminated advertisement (971348).

08.06.2006 – Conditional planning permission granted for the change of use of existing building, including associated ground floor rear alterations and extensions to existing building to provide for 500sq.m of D1 floorspace, plant rooms and cycle store within basement, 273.6sq.m of B1 (office) floor space at ground floor space and student accommodation (142 one person rooms) at part ground and upper levels (P053035).

08.06.2006 – Conditional Conservation Area Consent for the partial demolition of existing single storey rear extension and part rear first to fourth floor elevation of the existing building in connection with the change of use, alteration and extension of existing building (P060766).

04.04.2007 – Conditional planning permission granted for the erection of a single storey roof extension to provide for student accommodation (15 one person rooms) (P062870).

PRE-APPLICATION ADVICE:

- 6.2 Following the first iteration in May 2020, the applicant has, in conjunction with their consultants considered the Council's concerns surrounding a proposal which would have resulted in the demolition and rebuild of the existing student accommodation block to provide significantly more intensive form of accommodation. In the new scheme which proposes a number of extensions to the rear and to the roof, the scheme seeks to overcome the conservation and design objections and the policy and land use objections.
- 6.3 In extending and intensifying an existing student accommodation block, the applicant is not seeking to redevelop the site and is not seeking to provide student accommodation outside of allocated sites. While it is recognised that the scheme does not provide for the Council's housing priorities, it is not a lost housing opportunity as the site has not become available for housing redevelopment. The site would be linked to a named institution, would provide for student bursaries and facilitate affordable accommodation and has the potential to provide suitable accommodation for disabled students.
- 6.4 Nevertheless, while it can be demonstrated that the provision of new housing would be compromised, the inability of the scheme to provide new employment floorspace is regrettable.
- 6.5 In addition, the retention of the building along with a sympathetic extension through two storeys above, extensions to the side and rear to 7 storeys and a comprehensive redesign of the rear elevation would give rise to a proportionate form of development that both preserves and enhances the character and appearance of the conservation area. The extension of the building for student accommodation provides an incentive to improve the external appearance of the rear elevation and on the basis of the planning balance, it is considered that the scheme is acceptable on land use grounds.
- 6.6 There are concerns about the amenity impacts on a section of Guinness Court to the west and to the possible amenity of future occupiers particularly at lower levels. These impacts can be evaluated by appraisals and resolved by suitable mitigation measures.
- 6.7 The scheme provides a better response for inclusive design, however further provision should be made in relation to the number of ready for occupation wheelchair units as well as distances from lifts to units.

7. CONSULTATION

Public Consultation

- 7.1 Letters were sent to occupants of 530 adjoining and nearby properties at Bath Street, Lever Street, Galway Street, Radnor Street, Mora Street and City Road on 10 March 2021. A site notice and press advert were displayed on 10 March 2021. The public consultation of the application therefore expired on 31 March 2021, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 7.2 At the time of the writing of this report a total of 12 responses had been received from the public with regard to the application at the first consultation stage. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):
- The proposed development would have a material impact on the daylight of Merino Court flats. The development would extend further past windows and would block out further light (9.78 – 9.97)
 - Residents in the opposing rooms would have a clear view into apartments in Merino Court causing a loss of privacy (9.99 – 9.102)
 - With Covid forcing people staying at home, such impacts on amenity are far more acute.
 - These proposals constitute a massive increase in the size of the structure and the building as a whole within a single storey structure increasing in size from single storey to seven storey. (9.27 – 9.61)
 - The proposed extension would have a massive impact on the level of light enjoyed by us and other residents. Indeed this is reflected in the Daylight & Sunlight reports commissioned by the development. (9.78 – 9.97)
 - Students using the outdoor space would risk the peace of the neighbourhood (9.110 – 9.113)
 - Reassurances should be given concerning the impact on amenity arising from construction (9.118 – 9.126)
 - General lack of clarity within the developer's pre-submission consultation with residents in the area.
 - Some comments from residents were not seen to have been taken into account within the submitted scheme.
 - Permanent adverse impacts on privacy for Merino Court occupants.
 - Sunlight is extremely important to the flats in Merino Court and significantly enhances the quality of amenity. The scheme would seriously reduce this (9.95 – 9.97)
 - The impact on the living area is extreme and would have severe negative impact on quality of life.
 - It is clear that this development will cause severe disruption to existing residents of Merino Court and have a significant negative impact on property values. The extent of the new development is grossly disproportionate to the surrounding area both in scope and character and well beyond the reasonable expectation of any owner on this street
 - Increased occupancy levels will give rise to more noise, disturbance and comings and goings.
- 7.3 The second consultation period began on 18 May 2021 and lasted for another three weeks. As set out in paragraph 5.9, this amendment responded to legitimate concerns about sunlight and daylight which included reductions to the scope and scale of the proposed extension above the existing building and the height of the most northern rear

projection. This generated an improvement in daylight and sunlight but, in the view of officers, this resulted in a negative impact on the appearance of the building, the development and its subsequent impact on the character and appearance of the conservation area.

7.4 The following objections have been received:

- The building has already undergone a major refurbishment and change of use and is extremely close to a residential estate. The works would create much inconvenience for people living on the estate.
- This remains an outrageous application. Impacts on privacy and daylight have not been resolved.
- Students are not a good neighbour and would constitute a significant disturbance for neighbours in Merino Court.
- Construction work will create traffic issues on Lever Street and might make the access to Merino Court much more difficult
- The colour scheme neglects any aesthetics that are sympathetic to the area or neighbouring buildings.

External Consultees

7.5 Historic England (Greater London Archaeology Advisory Service): No comments received

7.6 Metropolitan Police (Crime Prevention) No comments received.

7.7 Thames Water: No objections

7.8 Transport for London: No comments received

7.9 UK Power Networks: No objections

Internal Consultees

7.10 Conservation and Design Officer

- The building makes a positive contribution to the character and appearance of the conservation area. The building is a non-designated heritage asset within the conservation area and is a well-designed post war building that sits well with Victorian and Edwardian buildings which otherwise justify the designation of the conservation area. The retention of the building is welcomed.
- The building has been much altered through extensions above and to the rear. The rear elevation has undergone a comprehensive rendering which gives rise to a bleak appearance which would be removed as a result.
- The scheme involves the erection of two storeys above the original building including a recessed sixth storey to create a seven storey building. Given the extent of buildings in the area of similar height and greater, the size and scale is deemed to be acceptable in this context.
- The extensions are considered proportionately responsive to the main building given the height of the building. The proposed modifications to the rear would enrich the existing building and will enhance the character and quality of the conservation area.

- The proposed elevational treatment is considered successful. This is because it is inherently well designed as well as sensitively echoing the original fenestration patterns and proportions. This while not exactly replicating the original fenestration, the proposed fenestration maintains the richness and rhythm of the original façade whilst facilitating a good quality of student accommodating within.
- The fenestration pattern and the application of materials is also subtly different to this new top floor compared to the floors below, further signifying and expressing its ancillary nature. This is a successful design response that ensures that the extensions to upper floors are neither overwhelming nor visually obtrusive.
- The proposed rear façade adopts the same banding geometry as the front and flank facades including using the same cream stonework. However the proposed bricks are of a darker tone - a soft grey and with a pale grey pointing.
- The existing building has heritage significance. It is a characterful building in a prominent location in the conservation area. Willen House was constructed in 1948, making it one of the first post-War building projects in the Moorfields area.
- Its retention, refurbishment and extension is supported in that it maintains an active use within the building, and preserves much of the original building including its key characteristics which enrich and contribute to the character of the Moorfields Conservation Area.

7.11 Energy Conservation Officer:

- The application should provide SAP2012 calculations
- Make further improvements to energy efficiency specifications
- Provide cooling and overheating hierarchy modelling
- Provide a Green Performance Plan
- Identify the potential for additional Solar PV capacity.

7.12 The applicant has sought to respond to these comments and has done so with a revised Energy and Sustainability Statement. At the time of writing, no comments have been received and any relevant responses will be reported at Committee.

7.13 Public Protection Division (Air Quality)

- The Air Quality report and the energy statement make reference to connections to the Bunhill District Energy Network. This should be formalised through conditions and the legal agreement.

7.14 Public Protection Division (Noise Team)

- With the proposed uplift in rooms from 157 to 207 and students staying in the block there is potential for disturbance from parties and comings and goings. It is noted that an amenity area is marked at basement level. It is proposed that a condition relating to sound insulation between the student accommodation and commercial units is advised.
- The plans note a plant room at basement level with a lightwell for ventilation. The plant isn't confirmed but air source heat pumps are proposed. (Condition 12 has been imposed to address and mitigate the potential noise transfer between uses).

7.15 Public Protection Division (Construction Management)

- The site is in an area in close proximity to Moorfields Eye Hospital along with residential and commercial office space and any construction work will need to be carefully managed to mitigate impacts and coordinate the works with any other nearby construction projects. There is an outline construction management plan but a full site specific plan following Islington's Code of Practice for Construction Sites is advised by way of either condition or legal agreement.

7.16 Public Protection Division (Land Contamination)

- While there are no objections at present, it is possible that the land both prior to and subsequent to construction may have resulted in ground contamination and as a result, a contamination condition should be imposed (Condition 13).

7.17 Planning policy

- Adopted policy DM3.9 states that student accommodation will only be acceptable where the site has been allocated or designated for student accommodation or where there is no likely adverse amenity impact.
- Policy CS12 states that student accommodation would only be permitted in two designated locations including Bastwick Street and Metropolitan University as the oversupply of student accommodation can reduce the ability to provide balanced communities and can prevent the supply of land for the development of housing.
- However, the local plan is silent on the concept of an intensification of existing student accommodation facilities. As this proposal constitutes an intensification of existing student accommodation, it would not lead to harming the objective of providing balanced and mixed communities and would not provide an overconcentration.
- While it could be argued that the development could also accommodate other priority land uses such as employment and conventional housing, it is considered that such uses would be incompatible with student accommodation.
- Emerging policy H6 states that the intensification of student accommodation would be acceptable but when combined with policy BC1 which requires an element of employment floorspace to be provided on schemes above a certain floor area threshold the scheme would not comply, however this policy has insufficient weight prior to the EIP.
- Policy CS7 recognises the wider strategic importance of City University which this scheme would provide accommodation for through a nominations agreement.
- The scheme would provide 35% affordable bedrooms and would provide bursaries for the poorest students in accordance with London Plan policy.
- A condition will be imposed to ensure that the existing E class floorspace is retained.

7.18 Inclusive economy: No objections

7.19 Street Environment Division: No comments received

7.20 Sustainability Officer

- The Flood Risk Assessment document, however, states that attenuation storage will not be possible as part of the development. In particular, the document states that blue roof attenuation is not considered viable because of the additional load to the existing

structure. Further evidence should be submitted to demonstrate this. The structure should be evaluated to determine whether it can accommodate the weight of a blue roof

- Basement and below ground attenuation storage should also be considered.
- Green roofs and green walls are welcomed, although concrete pavements in the lightwells at basement level should be replaced with sustainable permeable options.
- Bird and bat boxes should be installed as per CIEEM Guidelines.

8. RELEVANT POLICIES

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

National Guidance

- 8.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

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

The New London Plan

- 8.4 The London Plan was finally adopted on 2 March 2021. The relevant London Plan policies have been taken into account and are set out below.

Policy SD4 Central Activities Zone Policy SD5 Offices, other strategic functions and residential development in the CAZ Policy GG1 Building strong and inclusive communities Policy GG2 Making the best use of land 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 D12 Fire safety Policy D13 Agent of Change Policy D14 Noise Policy H1 Increasing housing supply Policy H15 Purpose built student	Policy G5 Urban Greening Policy G6 Biodiversity and access to nature Policy S11 Improving air quality Policy S12 Minimising greenhouse emissions Policy S13 Energy Infrastructure 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 T2 Healthy Streets Policy T3 Transport capacity, connectivity and safeguarding Policy T4 Assessing and mitigating transport impacts Policy T5 Cycling Policy T6 Car parking
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Accommodation. Policy E1 Offices Policy E11 Skills and opportunities for all. Policy HC1 Heritage and Growth	Policy T7 Deliveries, servicing and construction
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8.5 Islington Core Strategy (2011)

<p><u>Spatial Strategy</u></p> <p>Policy CS7 Bunhill and Clerkenwell) Policy CS8 (Enhancing Islington’s Character)</p> <p><u>Strategic Policies</u> Policy CS9 (Protecting and Enhancing Islington’s Built and Historic Environment) Policy CS10 (Sustainable Design) Policy CS11 (Waste) Policy CS12 (Meeting the housing challenge) Policy CS13 (Employment Spaces)</p>	<p>Policy CS15 (Open Space and Green Infrastructure)</p> <p><u>Infrastructure and Implementation</u> Policy CS18 (Delivery and Infrastructure) Policy CS19 (Health Impact Assessments) Policy CS20 (Partnership Working)</p>
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8.6 Islington Local Plan Development Management Policies (2013)

<p>Policy DM2.1 (Design) Policy DM2.2 (Inclusive design) Policy DM2.3 (Heritage) Policy DM2.4 (Protected Views) Policy DM3.7 (Noise and Vibration) Policy DM3.9 (House in multiple occupation, hostels and student accommodation) 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)</p>	<p>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)</p>
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Islington Local Plan Examination in Public (2019)

- 8.7 The Regulation 19 Draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submissions 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 examination process now in progress. As part of the examination consultation on pre-hearing modifications took place between 18 March and 9 May 2021. The Matters and Issues have now been published with hearings set to take place from 13 September to 5 October 2021.

- 8.8 In line with the NPPF, Local PLanning Authortiies 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 polcies in the Framework, the greater the weight that may be given).
- 8.9 Emerging policies that are relevant to this application are set out below in Appendix 2.
- 8.10 In Line with the NPPF Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
 - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
 - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 8.11 Emerging policies relevant to this application are set out below:

<p>Policy SP1: Bunhill and Clerkenwell</p> <p>Policy H1 Thriving Communities (Limited weight)</p> <p>Policy H6 Purpose built student accommodation (Limited weight)</p> <p>Policy SC1 Social and Community Infrastructure</p> <p>Policy SC3 Health impact assessment (Limited to moderate weight)</p> <p>Policy SC4 Promoting Social Value (Limited to moderate weight)</p> <p>Policy B3 Existing business floorspace (Limited to moderate weight)</p> <p>Policy B5 Jobs and training opportunities (Limited to moderate weight)</p> <p>Policy G1 Green infrastructure (Limited to moderate weight)</p> <p>Policy G4 Biodiversity, Landscaping and Trees (Limited to moderate weight)</p> <p>Policy G5 Green Roofs and Vertical Greening (Moderate weight)</p> <p>Policy S1 Delivering sustainable design (Limited weight)</p>	<p>Policy S3 Sustainable design standards (Limited to moderate weight)</p> <p>Policy S4 Minimising greenhouse emissions (Limited weight)</p> <p>Policy S6 Managing Heat Risk (Limited to moderate weight)</p> <p>Policy S8 Flood risk management (Moderate weight)</p> <p>Policy S9 Integrated water management and sustainable design (Moderate weight)</p> <p>Policy T1 Enhancing the public realm and sustainable transport (Limited to moderate weight)</p> <p>Policy T2 Sustainable transport choices (Limited to moderate weight)</p> <p>Policy T3 Car-free development (Limited to moderate weight)</p> <p>Policy T4 Public Realm (Limited to moderate weight)</p> <p>Policy T5 Delivery, servicing and construction (Limited to moderate weight)</p> <p>Policy DH1 Fostering innovation while protecting heritage (Limited to moderate weight)</p> <p>Policy DH2 Heritage Assets (Limited to moderate weight)</p> <p>Policy DH3 Building Heights</p>
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Policy S2 Sustainable design and construction (Limited to moderate weight)	(Limited weight) Policy DH4 Basement development (Limited to moderate weight) Policy DH5 Agent of Change, noise and vibration Policy ST2 Waste (Moderate weight) Policy ST4 Water and wastewater infrastructure (Moderate weight)
Finsbury and Bunhill Local Plan (2019)	
Policy BC1: Prioritising office use Policy BC7: Central Finsbury	

8.12 Finsbury Local Plan (2013)

Policy BC1: Kings Square and St Luke's
Policy BC8: Achieving a balanced mix of uses

Designations

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

- Moorfields Conservation area
- Bunhill and Finsbury Area Action Plan
- Central Activities Zone

Supplementary Planning Guidance (SPG) / Document (SPD)

8.14 Islington Local Plan (2013)

- Student Bursaries
- Environmental Design
- Accessible Housing in Islington
- Conservation Area Design Guidelines
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide

8.15 London Plan (2021)

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Planning for equality and diversity in London

9. ASSESSMENT

Land-use

- 9.1 The Islington Core Strategy (adopted 2011) identifies this site as being located within the Finsbury and Clerkenwell key area as illustrated in Map 2.1 of the Core Strategy. The site is not located in either of the Employment Priority Areas (general or office) and is not located in the City Fringe Opportunity Area but is within the Central Activities Zone.
- 9.2 The Finsbury Local Plan (2013) is broken down into policy and strategy areas. The site is located within the Kings Square and St Luke's policy area, although Bath Street as a whole is located within the Old Street policy area. As such, in relation to townscape, streetscene, servicing and public realm considerations, both designations should be applicable. The site is not subject to a site allocation within the Finsbury Local Plan (Area Action Plan).
- 9.3 The Bunhill and Clerkenwell Area Action Plan (2019) is an emerging document as part of the Local Plan Review and has been submitted to the Planning Inspectorate as part of the Examination in Public. While the site is not subject to specific site allocations, the Area Action Plan aims to bring forward area wide land use policy prioritising office use. The spatial strategy sub area is Central Finsbury. Relevant policies highlight the existing mixed – but predominantly residential – character of the area and the relationships between other spatial strategy areas within the Area Action Plan. At this point in time, limited weight is attributable to these policies.
- 9.4 Policy CS7 (Bunhill and Clerkenwell) states at Section A that employment development within Bunhill and Clerkenwell will contribute to a diverse local economy. Employment led development will be largely concentrated south of Old Street. Creative industries and SMEs which have historically contributed significantly to the area will be supported and encouraged. Part C states that a number of notable education and medical institutions have a presence in the area including City University. The provision of non-residential university uses in the area is supported. The expansion of City University including additional student accommodation at Northampton Square and Bastwick Street which will be designated for such uses.
- 9.5 Paragraph 3.3.23 acknowledges the importance of higher education in London as both an employer and as a function. However, concern is raised at the growth of student accommodation and its actions in threatening the provision of permanent residential development in the Borough. The provision of student accommodation in the Borough has exceeded targets to the disadvantage of providing market residential and genuinely affordable residential development. Where student accommodation is to be provided the Council will seek the provision of an element of affordable accommodation. Part J of policy CS12 (Meeting the housing challenge) states that student accommodation developments will help increase access to higher and further education by providing for bursaries. The payments of bursaries will last for as long as a site is used for student accommodation.
- 9.6 Policy DM3.9 (Houses in Multiple Occupation, hostels and student accommodation) states at sections H and I that student accommodation will only be approved where the site has been allocated or designated for student accommodation uses or it can be demonstrated that the proposal will not give rise to any significant adverse amenity impacts on the surrounding neighbourhood and provide good quality accommodation and amenity for occupiers. Any development deemed to be acceptable and policy compliant should be supported by a legal agreement and conditions to secure bursaries, to secure the accommodation for students and to secure an appropriate site management plan.
- 9.7 Policy BC8 (Achieving a balanced mix of uses) states at section E that within the City University London sites designated on the Policies Map and shown on figure 16 university uses will be prioritised. On the Bastwick Street site, this includes student accommodation. Student accommodation is not appropriate outside of this site. It should be noted that Willen House is not a designated site.

- 9.8 Within the area wide policies in the Bunhill and Clerkenwell Area Action Plan (subject to Examination in Public) Policy BC1 (Prioritising office use) states that all development proposals providing 500sq.m or more net increase in floorspace (within any use class) must comprise at least 80% office floorspace as a proportion of the total net additional floorspace. Development proposals under the threshold must be office led. There may be circumstances where these provisions do not apply and that the development should not be office led. This includes situations where the existing use is protected by another local plan policy where that use is to be the predominant land use. The other exceptions include where it may be for an alternative form of employment floorspace, where it would be a publicly funded use or would serve medical, educational or research institutions, or where it is wholly residential or where the development is small scale where it would not be practicable to provide office floorspace.
- 9.9 The emerging local plan states at Policy H6 (Purpose built student accommodation) that proposals involving the development, redevelopment and/or intensification of purpose built student accommodation will only be permitted on sites with existing purpose built student accommodation subject to consistency with other Local Plan policies and additional impacts of the development being acceptable. A range of compliance criteria are also set out in the policy. It is also important to state at this stage however, that the emerging local plan has been delayed entering the Examination in Public and as such, the policies have limited weight.
- 9.10 Planning permission is sought for the erection of extensions to the existing building to provide an additional 50 student bedrooms to the existing 157 bedrooms secured through previous planning permissions. The application also proposes the re-arrangement of the existing internal layout providing upgraded bedrooms and new circulation space above ground floor, enhancing student amenity space at the basement and ground floor level, providing enhanced external amenity space within the curtilage and protection and retention without change, the existing commercial floorspace (Class E).
- 9.11 New purpose built student accommodation within the London Borough of Islington is discouraged by both adopted and emerging Local Plan Policies as well as the local Area Action Plan for Bunhill and Clerkenwell. The Council perceives that there has been an oversupply of student accommodation within the current plan period and restrictions should be introduced to limit the supply. The Council has been concerned that the oversupply contributes to an imbalance of housing types in the Borough and purpose built student accommodation on sites that have come forward for development prevent the supply of much needed housing and associated opportunities for the provision of genuinely affordable housing. To this end the Council will only permit purpose built student accommodation on designated sites. This site is not one of these sites. While this site is linked to the City University London, it is not a designated site in planning and site allocation terms. Policy BC1 of the Draft Bunhill and Clerkenwell Area Action Plan (2019) makes no provision in general terms for the development of new or the modification of existing student accommodation and reference to this land use is only made within specific site allocations, which this site is not included.
- 9.12 Nevertheless, policy DM3.9 of the existing local plan is silent on scenarios where applications bring forward proposals to intensify or enlarge existing student accommodation developments. The emerging local plan however recognises that schemes might come forward to intensify existing student accommodation. It is therefore reasonable to suggest that as the adopted local plan does not make reference to such eventuality, there is no limitation against this in principle. Given that the emerging policy H6 explicitly recognises the possibility of existing student accommodation blocks being extended the scheme is supported in principle by the emerging local plan.

- 9.13 The London Plan states that there is an annual London wide target of 3500 student bedrooms to be provided through the plan period. While this is not broken down into Borough by Borough targets, as such demand and supply is generated by the needs of individual higher education institutions throughout the plan period. To demonstrate that there is an actual need, the student accommodation must either be operated directly by a higher education provider or the development must have an agreement with higher education institutions so that the accommodation is occupied by students for that institution for as long as the development is used as student accommodation. A nominations agreement should therefore be in place for students of the particular institution to be accommodated within the development.
- 9.14 With respect to policy DM3.9 of the Local Plan, the policy requires the scheme not to have any adverse impact on the amenity of adjoining neighbours, and provide suitable standard of accommodation for occupiers. These matters will be considered in greater detail below. However the policy also requires a connection to a specific higher education institution, the use of student bursaries and the implementation of a relevant site management plan. Emerging policy H6 reinforces these requirements and adds a commitment to providing 35% of bedrooms as affordable bedrooms.
- 9.15 Willen House is currently occupied exclusively by postgraduate students attending the City University of London (CUL) under a long term lease between CUL and the landlord, EC1 Residences Limited. CUL has full control over lettings and each year, the University provides the developer with a list of students wanting to take a room at Willen House. There is regular liaison between the University Accommodation Services Team and Willen House staff over lettings and ongoing management and welfare.
- 9.16 CUL will continue to have direct influence over the building in the future. CUL will enter into a very long term nominations arrangement whereby it will be able to reserve rooms at its discretion and only should it opt not to do so would rooms be let to the wider London student market.
- 9.17 The website of the City University of London refers to Willen House as being a residence exclusively for postgraduate City students and it is clear that there is a link between the institution and the development.
- 9.18 With respect to policy DM3.9 of the Local Plan, the policy requires the scheme not to have any adverse impact on the amenity of adjoining neighbours, and provide suitable standard of accommodation for occupiers. These matters will be considered in greater detail below. However the policy also requires a connection to a specific higher education institution, the use of student bursaries and the implementation of a relevant site management plan. Emerging policy H6 reinforces these requirements and adds a commitment to providing 35% of bedrooms as affordable bedrooms.
- 9.19 Policy H6 of the Draft Local Plan requires the provision of at least 35% of bedrooms to be provided as affordable bedrooms. This reflects the London Plan Policy H15 which seeks to secure affordable occupancy on the same basis as conventional housing. The applicant has committed to providing 19 of the 50 new bedrooms as affordable bedrooms (38%) which would therefore meet the requirement of this policy and also London Plan policy H15. However, in securing new student accommodation, the emerging local plan also seeks to secure student bursaries. This is a policy requirement set out in CS12 of the Core Strategy, emerging policy H6 and the London Plan policy H15. In welcoming affordable student bedrooms, the Council prioritises the securing of student bursaries over and above the provision of affordable student bedrooms. Nevertheless, this scheme is able to provide both in a way that meets the requirements of the policy. As per the London Plan policy

H6, if 35% of units are not provided as such, then the scheme should be submitted for testing in relation to the viability tested route. If the scheme provides at least 35%, the scheme will be deemed as satisfying the viability fast track route. Given the commitment to provide at least 35% the scheme satisfies the fast track route. The 'affordability' will be secured through the Section 106 agreement.

- 9.20 The definition of an affordable student bedroom is purpose built student accommodation (PBSA) bedroom that is provided at a rental cost for the academic year equal to below 55% of the maximum income that a new full time student studying in London and living away from home could receive from the Government's maintenance loan for living costs for that academic year. The Mayor's London Plan Annual Monitoring Report (AMR) outlines the benchmark maximum annual rental cost for affordable student accommodation. The most recent AMR was published in March 2021 and covers the year 2018/19. In it, sets out that the annual rental cost for student accommodation should not exceed £6,606.
- 9.21 The priority for the Council in supporting student accommodation is the provision of student bursaries. Core Strategy policy CS12 states that student accommodation developments will help increase access to higher education by providing funding for bursaries for students leaving council care and other Islington students facing hardship who are attending a higher or further education establishment. The funding will be an annual payment equivalent to the rent level charged for a percentage of the student bedrooms for as long as the site is used as student accommodation.
- 9.22 The Council's Student Accommodation Contributions for Bursaries (June 2013) states that the Council will set the requirement to pay a financial contribution for student bursaries equivalent to 2.4% of the total annual rental income from a development of student accommodation for thirty years or as long as site is used for student accommodation whichever is the shorter period of time.
- 9.23 The implementation of a bursary payment scheme and the provision of affordable student bedrooms will apply only to the units contained in the uplift and not for the pre-existing units. The initial annual payment for the first year of operation of a new student accommodation development will become due on an agreed date at the end of the first full year of operation. Successive payments will be due annually on this date for a period of thirty years thereafter, or until the site ceases to be used for student accommodation, whichever is the shorter period. The council will require the site owner, including mortgagees, to enter into a legal Section 106 Agreement with the Council or submit a unilateral undertaking to secure payment of 2.4% of annual rental income from student accommodation developments towards student bursaries as explained in this SPD. The applicant's affordable housing statement makes the commitment to meet the requirement set out in paragraph 3.106 of the Draft Local Plan requiring the annual payment of at least 2.4% of the annual revenue from student bedroom rentals. The applicant estimates that this would amount to approximately £22,000 per annum.
- 9.24 As well as providing 157 student bedrooms, the existing building also provides two separate self-commercial units formerly in B1 (a) use class but now in E use class. These two units are accessible from the street at the front of the building but cannot be accessed from any part of the student accommodation floorspace. The two units together measure 273.6sq.m and were secured through the grant of planning permission P053035 on 30 June 2006. This application retains the existing floorspace in the same format and layout. As no floorspace is being lost or being reduced in quality, it is not necessary to require the applicant to provide marketing evidence (Policy DM5.2). The scheme would comply with Draft Policy B3 which requires the protection of existing business floorspace in the Bunhill and Clerkenwell Area Action Plan area.

- 9.25 Nevertheless, Policy BC1 of the Draft Bunhill and Clerkenwell Area Action Plan, which prioritises office use, all development proposals providing 500sq.m or more net increase in floorspace within any use class must comprise at least 80% office floorspace as a proportion of the net additional floorspace proposed. This application proposes a net increase of 1220sq.m of floorspace meaning that 976sq.m of office floor space should be forthcoming in this scheme. However, part D of the policy provides for situations where this requirement may not need to be fulfilled. For example, this may relate to a situation where meeting the requirement might undermine the implementation of a site allocation, where other employment uses may be more appropriate or where there may be a publicly funded or public service within a particular site, where the development may be located in a wholly residential area or where a scheme proposes a small scale extension to an existing residential building where it is not practical or reasonable to introduce office uses.
- 9.26 It is considered that criterion (v) of Policy BC1 (D) is most appropriate. While not constituting conventional housing, this remains a residential proposal for a residential building. It is considered that given the nature of the existing use as student accommodation and the requirements to facilitate separate access, circulation and servicing that it would not be compatible to provide employment floorspace within the building on the upper levels or within the rear extensions.

Design, Conservation and Heritage Considerations (including Archaeology)

- 9.27 The following requirements are necessary for Local Planning Authorities when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. Section 72(1) Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: *'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'*.
- 9.28 Section 72(1) of the Act states: *'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area'*. The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.
- 9.29 In terms of the NPPF it addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 128-135 which state, inter alia, that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...*

Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'

- 9.30 Relevant Development Plan Guidance is provided by London Plan Policy HC1 which is concerned with heritage assets and states, inter alia, that *'Development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.'*
- 9.31 Equally the Council also attach great importance to design and heritage impacts. Policy DM2.3 on heritage encourages development that makes a positive contribution to Islington's local character and distinctiveness. Moreover, Policy DM2.4 requires protected views to be considered and enhanced. Finally, in terms of heritage, Policy DM2.5 states that the views of well-known local landmarks will be protected and stringent controls over the height, location and design of any building which blocks or detracts from important or potentially important views will be exercised.
- 9.32 In terms of design of the built environment, 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.'*
- 9.33 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.
- 9.34 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.
- 9.35 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.

- 9.36 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'. Historic England's Historic Environment Good Practice Advice in Planning Note 3 (The Setting of Heritage Assets), the council's Urban Design Guide SPD and the Mayor of London's Character and Context SPG are also relevant to the consideration of this application.

Site Context

- 9.37 Willen House occupies the entire frontage of a street block on the eastern side of Bath Street between Galway Street and Lever Street. The site is located a short distance from the junction with City Road. Bath Street is characterised by institutional uses on the eastern side related to health care and medicine while the western side of Bath Street is predominantly characterised by residential development. Much of the surrounding residential development is set within defined housing estates and provided either as tower blocks within landscaped areas or low rise terraces.
- 9.38 Immediately opposite the site on the eastern side of Bath Street is the Moorfields Eye Hospital and associated training facilities. Both buildings are six storeys in height. The UCL Institute of Ophthalmology is a much newer building than Willen House and it is behind this building which the main Hospital building is located. To the west of Bath Street between Lever Street and City Road are slightly lower buildings which reflect the lesser townscape significance and less important uses transitioning to more residential uses and secondary frontages. It is within this context that Willen House also finds itself. To the immediate north is Merino Court which has been converted and extended to intensify the residential uses on the site. To the rear is the Guinness Court Estate which is generally four to five storeys in height and is a relatively modern brick built housing estate which has a principal frontage to Lever Street but wraps around a central private landscaped courtyard on to which the estate has its primary outlook and aspect. There is no corresponding frontage to Galway Street to the south which is dominated by two, seven storey tower blocks known as Grayson House and Galway House in Galway Street. A number of lower rise apartment blocks with significant footprint are situated at the western end of the Lever Street, Galway Street, Bath Street and Ironmonger Row street block where further heritage assets become apparent including St Luke's Square, St Luke's Church and Ironmonger Baths. To the northwest of the site is the even more oppressive Gambier House tower block which also dominates the setting of Willen House and makes a negative contribution to the streetscene.

Application Site

- 9.39 The application site comprises a handsome, 5 storey, post war commercial building designed in the late 1940's in the 'streamlined modern' style. It fronts onto western edge of Bath Street, between Galway Street to its south and Lever Street to its north in this City Fringe location. The building occupies the entire frontage of this urban block and presents a confident and expressive façade to the street, contributing to the richness and character of the diverse Moorfields Conservation Area within which it is located.

- 9.40 It has been significantly altered to both of its rear frontages and its large imposing rear elevation the latter having been completely rendered, substantially altered and as a result, is visually bleak in its appearance. The very small windows spaced apart in an exposed rear elevation further contributes to the poor quality streetscene attributed to Galway Street and Lever Street. This is exacerbated by the high walls around the rear and sides of the curtilage which enclose substations and servicing.
- 9.41 While the building was originally designed and occupied as a headquarters building for the Willen family ironmongery company, it was converted into student halls of residence following planning consent in 2007. A further extension was consented to add an additional storey to the building providing 15 new bedrooms. This extension occupies part of the roof space and is recessed from the front and sides but not to the rear thereby adding further visual discord to the building when viewed from the streetscene in Bath Street, Galway Street and Lever Street.
- 9.42 The building is a non-designated heritage asset located within the Moorfields Conservation Area to its southern edge. While the Conservation Area is primarily characterised by an impressive array of late Victorian and Edwardian commercial and institutional buildings lining City Road, Willen House was one of the first post-War building projects in the Moorfields area and “is a characterful building demonstrating a sophisticated application of Bauhaus principles to a primarily C19th urban realm in a way which allows for urban harmony”.

Proposal

- 9.43 Planning permission is now sought for extensions to the building and façade upgrades that maintain and restore the elevational treatment to the original building as well provide a significant and positive uplift in quality to the elevations at the rear.
- 9.44 This is a significant step forward with respect to the scheme as the initial proposals to the Council comprised of its total demolition. The loss of the building would have been harmful to the character and appearance of the Conservation Area and to the historical development of this part of the Borough. The importance of the existing building also forms the basis of the comments from the Twentieth Century Society who have no objection to the proposal to extend and refurbish the building in principle. The extensions are well designed and respect the form and design of the building
- 9.45 The latter day roof top extension will be demolished and removed. This extension makes no reference to the elevation details and its removal is supported. This will be replaced with full width and depth extension that constitutes a continuation of the existing building. It is proposed to replicate the floor below as a new sixth storey. The design of this extension would reflect the proportions of the storey heights within the original building and maintain the proportions of solid (built fabric) and light (fenestration strip). In order to preserve the unique characteristics of the building it would maintain the curvature of the street corners and incorporate architectural detailing and stylisation.

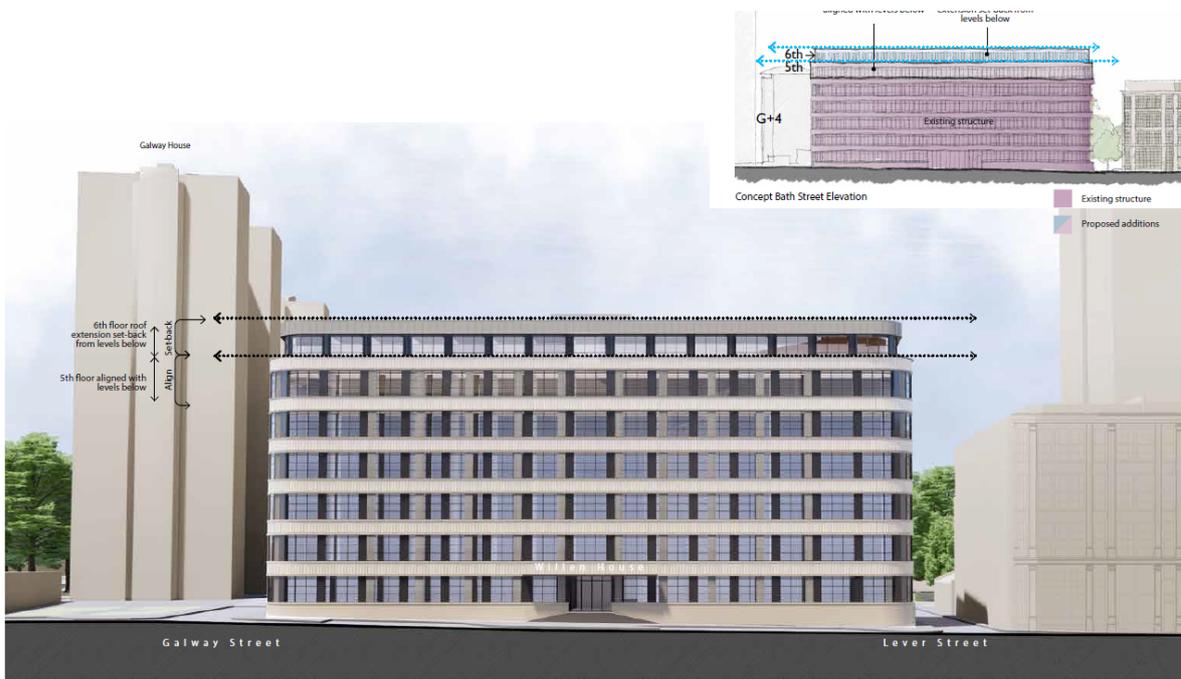


Fig 21: Drawn front elevation of the resulting Willen House, showing continuity of design and sympathetic extension to the original in respect of proportions.

9.46 The application also proposes a further storey above. This would be recessed from the edge of the building to achieve subordination, thereby allowing the building to be respectful and responsive of scale, size and massing. Despite being recessed from all four edges of the building, the appearance of this upper storey would reflect the structural proportions of the principal building and would appear as a cohesive addition to the building. Like the storeys below, it would maintain a curvature around the frontal corners to Galway Street and Lever Street.



Fig 22: Conjunction between old and new showing upgrade and enhancement on the Galway Street elevation.

9.47 In respect of materiality, the application acknowledges the intrinsic character of the main facades of the building, which is characterised by the fluted stone banding between each level along the façade and the critical window detailing. The application proposes an upgrade to this façade system and this detailing will be replaced on the existing facades and added to the additional storeys. The existing fenestration will be upgraded in design

and appearance terms and also in its thermal appearance. New structural columns would be constructed to the existing facades and new thermal insulation would be added too.



Fig 23: Materiality on the proposed front elevation

9.48 The existing building has a height of 18.2m from street level to the existing roof and approximately 22m to the roof of the more recent upper floor extension. The proposed extension to create the sixth floor would give a building height of 21.4m and the upper storey would have a height of approximately 24.5m. Taking into account plant and lift overrun, the proposed total height of the building would be approximately 26.5m in height. The building would not exceed 30m in height and as such, the structure would not constitute a tall building the context of the Local Plan or the London Plan.

9.49 On the southern, Galway Street elevation, the application proposes a six storey side return rear extension. A vertical shadow gap will allow the extension to be distinguishable from the original building. Its substantive height would reach the same height as the new sixth storey and the proposed seventh storey would overlap the roof of the rear extension. The proposed extension would maintain the horizontal banding pattern and vertical columns contained within the horizontal banding. The extension would sit above the existing substation accessible from Galway Street and which retains its autonomy. Also within the ground floor level of this rear projection, there would be openings from the street serving cycle and refuse storage.

9.50 It is considered that the proposed development albeit modified from the original submission provides for an appropriate and high quality addition that enhances the building and preserves the character and appearance of the conservation area.

9.51 The proposed roof top extension comprising two additional storeys, provides a complementary form that replicates the existing form, design and appearance of the existing building below. The proposed extensions would continue the form, proportions and architectural detailing of the existing building and the width of the block easily accommodates the height of the two storeys albeit with the recessed upper storey. Views along Bath Street demonstrate a roof form and building height that is consistent with building heights along Bath Street including those expressed by Merino Court at 152-154 Lever Street at the junction with Bath Street and the adjoining 6 Bath Street. The proposed building height is also considered to be consistent with those on the eastern side of Bath Street that make up collectively the various elements of Moorfields and the

Institute of Ophthalmology. Within an area dominated by the tall residential apartment blocks in Galway Street and Lever Street, the proposed modest height of no more than 25m above ground level would be dominant despite the largely exposed rear aspect.

- 9.52 The rear elevation itself has been modified to account for necessary improvements to the quality of sunlight and daylight amenity for the occupiers of Merino Court. The proposed rear elevation would remove the bleak rendered rear elevation detail and replace it with a predominantly brick elevation maintaining the horizontal pattern of fenestration enhanced by the use of the fluted banding. The rear elevation consists of three projecting sections. One each along Galway Street and Lever Street and a central projection. Part of the roof extension to existing building will overlap the rear extensions. The northern projection along Lever Street however, has been reduced considerably from the first submitted scheme and now consists of a ground floor plus one storey element that demonstrates considerable improvements to the daylight, sunlight and outlook for Merino Court over and above the first scheme. It is considered that the lack of symmetry on the rear elevation does not give rise to an unsuccessful building as the adjoining street context and the building's width prevent all three projections from being properly appreciated.
- 9.53 The reduced height of the Lever Street projection does allow the building to transition more effectively within the streetscene to the Guinness Court which is of three to four storeys in height. In addition, given the narrow width of the street (in direct contrast to the pattern of development at the junction of Bath Street and Galway Street), the reduced height creates a less cramped streetscene at this junction.
- 9.54 The scheme presents a range of materials which seek to preserve the positive contribution that the building makes to the character and appearance of the conservation area. Key attributes of the building include the rounded corners to the junctions, the horizontal fluted banding and the critical windows. These are preserved and enhanced within the existing building and references to the original design and materiality are made within the extensions. The rear elevation of the development significantly improves the quality of townscape and streetscene through the use of brick and the continuation of the fenestration into the rear elevation allows for a development that successfully addresses the locality.
- 9.55 The proposed elevational treatment is considered successful. This is because it is inherently well designed as well as sensitively echoing the original fenestration patterns and proportions. This while not exactly replicating the original fenestration, the proposed fenestration maintains the richness and rhythm of the original façade whilst facilitating a good quality of student accommodating within.
- 9.56 The proposed extended 6th floor replicates exactly those of the floors below which is acceptable, save for a recessed element to the northern Lever Street return, while the new 7th floor has a subtle set back to the front and primary returns and a substantial set back from the rear and recessed flank elements with no protrusion at this top level to the northern Lever Street wing.
- 9.57 The fenestration pattern and the application of materials is also subtly different to this new top floor compared to the floors below, further signifying and expressing its ancillary nature. This is a successful design response that ensures that the extensions to upper floors are neither overwhelming nor visually obtrusive.
- 9.58 The proposed materials palette is also considered acceptable. Specifically, the front and flank facades respond to the original materials with a light palette to include cream fluted stone panels to the banding, smooth cream stone panels, buff brickwork, and glazed

terracotta sills. A condition will be attached to secure samples and additional details to be approved.

9.59 The new powder coated aluminium windows, with their successful and deliberate ‘Crittall window’ referencing, are coloured white as are the existing columns. These are also to be painted (remain) white given they are viewed through, as well as against, the new windows.



Fig 24: Proposed materiality on the rear elevation

9.60 Perforated fluted metalwork panels are proposed in a tone a shade darker than the cream stone to add a lightweight filigree pattern to the façade and to help obscure some of the internal columns that would still be otherwise visible through the glazing.

9.61 The proposed rear façade adopts the same banding geometry as the front and flank facades including using the same cream stonework. However the proposed bricks are of a darker tone - a soft grey.

Landscaping

9.62 The existing site offers little opportunity to provide or contribute to landscaping in the public realm. The building envelope extends to the pavement edge and at the rear is dominated by substations, loading areas and boundary walls. While there is some existing external amenity space within the development, this is dominated by hard landscaping mainly in the form of concrete slabs. Soft landscaping is restricted to moveable planters and trellis for climbing plants.

9.63 Within the wider area beyond the site are open spaces and residents’ gardens, however these are mainly limited to the existing housing estates to the south and west.

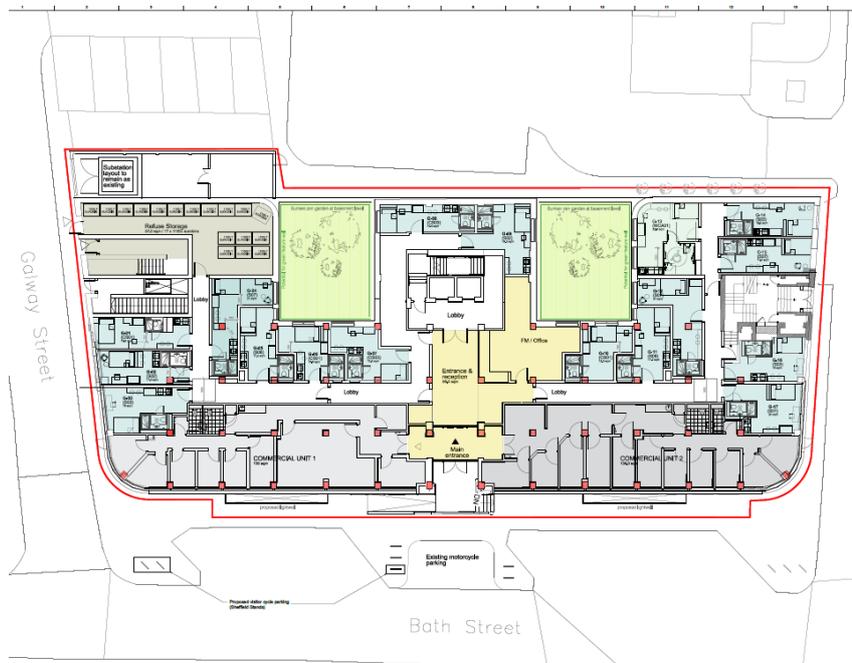


Fig 25: Proposed ground floor layout showing landscaping at the rear (accessed at lower ground floor level).

9.64 While the existing footprint of the building is proposed to be extended rearwards, opportunities exist to provide an element of improved landscaping within the communal courtyards that will be retained within the scheme. Two landscaped and accessible courtyards will be provided either side of the central projection. They would be accessed from the student amenity area at the lower ground floor area. The submitted Design and Access Statement indicates areas of planting and hard landscaping combined with aggregates to provide a less utilitarian landscape for external amenity. Any plants will need to be shade tolerant to accommodate the lower ground floor location. The proposed landscaping will be reserved by condition. The gardens would be supplemented by living walls, however, given the sheltered location for these, careful design will be required to secure their long term maintenance and preservation.

Impact on heritage assets

9.65 The application is accompanied by a detailed Heritage Statement that appropriately assesses the impacts arising of the scheme on nearby heritage assets together with the significance and characteristics of each of the assets.

9.66 The site lies within the Moorfields Conservation Area. The character value derives principally from the Victorian and Edwardian commercial buildings fronting City Road. Willen House represents a much later phase of the development in the area. The conservation area designation excludes the building directly opposite and any other buildings to the west or south. There are no listed buildings within the setting of Willen House. Indeed, there are no listed buildings visible from the site nor is Willen House visible from the closest listed buildings. Although there are locally listed buildings in the vicinity of the site, related principally to Moorfields Eye Hospital, again, these are not within the setting of Willen House. Only two locally listed buildings – 186/188 City Road and Moorfields Eye Hospital are visible with Willen House and this is only facilitated by views along Clayton Street to City Road.

9.67 As such, the only relevant heritage asset is the Conservation Area. The Moorfields Conservation Area primarily consists of an unusual and impressive collection of late Victorian and Edwardian commercial and institutional buildings fronting the City Road. It

is considered that the proposed development responds well to the Conservation Area (CA), improving the buildings appearance and presence within the CA.

- 9.68 The existing building has heritage significance. It is a characterful building in a prominent location in the conservation area. Willen House was constructed in 1948, making it one of the first post-War building projects in the Moorfields area. This early phase of post-War reconstruction is expressed in the architectural language of Willen House, which speaks of an inter-War aesthetic somewhere between Bauhaus functionalism and the commercial works of Joseph Emberton and Wells Coates. Although the architect of Willen House has not yet been identified, the building demonstrates a sophisticated application of Bauhaus principles to a primarily C19th urban realm in a way which allows for urban harmony.
- 9.69 Its retention, refurbishment and extension is supported in that it maintains an active use within the building, and preserves much of the original building including its key characteristics which enrich and contribute to the character of the Moorfields Conservation Area. The most recent amendments to the scheme to address issues of sunlight/daylight are not considered to have changed the impact to the conservation area and are deemed to preserve the building's key attributes.

Accessibility

- 9.70 London Plan policy D5 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 they i) provide for ease of use 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 The LB Islington has adopted the Inclusive Design in Islington SPD (February 2014). This sets out design standards for inclusive student accommodation in the Borough. It makes reference back to policy DM3.9 of the Local Plan that requires HMOs, hostels and student accommodation to be built to Islington's flexible home standards and 10% of bedspaces must be designed to be wheelchair accessible and must be fully fitted from completion.
- 9.72 Accessibility requirements set out within the SPD require considerations of accessibility to shared kitchen and dining facilities, accessibility of circulation within cluster units, visitability and adaptability of bedrooms, accessibility to ensuite facilities and general capacity. Sufficient provision should be made for parking, accessible cycle parking and facilitation of access to accessible public transport. A range of standards are outlined within the SPD relating to internal specification of communal and private space.
- 9.73 The existing building is accessed from the street by way of a wheelchair ramp to the front entrance threshold which is raised above the street. The existing communal amenity areas and the external amenity courtyards are also accessible for people with mobility impairments. There is car parking to the frontage within a layby in Bath Street which would permit disabled car parking where necessary.
- 9.74 The application acknowledges that the existing ramp to the front façade is non-compliant with BS8300 due to the gradient. While the scheme initially proposed a platform lift to the front of the property to achieve access to the threshold which is 0.4m above street level, this has now been replaced with a compliant ramp. Fire exit routes and access to refuse and cycle storage are located on the northern and southern ends of the building.

Internal stair and lift cores provide direct access to street level in the event of an evacuation. The submitted floor plans and access audit demonstrates satisfactorily that circulation spaces and corridors are sufficiently wide, that bedrooms contain sufficient internal circulation turning spaces. Bedrooms have been designed to be both ready for occupation by people in wheelchairs and flexible for future use as well as visitable by all.

- 9.75 The Council's inclusive design officer has considered the proposal and has observed that the scheme is largely satisfactory however, they have sought for the applicant to demonstrate that doors facilitate easy access – avoiding sliding doors and that doors have appropriate weight and pressure so that they can be opened easily by disabled people. The applicant has committed to providing for these measures set out in the officer response. In addition, the fire escape strategy must be developed further to cover the evacuation of residents who may be in a wheelchair. This will be secured through condition for discharge prior to the commencement of development.

Conclusion

- 9.76 The proposal is considered a well designed scheme, that carefully maintains the existing form and proportions of the original design detail. As a building that makes a significant impact within its immediate context, it is essential that the existing external fabric is upgraded and improved. The scheme achieves this with sensitive rear extensions and material improvements to the rear façade. Necessary modifications to part of the rear elevation to mitigate the impact on Merino Court properties has not degraded the scheme. The chosen palette of materials is sympathetic to the building and are of high quality. There is no harmful impact on the setting of any listed or locally listed buildings and the character and appearance of the conservation area is not depreciated. The building as an undesignated heritage asset within the conservation area is significantly improved.
- 9.77 As such, in relation to design, appearance and heritage, 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, DM2.3, DM2.4 and DM2.5 as well as Islington's Urban Design Guide.

Neighbouring Amenity

- 9.78 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 Document 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

- 9.79 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”.

9.80 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”.

9.81 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).*

9.82 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.”

9.83 At paragraph 2.2.8 the BRE Guidelines state:

“Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.

9.84 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 Impact on Affected Properties:

9.85 A daylight and sunlight report has been submitted to support the application. The report considers the impact of the proposed development on a range of adjoining residential buildings including Merino Court (Lever Street), 152 Lever Street, 6 Bath Street, Galway House (Galway House), Radnor House (Radnor Street) and Guinness Court (Lever Street). The locations of Willen House in relation to the relevant buildings is set out below in the following image:

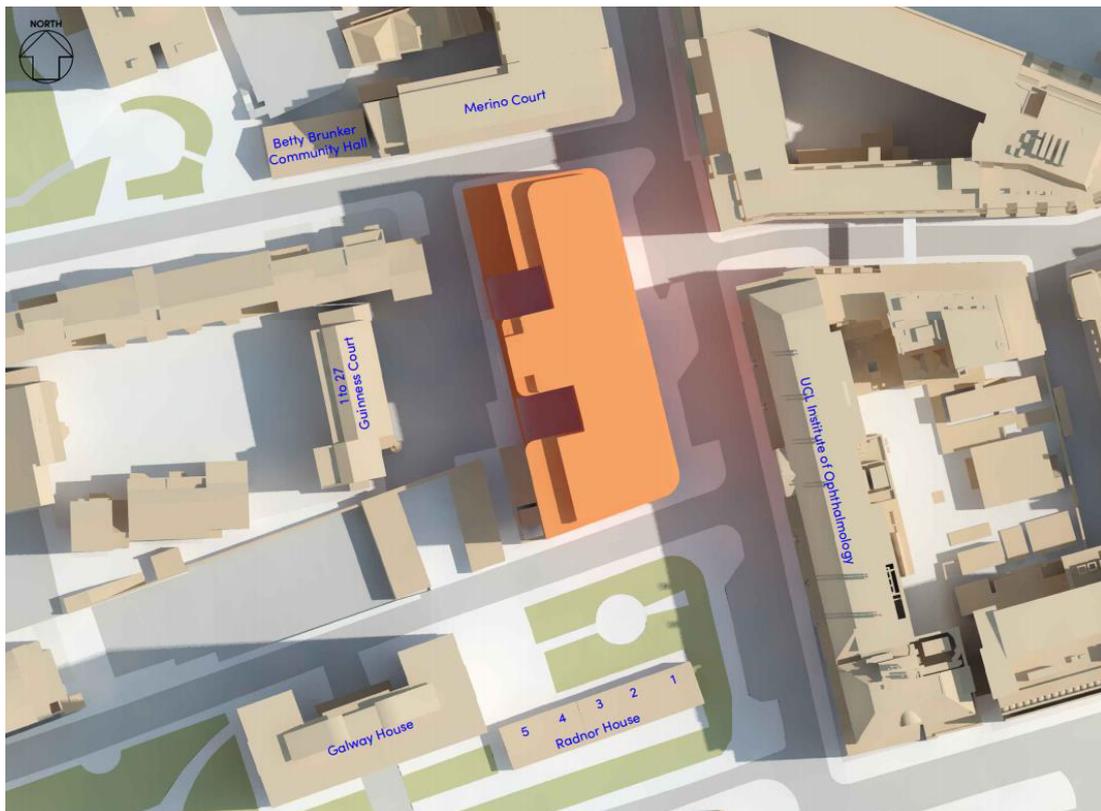


Fig 26: Willen House and neighbouring properties relevant to daylight and sunlight.

- 9.86 The information set out in this report concerning sunlight and daylight assessment appraises the impacts relating to the revised scheme which was received for consultation in June 2021. The amendments were specifically made to improve the daylight and sunlight conditions for occupants primarily within Merino Court which in the originally submitted application were critically and unacceptably poor. As described above, the proposed development modifications that are now being considered removes the full height rear extension of six storeys to the rear on the Lever Street side of the building in lieu of a two storey rear projection.
- 9.87 As a result of the modifications, the daylight and sunlight assessment presents the following results in summary which are to be extrapolated in more detail below:

Vertical Sky Component				
Building address	No of windows analysed	BRE Compliant		Total percentage BRE compliant
		Yes	No	
1 – 27 Guinness Court	31	26	5	84%
Galway House	25	23	2	92%
1 – 5 Radnor House	10	10	0	100%
Merino Court	79	42	22	66%
6 Bath Street	5	5	0	100%
152 Lever Street	1	1	0	100%
Total	151	120	31	79%

9.88 The table below shows the summary and breakdown of BRE compliance for Daylight Distribution across the same buildings

Daylight distribution				
Building address	No of windows analysed	BRE Compliant		Total percentage BRE compliant
		Yes	No	
1 – 27 Guinness Court	28	10	18	36%
Galway House	21	19	2	90%
1 – 5 Radnor House	10	10	0	100%
Merino Court	40	39	1	97%
6 Bath Street	3	3	0	100%
152 Lever Street	1	1	0	100%
Total	103	82	21	80%

1 – 27 Guinness Court

9.89 Guinness Court comprises a compact housing estate situated to the west of Willen House. It forms a rectangular layout around a central courtyard which is not accessible or visible from the street. The estate includes a terrace fronting Lever Street which terminates in a gable end approximately 8m from the rear of the curtilage and the lower two storey rear extension. The taller existing building rising to 7 storeys is situated 21m away. Much of the key elevation facing Willen House consists of decked access within the building and below an overhang. This elevation consists mainly of front doors and associated windows that are likely to be kitchens, bathrooms or WCs

as opposed to bedrooms and living rooms which are more likely to overlook the landscaped courtyard in the centre of the estate.

- 9.90 The applicants' daylight and sunlight appraisal has assessed 31 windows in this building and determined that the 26 would continue to either meet or exceed BRE criteria for VSC. The relevant information is set out below in relation to the fails at Guinness Court in relation to VSC and daylight distribution.

1-27 Guinness Court	Room / Window	Room use	Vertical Component		Sky	No Sky Line (Daylight Distribution)		
			Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	%reduction Daylight Distribution
Ground floor	W2/R2	Unknown	0.15	0.05	66%	2.0	0.2	88%
First	W2/R2	Unknown	0.31	0.16	47%	0.8	0.31	69%
Second	W2	Unknown	0.69	0.19	72%	16.1	16.1	0%
Second	W3	Unknown	0.42	0.17	60%	15.9	13.2	16%
Second	W4	Unknown	0.28	0.14	48%	1.6	0.49	51%

- 9.91 These five windows all fail the VSC and daylight distribution tests outlined in the BRE guidance. These windows are all located in the east elevation facing Willen House. They are all beneath overhanging deck access walkways and are either doors or non-habitable room windows, given that the habitable rooms within Guinness Court face either on to the landscaped courtyard or north onto Lever Street. It is considered that given these circumstances, the discrepancies in accordance with the BRE would not be harmful to residential amenity.

Galway House

- 9.92 Galway House is a 17 storey residential apartment tower block situated on the southern side of Galway Street to the west of the application property. The building has inset balconies running up the full height of the western elevation facing Bath Street. The balconies overhang the fenestration within the balconies which are split between two flats. The balconies feature one door along with what appears to be three windows. On the northeastern corner are a series of four windows flush within the elevation of the building. It is assumed that these windows serve habitable rooms.
- 9.93 The appraisal has confirmed that two windows are not BRE compliant for both the VSC and daylight distribution assessments which are set out below.

Galway House	Room / Window	Room use	Vertical Component		Sky	No Sky Line (Daylight Distribution)		
			Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	% reduction Daylight Distribution
First floor	W6/R5	Unknown habitable room	3.75	2.73	27%	3.1	2.2	30%
Second	W6/R5	Unknown habitable room	4.19	3.25	22%	3.4	2.6	24%

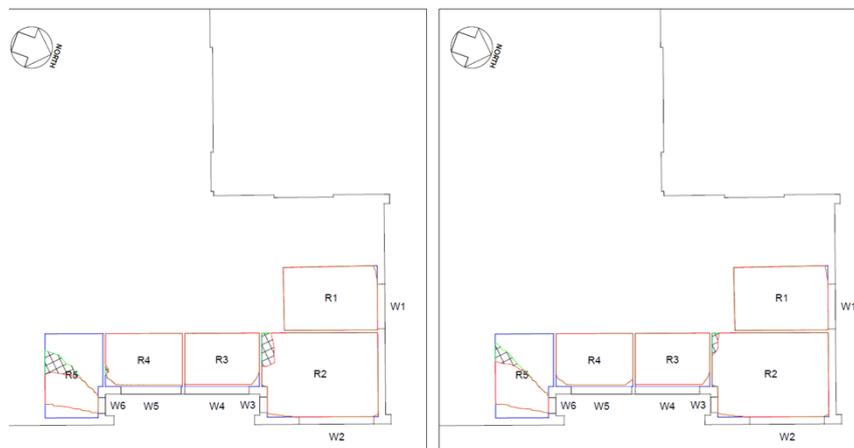


Fig 27: Room Map for Galway House

- 9.94 The failing openings appear to be the doors accessing the balconies which are situated under overhanging building structure. This is the only opening to the room and there are no other windows serving these two specific rooms. Nevertheless, it is considered that the discrepancy is marginal with the difference post development being no less than 0.7 times the former value.
- 9.95 Given that Radnor House, 6 Bath Street and 152 Lever Street have an acceptable level of daylight for all tested rooms and windows through VSC and daylight distribution, the report moves on to consider the impact on Merino Court. The planning history earlier in this report outlines the nature of development that has taken place within this building including change of use to residential, change of use to live/work, the addition of extensions to the building at roof and rear and the installation of mezzanine levels. Given the building's initial purpose as commercial the residential has been accommodated through amendments to the building such as the installation of obscuring vinyls to windows at the lower levels to prevent views from the street. This may have an impact in some instances on the ability of daylight to enter into the property. The assessment has been made on the basis that the glazing is transparent.
- 9.96 It is emphasised that the scheme has been significantly, but not harmfully, amended to accommodate an acceptable daylight and sunlight condition for Merino Court. The values presented to the Council at the point of initial submission in March 2021 were demonstrably unacceptable given that the units are single aspect. It was suggested to the applicant that the daylight and sunlight should be tested in relation to the removal

of the six storey rear extension to the building in Lever Street (mirroring that in Galway Street) to determine whether it was the two storeys above the original building or the six storeys to the rear of the building, extending the façade directly opposite Merino Court along the view spectrum from facing windows. It was determined that the two storeys above the building had limited impact due to the height and profile above ground and that it was the extension that posed the most significant harm.

9.97 The modifications to the scheme have resulted in tangible improvements, however, 22 out of 79 rooms remain non-compliant in relation to the VSC, however, just two windows are non-compliant in relation to the daylight distribution.

9.98 The full list of windows shown to be non-compliant for VSC are set out below.

Merino Court	Room / Window	Room use	Vertical Component		Sky	No Sky Line (Daylight Distribution)		
			Existing (%)	Proposed (%)	Percentage reduction in VSC	Previous sq ft	Proposed sq ft	% reduction Daylight Distribution
6 Merino Court Mezzanine	W1/R1	LKD	8.87	6.5	27%	10.9	10	9%
6 Merino Court Mezzanine	W2/R2	Bedroom	8.32	6.36	24%	9.2	8.9	4%
10 Merino Court First Floor	W1/R1	LKD	13.63	10.78	21%	11.2	10.9	3%
10 Merino Court First Floor	W2/R1	LKD	13.03	10.08	23%			
10 merino Court First Floor	W3/R2	Bedroom	12.56	9.70	23%	9	8.7	3%
10 Merino Court First Floor	W4/R2	Bedroom	13.33	10.53	21%			
13 Merino Court second floor	W1/R1	bedroom	18.55	14.28	23%	13.3	12.5	7%
14 Merino Court Second floor	W1/R1	LKD	17.53	12.77	27%	12	11.3	6%
14 Merino Court Second Floor	W2/R1	LKD	17.01	12	29%			
14 Merino Court Second Floor	W3//R2	Bedroom	16.67	11.73	30%	9.5	8.7	8%

14 Merino Court Second Floor	W4/R2	Bedroom	17.41	12.61	28%			
15 Merino Court Second floor	W4/R2	Bedroom	19.02	14.84	22%	12.9	12.6	3%
17 Merino Court Third floor	W1/R1	Bedroom	22.75	15.7	31%	13.9	12.4	11%
17 Merino Court Third Floor	W2/R1	Bedroom	23.7	17.25	27%			
17 Merino Court Third Floor	W3/R2	Bedroom	26	19.52	22%	17.1	17.1	0%
17 Merino Court Fourth Floor	W1/R1	LD	31.75	24.84	22%	46	42.3	8%
18 Merino Court Third floor	W1/R1	Bedroom	21.69	13.86	36%	12.6	10.8	14%
18 Merino Court Third floor	W2/R1	Bedroom	21.41	13.06	39%			
18 Merino Court Third floor	W3/R2	Bedroom	21.24	12.92	39%	11.4	9.8	14%
18 Merino Court Third floor	W4/R2	Bedroom	21.85	13.79	37%			
18 Merino Court Fourth floor	W1/R1	LKD	31.21	23.53	25%	41.3	40.9	1%
18 Merino Court Fourth floor	W2/R1	LKD	31.45	23.1	27%			
19 Merino Court Third Floor	W3/R2	Bedroom	23.26	17.54	25%	13.5	12.5	7%
19 Merino Court Third Floor	W4/R2	Bedroom	22.36	15.75	30%			

9.99 The results of the appraisal demonstrate where there is a failure in relation to VSC within Merino Court, each room (or window) is counterbalanced by a daylight distribution result that meets or exceeds the BRE guidelines. It should be noted that where VSC fails the margins are generally minimal especially at the lower floors. At third floor and above, Merino Court apartments are affected by the additional height to the existing building. However daylight losses do not depart significantly from the guideline 20% set out within the BRE guide. The only window to fail for daylight distribution is 7 Merino Court at the Mezzanine level. However, the VSC for 7 Merino Court shows a value of 0.82 of its former value.

9.100 It is clear that the negotiated modifications demonstrate a significant improvement for occupiers of Merino Court following the first and second consultation stages in April and May 2021 where the significant bulk of objections arose. The following table contains an indication of the impacts on Merino Court from the initial design scheme.

Assessment Details					Vertical Sky Component				No Sky Line (Daylight Distribution)			
Flat No.	Floor	Room / Win	Room Use	Whole room (sqm)	Ex (%)	Pro (%)	% Loss	Actual Loss	Ex (sqm)	Pro (sqm)	% Loss	Actual Loss
Address												
Flat 6	Mezz	R1	LKD	22.75	8.87	4.05	54%	4.82	10.95	6.87	37%	4.08
Flat 7	Mezz	R1	LKD	29.1	16.42	7.78	53%	8.64	29.09	10.3	65%	18.79
Flat 10	First	R1	LKD	22.75	13.63	7.39	46%	6.24	11.22	7.12	37%	4.1
Flat 11	First	R1	LKD	29.1	21.64	12.39	43%	9.25	28.17	11.13	60%	17.04
Flat 14	Second	R1	LKD	22.75	17.53	9.35	47%	8.18	11.96	7.33	39%	4.63
Flat 15	Second	R1	LKD	29.1	24.55	14.42	41%	10.13	28.96	12.65	56%	16.31

9.101 Whilst the daylight impacts (in particular for VSC) slightly depart from the BRE guidance of 20% maximum loss, the height, scale and layout of the development has been amended to better protect in particular Merino Court properties. The height and scale fronting Bath Street is appropriate in townscape terms and the guidelines are stipulated to be applied flexibly to enable development that is commensurate to the surrounding built form to be accommodated. In this regard the proposal is considered to appropriately safeguard daylight whilst achieving an appropriate townscape response for the urban location of the site.

Sunlight

9.102 In relation to sunlight, this assessment is carried out only for windows which are located within 90 degrees of due south and may therefore be affected by the proposed development. Given the site and surroundings, Merino Court, 6 Bath Street, 152 Lever Street and Guinness Court all have south facing windows and must therefore be tested and appraised for the potential loss of annual probable sunlight hours and winter probable sunlight hours.

9.103 Failures are to be found at 9 & 10, 13 & 14 and 17 & 18 Merino Court. For all of these units with the exception of 10 Merino Court, the Annual Probable Sunlight Hours (APSH) exceeds a value of 25 and therefore, irrespective of the reduction, the room or window would remain well disposed to sunlight across the year and it is the winter sunlight hours that do not achieve minimum required values. In addition, these are all bedrooms where direct sunlight is less important as regards their room use function.

		Annual (APSH)			Winter (WPSH)		
		Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
9 Merino Ct	Room Use						
1 st Floor	Bedroom	36	26	28%	3	2	33%
10 Merino Ct	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
1 st floor	bedroom	33	22	33%	4	2	50%
13 Merino Ct	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
2 nd floor	Bedroom	47	31	34%	6	3	50%
14 Merino Ct	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
2 nd floor	bedroom	45	28	38%	5	3	40%

17 Merino Ct	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
3 rd floor	Bedroom	60	42	30%	11	4	64%
18 Merino Ct	Room Use	Existing	Proposed	% Reduction	Existing	Proposed	% Reduction
3 rd floor	bedroom	59	39	38%	9	4	40%

9.104 However, given the comprehensive achievement in excess of the required 25 APSH throughout Merino Court and the other relevant buildings, it is considered that the likely impact on sunlight would be acceptable.

Overshadowing

9.105 There are no neighbouring external public or private amenity spaces surrounding the development with a potential to be affected by the proposed development and as such further testing has not been required.

Overlooking

9.106 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'.

9.107 In respect of overlooking and loss of privacy, there are two potential sensitive receptors consisting of Guinness Court and Merino Court. Starting with Guinness Court, the nearest part to the subject development is the flank wall of the north facing terrace to Lever Street. The distance between the terrace and the red line curtilage which is also the termination point of the two storey rear element is 8m. It is 14m to the rear elevation of the six storey rear elevation of Willen House. Due to the layout of Guinness Court, the development would be 22m from the rear elevation of the central rear projection of Willen House to the rear access deck walkways.

9.108 Taking into account the relationship between the end of terrace at Guinness Court and the proposed development, there are four windows at first floor and above facing Willen House. At the ground floor rear there is no overlooking towards Guinness Court. At first floor one bedroom has a window facing Guinness Court and the second has a secondary window facing Guinness Court. This distance is 8m. It is assumed that the windows in the flank elevation of Guinness Court are windows serving habitable rooms albeit that they are secondary windows. As a result, the windows facing Guinness Court should be obscure glazed at the first floor level through planning condition. At second floor and above, the distance from rear wall to flank wall is 14m. Each of the two flats at these levels have two window walls and as such, those facing Guinness Court can be obscure glazed through planning condition.

9.109 Merino Court directly to the north of the site is in residential use with primarily single aspect southwards towards the site. While the lowest levels above pavement level have obscure glazed windows facing Willen House, the upper levels are the most sensitive due to the width of the street which is single lane width into Bath Street. None of the student bedrooms in the flank elevation facing Merino Court are currently obscure glazed and no condition was put in place at the time that change of use to student accommodation was granted planning permission in 2006 (P053035). The adjoining service core has obscure glazed windows. Within the proposed scheme, the stair core is modified so that it is situated internally away from the building edge. This

allows an additional window on floors 2 to 6 to be installed facing Merino Court along with the ground and first floor windows facing Merino Court within the rear extension. Within the re-arranged layouts of the original Willen House there is no change to the existing approved situation where windows in Willen House face on to Merino Court, however, where the intensified use as student accommodation is being provided and where additional opportunities for overlooking are to be provided, it is prudent to mitigate against this impact and as per the Guinness Court a condition will be imposed on the planning permission requiring that new windows facing Merino Court will also be obscure glazed.

9.110 The proposed obscure glazing condition is at condition 30.

Noise and vibration

9.111 Noise generated by the development will arise from three principal sources. The first is from the operation of plant within the building and the second will relate to the consented use of the building which in this case is student accommodation. Noise, disturbance and other climate and environmental impacts will also arise through construction. The measures taken by the applicants to address this is set out in the next sections.

9.112 The basement level of the existing building currently features plant and other building facilities across the floor plan as set out in the image below. The principal plant rooms are situated at the northern end of the site. The existing layout indicates that with the exception of the substations operated by UK Power Networks at street level, all plant is situated at basement level only. In maximising the basement level for student amenity, both internal and external, the layout at basement level will be altered with principal plant consolidated solely at the northern end of the basement floor plan. 224sq.m of plantroom floorspace is indicated. In relation to the impacts for residents living in adjoining buildings, it is considered that the internal plant will not give rise to impacts for occupiers in Merino Court or Guinness Court.

9.113 At roof level, the scheme introduces a plant enclosure which has a floor area of 66sq.m and is situated centrally on the roof of the building. Its positioning at roof level would give it a spatial distance of 15m to the nearest sensitive receptor point on the southern elevation of the Lever Street terrace of Guinness Court, 21m to the access decks to the eastern elevation of Guinness Court and 32m from the southern elevation of Merino Court.

9.114 The specification of the plant is not yet known. Furthermore, the scheme seeks to provide the capacity and ability to connect to the district heating network which would add to the standard level of plant within such a building and as such, details will be sought through condition as to the levels of building cooling, heating and other related M&E will be necessary.

9.115 The applicants have set out a position in their supporting documents that the scheme relies on historic baseline data concerning existing background noise levels in the immediate locality taking into account the fact that COVID19 renders it difficult to both undertake testing and to procure results of such testing that would align with a likely post-pandemic noise climate for background noise levels. This has been made clear in the application submission. The Council's EH officer has been advised of these circumstances and has accepted this provision subject to the caveat that fully detailed (background) noise reports along with mitigation measures to be put in place are submitted for approval prior to the commencement of construction.

- 9.116 The derived existing background noise levels have been analysed to provide external plant noise limits in accordance with BS4142:2014. Plant specifications are to be chosen and designed to meet these requirements as the design progresses. The report goes on to define appropriate acoustic design standards. It sets out the measured acoustic data and presents the assessment of potential noise impacts in relation to the development. A range of ventilation strategies and mitigation measures is provided to demonstrate how appropriate internal ambient noise levels can be achieved across the proposed development in relation to façade fabric and glazing, including consideration of overheating and natural or mechanical ventilation. These are indicative and will be confirmed once a detailed noise survey of the site can be undertaken following pandemic restrictions at the detailed design stage.
- 9.117 An outline construction management plan has been submitted with the application. The document sets out the key stages of the construction work on the site which includes limited demolition and excavation, followed by superstructure construction, internal alterations and fit out and external façade upgrades. Taking into account the internal floor plan re-arrangements, and the limited curtilage without built form, the CMP indicates that site welfare, offices and storage will be located within the basement area. A pavement closure is anticipated to the front of the site where an oversailing crane will be located. With the building frontage being included within the hoarding zone, it is considered that this location would be where much of the building activity would take place which is away from the most sensitive receptors for noise and other construction related amenity impacts. The outline management plan sets out commitments to control and limit noise and vibration levels. The EH officer, has in the course of their expressions of support for this application required the provision of a full construction management plan to be secured through a planning condition which will be required to be discharged prior to the commencement of construction (condition 5)

Student management

- 9.118 Living in close proximity to students is often a worry to established residents particularly in relation to noise and anti-social behaviour. Policy DM3.9(H)(ii) states that student accommodation will only be granted in locations where it can be demonstrated that the proposal will not give rise to any significant adverse impacts on the surrounding neighbourhood.
- 9.119 The premises are already in use as student accommodation with 157 bedrooms. The application proposes an additional 50 bedrooms. The student accommodation is already subject to an effective student management plan which has raised no significant concerns with the environmental health officer.
- 9.120 The applicants have submitted a suite of documents which (combined) constitute the student management plan. These documents include the student handbook and accommodation induction programme. The former includes the buildings' noise and complaints policy, details of the night time, 'curfew' and the disciplinary procedure that will be initiated if the overnight staff establish that there is undue noise. There is also a policy relating to visits, visitors and overnight guests which are controlled by staff reception. Finally a set of terms and conditions which inter alia include guidelines for visitors and noise control is also provided. No day visitors are allowed on the premises before 0700 and after 2200. The student management plan states that all visitors overnighting must be booked in to reception and must be accompanied at all times. They should also vacate the premises by 1200 the next day or otherwise attract a further charge for the occupiers of the particular bedroom. Guests are limited to ten

stays per month per occupant. Condition 25 prevents the use of any flat roof for external amenity terrace use by any occupier or guest.

- 9.121 It is considered that the submitted documents – which are already in operation – are appropriate and effective and can be incorporated as a planning obligation within the accompanying legal agreement.

Quality of Resulting Student Accommodation

- 9.122 Policy H15 of the London Plan (2021) states that the local and strategic need for student accommodation should be identified and met by the Boroughs. In providing this student accommodation, the decision maker should also seek to ensure that the accommodation provides adequate functional living space and layout. Policy DM3.9(H)(iii) of the Local Plan Development Management Policies Document states that all proposed units should provide a decent standard of accommodation and amenity. Policy H6 of the emerging local plan (2019) provides greater emphasis for amenity and quality of accommodation. The policy states that:

All proposals involving the development, redevelopment and/or intensification of purpose-built student accommodation must ensure a high standard of amenity for future occupiers of the development and residents in the surrounding area and must meet all the following criteria:

(i) Provide high quality accommodation in line with policy H4, including the provision of good-sized rooms and communal space in line with relevant space standards. General needs units must be designed to be 'visitable' and shared facilities must be accessible. A high level of amenity must be provided, including limiting noise impacts and providing good levels of daylight and sunlight, and natural ventilation;

- 9.123 DMP Policy DM3.4 requires all forms of accommodation to meet a range of criteria, though not all are relevant to this proposal. Importantly, the Development will vastly improve the size and layout of the student rooms, improving the utilisation of space and with improved environmental performance in terms of heat, daylight and ventilation (DM3.4(A)i). The quality of amenity space will be improved, including the refurbishment of the external courtyards at basement level (DM3.4(A)ii). Within the constraints of the existing building (originally built for offices), the floor to floor heights are 3.424m which will enable the 2.6m floor to ceiling height required by DM3.4(C) to be easily achieved.
- 9.124 The applicant has provided daylight and sunlight analysis for all the rooms within the development taking into account the alterations that are proposed to be made to the internal layouts and floor plans. As stated above, the inclusive design in Islington SPD (2014) sets out requirements and standards for inclusive student accommodation. The scheme adheres to these standards.
- 9.125 The predominant bedroom size exceeds 17sq.m with some as large as 24sq.m. The smallest unit is 15sq.m. All units therefor exceed the minimum size standards for bedrooms insofar as if they were treated as standard housing development.

Noise and vibration for residential occupiers

- 9.126 Where dwellings are adjacent to plant rooms, adequate noise control measures will be designed into the structure to limit airborne and structure borne noise and vibration affecting the dwellings. A scheme of sound insulation and mitigation measures will be sought through planning condition 11.

9.127 The development contains a Student Amenity at basement level and two commercial units at ground floor. These are to be provided to shell and core and it is not the purpose of this application to provide specifications. At shell stage, sound insulation between the commercial and residential units will be provided in accordance with the requirements of Approved Document E. Additional sound insulation measures will be provided, if required, by the tenants of the commercial units. This will be managed through appropriate wording in tenancy lease documentation.

Air Quality

9.128 In regards to impacts during construction, a qualitative assessment on the construction phase activities has been carried out following the relevant guidance. It was found that there is 'Low to Medium Risk' of dust soiling impacts and 'Negligible to Low Risk' of increases in particulate matter concentrations that could affect human health due to demolition, earthworks, construction and trackout activity. Nonetheless, through good site practice and the implementation of suitable mitigation measures, the effect of dust and particulate matter releases would be significantly reduced. The residual effects of construction phase dust are considered to be 'Negligible'.

9.129 Construction related transport, Non-Road Mobile Machinery (NRMM) and construction plant have the potential to increase pollutant concentrations over the duration of the construction works at nearby sensitive receptors. NRMM and construction plant should meet the relevant emissions standards and a travel plan should be implemented for all construction workers accessing the site. The air quality impacts from the Proposed Development during the construction phase would be 'Not Significant'.

9.130 Regarding the suitability of air quality at the Site for its intended use, pollutant concentrations are predicted to be below the relevant health-based air quality objectives. On that basis, no additional mitigation measures are recommended, as the future occupants of the Proposed Development would not be exposed to unacceptable air quality and the Site is deemed suitable for its proposed future use in this respect.

9.131 A screening assessment of the operational phase was undertaken, in line with the applicable guidance. For traffic, the maximum daily vehicle trips would increase from the existing 28 (23 delivery and servicing trips, five taxi trips) to 38 (31 delivery and servicing trips, seven taxi trips). This does not exceed guidance criteria for detailed assessment of additional development traffic on local roads. Replacement options for the energy plant are currently being considered, although combustion sources are not being considered. Based on the qualitative assessment undertaken, air quality impacts from the Proposed Development during the operational phase would be 'Not Significant'.

9.132 An Air Quality Neutral Assessment was compiled to support the planning application for the Proposed Development. The assessment of transport emissions demonstrated air quality neutrality. Nonetheless, cycle spaces are included in the design which will further limit emissions. For building emissions, replacement options for the energy plant are currently being considered, although combustion sources are not being considered. Overall, the Proposed Development was considered to be 'Air Quality Neutral'.

9.133 The air quality effect of the Proposed Development is considered to be 'Not Significant'. The Proposed Development does not, in air quality terms, conflict with national, regional or local policies. On implementation of the recommended mitigation measures, there are no constraints to the Proposed Development in the context of air quality.

9.134 The EH officer comments that there are no objections on air quality in association with the proposed development.

Energy efficiency and Sustainability

9.135 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 5 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.

9.136 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 cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund. The new London Plan has only recently been adopted so the applicant's energy strategy has focussed on meeting adopted local policies which are broadly in line with the policies of the new London Plan.

9.137 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.

9.138 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.

Thermal performance

9.139 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. Since Willen House is part refurbishment and part new construction, there is a mixture of fabric thermal performance that can be achieved with higher standards more achievable in the new construction elements. As a result, fabric thermal performances beyond Part L minimum standards for the new construction elements have been applied. For the existing elements Part L2B compliant U-values have been implemented as it is unknown whether improving upon these U-values will be

technically achievable. Enhancing these U-values beyond Part L2B standards will be investigated at detailed design. The proposed U values for the development are: external walls: (0.15), roof: (0.1), doors (1.6) windows (1.2) existing floors (0.25) and existing walls (0.3). These values are consistent with the required U value thermal performance indicators set out in the revised energy statement provided by the applicant. Whole building air permeability meets the requirements set out in the building regulations in relation to a limiting value perpetuated by a part refurbishment and part new construction. This equates to 10m³/hr/m².

- 9.140 Natural ventilation is proposed for the bedroom areas, alongside mechanical extract ventilation, and mechanical ventilation with heat recovery for other internal areas. Lighting controls include absence detection in bedrooms and sensors in circulation spaces.

Thermal modelling (heating and cooling)

- 9.141 The CIBSE TM52 Overheating Analysis has been prepared to support the detailed planning application for the Willen House refurbishment and extension development at Willen House.
- 9.142 Dynamic thermal modelling has been completed in accordance with the requirements of Policy 5.9 (Overheating and Cooling) of the London Plan 2016 and Policy DM7.5 (Heating and Cooling) of the Islington's Local Plan Development Management Policies (Adopted June 2013). The thermal modelling has applied the cooling hierarchy process outlined within both policy requirements of minimising internal heat gains, apply passive measures, and implement mechanical ventilation and finally active cooling. The thermal modelling has been completed in accordance with CIBSE TM 52 (*The Limits of Thermal Comfort: Avoiding Overheating in European Buildings*) and the modelling software IES VE user manuals for completing thermal analysis assessments.
- 9.143 The results from the thermal modelling confirm that under the London climate change weather files (including urban heat island effects), a representative sample of student bedrooms all comply with the CIBSE TM52 overheating criterion.
- 9.144 This has been achieved by implementing passive cooling strategies that minimises summertime overheating risk. This includes replacing the existing windows with solar control glass to reduce unwanted and excessive solar heat gains into the building. The opportunities for thermal mass have also been applied such as the opportunity to use the buildings heavy weight structure to trim high internal air temperatures. Natural ventilation will also be applied as the primary cooling method for the building via openable windows. As the bedrooms will also have mechanical extract ventilation to serve end-suite bathrooms and kitchenette areas, this mechanical extract will also provide an element of purge ventilation when internal air temperatures exceed 22°C.
- 9.145 It can therefore be concluded that the passive cooling strategies outlined in this report for Willen House achieve compliance with CIBSE TM52 and planning policy criteria, without the requirement for active cooling system.

District heating (be clean)

- 9.146 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.

9.147 The development is identified as being within 50m of the Bunhill Heat Network – and therefore, it is proposed that the development will connect to the network. This is welcomed and strongly supported. Heating will be served through a radiator system, and hot water via a plate heat exchanger and thermal storage. It is currently proposed that space heating and cooling will be provided to the commercial units via an air source heat pump VRF system.

Carbon emission reductions (Be green)

9.148 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 all measures which reduce CO2 emissions from the existing building stock.

9.149 Paragraphs 2.0.8 – 2.0.10 details the Council's energy hierarch which should be followed in meeting the Council's CO2 emissions reduction target. The final stage of the hierarch 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.'

9.150 The Energy Statement proposes the installation primarily of solar PV panels for the residential element and heat pumps for the limited commercial. Air source heat pumps are proposed for the commercial units, and these are discussed elsewhere in these comments. A solar PV array covering an area of ~100m² area and of 10.7kWp output is proposed. 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. In line with new emerging and adopted policy however, it is considered that there may be further opportunities to maximise solar PVs. As such, in the event of planning permission being granted, further details would be required by condition (19) to demonstrate how solar PVs have been maximised. It should be noted that the alterations to the building– apart from the roof top plant room and lift overrun pop up structures - now provide a better environment for their use combined with the functional biodiverse brown green roof that is also now proposed.

9.151 Taking into account all the measures outlined above, the application would be able to achieve a reduction of 42% from the 2013 target which exceeds the threshold set out in policy CS10 of the Core Strategy. In the context of zero carbon development the scheme will be required to offset the remaining carbon demand generated by the scheme in relation to regulated and unregulated emissions. The revised energy statement increases the savings identified from 33% to 42% and on this basis, it is considered that the proposed offset payments would reduce. The original expectations of the energy officer was that £254,877 would be needed to be paid incorporating

£195,040 for regulated emissions and approximately £60,000 for unregulated emissions.

- 9.152 Following the extra efficiency savings, a payment in lieu of regulated and unregulated emissions approximating 58% must be identified at a rate of £920 per ton.
- 9.153 The applicant has therefore identified a shortfall of 204 tons of regulated emissions and 27 tons of unregulated emissions. This equates to a payment of £187,680 for regulated emissions and £25557 for unregulated emissions. This combines to make an offset payment of £213,237 for the development which will be secured through a legal agreement associated with this recommendation.

Sustainable design and construction plan

- 9.154 In response to the scheme modifications that were made through the lifetime of the application, the applicant has updated the Sustainable Design and Construction Plan. This responds to the requirements set out in policy to ensure that building operation, building construction, waste, heating, power and materials amongst other key factors are low or net zero impact in their use, fabrication, transportation, installation and operation.
- 9.155 The statement seeks to minimise the generation of emissions, the minimisation of U (thermal) values and to maximise the adoption of passive and active measures to lessen the burden on mechanical heating and cooling. Lighting and occupancy and activity control switching will be used throughout the building. The statement commits to light activated operation to ensure that lighting is not used during daylight hours.
- 9.156 To safeguard water supply and usage, the scheme will utilise water efficient connections, fittings and pipework. Opportunities for the recycling of rainwater and greywater will be provided. Water shut down systems will be employed to prevent the unnecessary usage of water. Landscaping and green roof specifications will also be carefully selected to minimise the requirement for irrigation.
- 9.157 The proposed development is principally a retain and refurbish scheme with some partial extensions. While some limited demolition and stripping out of old materials internally and externally will occur, the scheme will allow for retention of embodied carbon which would otherwise be released in a demolition scheme. Materials will be prescribed as being low carbon and commitments to use materials from suppliers with low impact credentials will be upheld. Responsibly sourced materials will be key to the scheme. The intent of the scheme is to select suppliers who can provide an environmental management system certificate. Finally in respect of materials, durability and longevity is critical and materials will be used that have a long life cycle and that combined will extend the life cycle of the building.
- 9.158 Details of the Sustainable Design and Construction Plan are sought through condition 15.
- 9.159 The proposals make provision for a biodiverse green roof which will benefit from planting to attract fauna including birds and insects. The green roof will also facilitate SUDS which will allow for attenuation to reduce peak flows to water and drainage networks. Details of this are to be conditioned.
- 9.160 Waste reduction measures are proposed to be put into place for both the construction phase and the operational phase with a site wide waste management strategy to minimise construction waste. Recycled materials will be used where appropriate.

- 9.161 The scheme also seeks to introduce health and wellbeing measures, based on good quality daylight, natural ventilation, safety and securing from crime, minimised overheating, effective sound insulation and noise mitigation, materials without harmful inbuilt toxins or properties and internal and external lighting designed for user comfort.
- 9.162 A BREEAM pre-assessment has also been completed following a BREEAM workshop with the project team. This has demonstrated that a BREEAM Excellent rating is achievable with an overall targeted BREEAM score of 76.04% (70% is required for Excellent). BREEAM details are sought in condition 14.
- 9.163 Taken into accumulation, it is considered that the proposed development contribute to the Council's and the wider strategic London Plan policy role to maximise sustainable development for the benefit of residents, building users and the environment.

Green performance plan

- 9.164 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. This is to be secured within the legal agreement.

Sustainable Urban Drainage System (SUDS)

- 9.165 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 rate for the site would equate 1.4l/s, which is considered to comply with policy.
- 9.166 Further detail in relation to the Drainage Strategy will need to be provided in order to ensure that water-attenuation is maximised. These details shall include: (i) the calculation of the storm water storage required for the 1 in 100 year storm plus climate change allowance; (ii) the location and size of the attenuation tank to ensure the volume is sufficient; (iii) consideration of the use of SUDS as part of the landscape design where possible, through bioretention areas and tree pits as well as rainwater harvesting in the form of water butts to irrigate soft landscaping areas; (iv) the use of blue roofs combined with the green roofs to provide irrigation for the green roofs. These details would be required by conditions in the event that planning permission is granted.

Contamination

- 9.167 Prior to becoming offices and student accommodation, the building was used in relation to ironmongery manufacture. The applicant has provided a contamination assessment which has been reviewed by the EH officer. Although the scheme features only limited construction and no excavation which would disturb ground conditions, there is substantial internal re-arrangement and an intervention into external courtyards. The EH officer has requested a standard condition to be imposed in relation to ground conditions.

Highways and Transportation

- 9.168 The site has an excellent PTAL (Public Transport Accessibility Level) of 6a and is served by several bus routes within walking distance of City Road and Old Street. Several railway and underground stations, including Old Street are also within walking distance. The closest London Underground station is Old Street which is 400m away. An east-west major cycle route runs along Lever Street and then into Bath Street southbound and a local cycle route runs from the same junction northwards to City Road. Local cycle routes also run east west along Radnor Street. The site is well-connected by foot or on bike and is considered to be very accessible by public transport. The site is within a Controlled Parking Zone.
- 9.169 There is no meaningful on-site car parking, although dropped kerbs are located outside a gated enclosure into the site and into a substation on Galway Street. On Bath Street – which is one way northbound towards City Road – nine metered car parking spaces within a layby. Casual motorbike and cycle parking is also located directly in front of the building entrance.
- 9.170 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.
- 9.171 The applicants have submitted a Transport Assessment (which has been subject to addenda to address the modifications to the building and the subsequent reductions in unit numbers.
- 9.172 A Travel Plan has been submitted which recognises that the site is for student accommodation, many of whom may be from abroad without a car or a bike. This is an updated Travel Plan has one has been in place for many years, (previously secured through a legal agreement under P053035). The measures set out therein are acceptable and are applicable to the extended and enlarged student accommodation scheme. As student accommodation, the scheme and the plan also recognises the particular travel patterns, modal split and journey times and distances that would arise from this development. Clearly, the increase in the number of students residing on the site from 157 to 207 (in addition to occasional overnighting visitors) will lead to an incremental demand in cycle storage on site. The building will have its own Travel Plan Coordinator to promote walking, car-sharing and cycling to reduce car use. The Travel Plan would need to be monitored for a period of five years. If the application were acceptable, this would be secured as part of a section 106 agreement.
- 9.173 The proposal would not result in the gain of any on site vehicle parking. Access to the substation will remain the same for UKPN to monitor and maintain. The area is controlled by a CPZ which limits parking during working hours to resident permit holders only. The existing parking for vehicles and motorbikes will remain in situ on Bath Street.
- 9.174 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). While this is not a commercial development per se, the policy requirement can also be applied to other uses such as medical facilities with considerable servicing and delivery requirements.

- 9.175 The development proposals have been amended to now provide a total of 207 student accommodation units, a reduction of 5 student accommodation units from the previous application. The scheme will now provide an increase of 50 student accommodation units. The amended scheme will retain the two ground floor commercial units and will remain car free.
- 9.176 The previous scheme provided cycle parking numbers in line with the New London Plan 2021 cycle parking standards. The cycle parking on the lower ground floor will be retained. Therefore the amended development proposals will now provide cycle parking numbers slightly in excess of the New London Plan 2021 cycle parking standards. The scheme layout indicates 156 spaces for standard cycles and 8 for accessible cycles.
- 9.177 It is acknowledged that the current levels of cycle use at the site are low. The Travel Plan submitted alongside the application outlined a number of measures to increase the cycle mode share (1: Provision of Travel Information such as Travel Information Packs which includes cycle maps, 2: appointing a Travel Plan Co-ordinator who will encourage cycling, 3: the provision of cycle parking facilities in line with London Plan 2021 standards and 4: the offer of the cycle to work scheme for staff).
- 9.178 As the student accommodation is targeting post-grad students, it is expected that many of the students could currently reside in locations across the UK or be overseas students and therefore are unlikely to have the means or find it impractical to bring a bicycle with them to the student accommodation. The proximity of City University of London Northampton Square Campus (850m, or a 8-10 minute walk from the site) where the majority of students are expected to study, means students are likely to walk rather than cycle to their lectures. The close proximity of recreational areas such as Shoreditch/Old Street, which have numerous bars/restaurants, would make students more likely to walk than cycle. The relatively low use of cycling for traveling by students in accommodation in Central London is common for the reason outline earlier. Students living in Central London are also likely to make use of the London Cycle Hire facilities.
- 9.179 An increase of 55 student accommodation units was expected to generate a total of 5 and 7 total person trips in the AM and PM peaks respectively, plus approximately 9 vehicle trips associated with taxi movements, delivery and servicing throughout the day. The small number of trips during the peak periods being primarily due to Willen House being close to City University's main campus meaning that students wouldn't have to walk far to get to the campus and so could avoid travelling during the peaks, especially in the morning to get to lectures, most of which start after 9am.
- 9.180 The amended scheme, which will result in an increase of 50 student accommodation units is expected to generate the same, if not fewer, person and vehicle trips compared to the previous application (P2021/0616/FUL). Given the site's car-free nature and location within an area with 'excellent' accessibility to public transport, it is expected the trips generated by the proposals will be distributed across the transport network via sustainable modes of transport.
- 9.181 The proposed changes to the scheme and reduction in proposed student accommodation units from 212 to 207 at Willen House are anticipated to have a negligible impact upon the local highway network. Therefore the conclusions within the Transport Assessment previously prepared will still be relevant for the proposed 207 unit student accommodation scheme.

- 9.182 A log of the existing deliveries was undertaken by the Willen House site management over a 5 day period in December 2020. It was noted that the existing site only had 57 of the 157 units occupied when the log was undertaken. Therefore the number of deliveries (including maintenance visits) recorded has been uplifted to reflect if the site was operating at peak capacity. This shows that there would currently be a total of 23 daily deliveries (including maintenance visits). This was seen as the most robust prediction of the existing trips at the site.
- 9.183 The existing daily delivery and servicing trips have been uplifted to reflect the proposed 50 unit extension, which would generate a total of 29 daily deliveries (including maintenance visits). The proposed development would therefore generate an additional 6 deliveries (including maintenance visits) daily.
- 9.184 This assessment represents the worst case, since in practice multiple parcels are often delivered at the same time and therefore the additional online shopping demand by the additional students is unlikely to result in a proportional increase in the number of deliveries.
- 9.185 In addition, the existing sites refuse collection arrangement is undertaken by Islington and private waste contractors and is collected approximately four times a week. The proposed future collection arrangements for both the student accommodation and commercial units will involve using Islington waste collection services. This means the number of weekly refuse collection trips will reduce from four to two (assuming separate collection for residual and recyclable waste).
- 9.186 Given the car free nature of the site, vehicle trips have been evenly distributed across other travel modes. There is currently no demand for disabled/mobility parking at the existing site and it is anticipated that the potential need to provided disabled parking will remain low in the future. Hence there has been no formal provision of disabled/mobility parking. In addition the site is located in a highly accessible location, and has good quality walking routes to key destinations (outlined in the Active Travel Zone assessment within the TA) which are suitable for pedestrians with mobility issues.
- 9.187 In the event demand arises for disabled/mobility parking, one of the eight parking bays fronting the site on Bath Street or one of the additional ten parking bays provided nearby on Bath Street could be temporarily converted to a disabled parking bays during the period when the blue badge holder student is living at the development.

Fire Safety

- 9.188 LP policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.
- 9.189 The applicant has submitted a concept Fire Strategy Report to demonstrate that the design of the proposal has been informed by a qualified fire consultant during the process. This is considered to be acceptable.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.190 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.
- 9.191 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.
- 9.192 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 Section 106 agreement.
- Financial contribution of £22000 towards student bursaries equal to 2.4% of income from the development over a 30-year period (on 50 additional units)
 - A minimum of 35% of 50 additional student rooms to be affordable.
 - Student accommodation management plan
 - Compliance with the code of construction and training.
 - Compliance with the Code of Construction Practice, including a monitoring fee of £2500 and submission of LBI Public Protection, which shall be submitted prior to any works commencing on site.
 - Facilitation, during the construction phase of the development, of the following number of work placements: 2. 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: £10,000.
 - Compliance with the Code of Local Procurement
 - A contribution towards offsetting any projected residual CO2 emissions (regulated and unregulated emissions) to be charged at the established rate of £920 per ton. This combined cost is £213,237.
 - Submission of a draft full Travel Plan prior to occupation and a full travel plan for Council approval 6 months from first occupation of the development.
 - The submission of a Green Performance Plan.
 - Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- 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.
- Works to the highway in association with the construction of lightwells under the highway.
- 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 reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.

9.193 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. CONCLUSION

Conclusion

- 10.1 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.

- Financial contribution of £22000 towards student bursaries equal to 2.4% of income from the development over a 30-year period (on 50 additional units)
- A minimum of 35% of 50 additional student rooms to be affordable.
- Student accommodation management plan
- Compliance with the code of construction and training.
- Compliance with the Code of Construction Practice, including a monitoring fee of £2500 and submission of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- Facilitation, during the construction phase of the development, of the following number of work placements: 2. 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: £10,000.
- Compliance with the Code of Local Procurement
- A contribution towards offsetting any projected residual CO2 emissions (regulated and unregulated emissions) to be charged at the established rate of £920 per ton. This combined cost is £213,237.
- Submission of a draft full Travel Plan prior to occupation and a full travel plan for Council approval 6 months from first occupation of the development.
- The submission of a Green Performance Plan.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- 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.
- Works to the highway in association with the construction of lightwells under the highway.
- 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 reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost

of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks / 16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following, and that there is delegated to each of the following: the Head of Development Management , the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	<p>Commencement</p> <p>The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	<p>Approved plans list</p> <p>The development hereby approved shall be carried out in accordance with the following approved plans: A11849-F0099 rev I2; A11849-F0100 rev I2; A11849-F0101 rev I1; A11849-F0105 rev I1; A11849-F0106 rev I1; A11849-F0201 rev I2; A11849-F0202 rev I2; A11849-F0301 rev I2; A11849-F0302 rev I1; A11849-D0099 rev I2; A11849-D0100 rev I5; A11849-D0101 rev I3; A11849-D0103 rev I2; A11849-D0105 rev I2 A11849-D0106 rev I3; A11849-D0107 rev I4; A11849-D0201 rev I4; A11849-D0202 rev I3; A11849-D0301 rev I4; A11849-D0302 rev I2; A11849-D0001 rev I1</p> <p>Tier 1 Contamination Risk Assessment (MLM Group); Student Management Documents: Willen House Moving in procedures; Willen House Handbook; Extracts from City University Licence Agreement; Statement of Community Involvement (TP Bennett); Preliminary Ecological Appraisal (The Ecology Consultancy); Planning And Heritage Statement (TP Bennett); Outline Fire Strategy (BB7); Outline Construction Management Plan (Wates); Noise Impact Assessment Report (MLM Group); Flood Risk Assessment (Walsh); Express Preliminary UXO Risk Assessment (1st Line Defence for MLM Group); Energy and sustainability statement (Atelier Ten); Design and access statement (TP Bennett); Daylight and sunlight report (Hollis); Delivery and Servicing Management Plan (TPP); Travel Plan (TPP); Transport Assessment (TPP); Air Quality Assessment (MLM Group); Archaeological Desk Based Assessment (RPS); Affordable Housing Statement (TP Bennett); Accommodation Schedule (A11849-S0002); Revised Energy and Sustainability Statement</p>

	<p>in response to Council Comments (June 2021 - Atelier Ten); Revised highways statement in response to Council Comments (June 2021 - TPP)</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning</p>
3	<p>Materials</p> <p>Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ol style="list-style-type: none"> a) solid brickwork (including brick panels and mortar courses) b) render (including colour, texture and method of application); c) window treatment (including sections and reveals); d) roofing materials; e) balustrading treatment (including sections); f) green procurement plan; g) cladding and h) any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	<p>Plumbing and pipes (compliance)</p> <p>Other than those indicated on the plans no plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the elevation(s) of the building hereby approved.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would detract from the appearance of the building.</p>
5	<p>Construction Management Plan</p> <p>No construction works shall take place unless and until a Final 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.</p> <p>The CMP must refer to the new LBI Code of Practice for Construction Sites. 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	<p>Piling Method Statement</p> <p>No piling shall take place until a PILING METHOD STATEMENT detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p>

	<p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
7	<p>SUDS</p> <p>Details of surface drainage works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall be based on an assessment of the potential for disposing of surface water by means of sustainable drainage system in accordance with the principles as set out in London Plan policies: 5.13 and 5.15. The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will achieve at least a 50% attenuation of the undeveloped site's surface water run off at peak times. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water.</p>
8	<p>Details of the layout, design and appearance (shown in context) of the bicycle storage area(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The storage shall be covered, secure and provide for no less than 164 cycle spaces.</p> <p>The bicycle storage area(s) shall be provided strictly in accordance with the details so approved, provided/erected prior to the first occupation of the development, 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>Refuse and recycling provision</p> <p>The dedicated refuse / recycling enclosure(s) shown on drawing no. A11849 D 0100 I5 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>
10	<p>Waste Management Strategy</p> <p>Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite. The details shall include:</p> <ul style="list-style-type: none"> a) the layout, design and appearance (shown in context) of the dedicated refuse / recycling enclosure(s); b) a waste management plan <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development 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>Noise from plant</p>

	<p>The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To secure an appropriate internal residential environment.</p>
12	<p>Noise insulation between uses.</p> <p>Full particulars and details of a scheme for sound insulation between the proposed ground floor commercial units and student use of the building shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site.</p> <p>The sound insulation and noise control measures shall be carried out strictly in accordance with the details so approved, shall be implemented prior to the first occupation of the development hereby 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 protecting future residential amenity against undue noise and nuisance arising from non-residential uses.</p>
13	<p>Contamination</p> <p>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. 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</p>

	<p>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>
14	<p>BREEAM</p> <p>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>
15	<p>Sustainable design and construction statement</p> <p>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>
16	<p>Inclusive design</p> <p>Notwithstanding the drawings hereby approved, prior to commencement of any works above ground level, details (including plans and sections) of the development against all relevant requirements of Islington’s Inclusive Design SPD and other relevant policies and guidance 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 no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design.</p>
17	<p>Delivery and Servicing</p> <p>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>
18	<p>Roof top plant</p>

	<p>Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
19	<p>Solar PV</p> <p>Prior to the commencement of superstructure works on site, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to :</p> <ul style="list-style-type: none"> - Location; - Area of panels; - Design (including elevation plans); and - How the design of the PVs would not adversely affect the provisions of green roofs on site <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
20	<p>Rainwater and greywater recycling</p> <p>Details of the [rainwater and/or greywater] recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
21	<p>Rainwater goods</p> <p>All new external rainwater goods and soil pipes on the visible elevations shall be of cast iron and painted black.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage asset.</p>
22	<p>Bird and bat nesting</p> <p>Details of bird/bat nesting boxes / bricks shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>No less than [number] nesting boxes / bricks shall be provided and the details shall include the exact location, specification and design of the habitats.</p>

	<p>The nesting boxes / bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity</p>
23	<p>Protection of existing ground floor commercial floorspace</p> <p>Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office use. The building hereby approved shall only be used for office use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location (Employment Growth Area). This would allow the Council to retain control over the change of use of the building in the future and to secure an appropriate balance of uses, and ensure that the availability of a range of workspaces to support the delivery of economic growth within the borough.</p>
24	<p>Use of flat roofs for maintenance only.</p> <p>The flat roofs of the development hereby approved shall not be used as amenity spaces and shall not be accessed other than for maintenance.</p> <p>REASON: To ensure that the amenity of residents is not adversely affected.</p>
25	<p>Biodiverse brown green roofs</p> <p>Details of the biodiversity (green/brown) roof(s) shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The biodiversity (green/brown) roof(s) shall be:</p> <ol style="list-style-type: none"> biodiversity based with extensive substrate base (depth 80-150mm); laid out in accordance with plan and section detail to be submitted. planted/seeded with an agreed mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roof(s) shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
26	<p>Fire Strategy</p> <p>Prior to commencement of the development hereby approved, a Fire Safety Strategy shall be submitted to the Local Planning Authority to demonstrate that the development is capable of providing adequate Fire Brigade access to the building (with reference to Approved Document B, volume 2 or relevant code of practice). The Strategy shall also include arrangement for safe evacuation of disabled people in an emergency. Should any subsequent change(s) required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Safety Strategy would need to be submitted to and approved by the Local Planning Authority.</p>

	<p>The development shall be carried out in accordance with the Fire Safety Strategy under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure appropriate fire safety measures, in particular adequate access for Fire Brigade appliances.</p>
27	<p>Landscaping</p>
	<p>A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity; c) existing and proposed underground services and their relationship to both hard and soft landscaping; d) proposed trees: their location, species and size; e) soft plantings: including grass and turf areas, shrub and herbaceous areas; f) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types; g) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges; h) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and i) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance / watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such permanently thereafter.</p> <p>REASON: In the interest of biodiversity, sustainability and to ensure that a satisfactory standard of visual amenity is provided.</p>
28	<p>No overlooking/obscure glazing</p>
	<p>Notwithstanding the plans hereby approved the new bedroom windows in the flank elevation of the extension facing Merino Court and the windows within the rear elevation directly facing the flank elevation of the northern terrace of Guinness Court on Lever Street shall be obscure glazed.</p> <p>The details of how the windows shall be altered/treated to prevent overlooking shall be submitted to and approved in writing by the Local Planning Authority prior to the windows being installed.</p> <p>The agreed alteration/treatment shall be provided/installed prior first occupation of the development hereby approved and the development shall be carried out strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: To prevent the undue overlooking of neighbouring habitable room windows.</p>

29	<p>Student accommodation – single planning unit.</p> <p>The student accommodation hereby approved shall be retained in a single planning unit and shall not be subdivided into independent residential units for the purpose of management or sale. The rooms shall not be occupied other than by students who are associated with the provision of further or higher education within the Greater London area and for whom such studies constitute their main vocation. The rooms shall not constitute permanent residential accommodation.</p> <p>REASON: To ensure that the facility remains intact for its intended purpose as student accommodation.</p>
30	<p>The proposed development</p> <p>The development hereby approved shall provide:</p> <p>A net increase of 50 student bedrooms The retention of 270sq.m of office floorspace</p> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>
31	<p>Student facilities</p> <p>The revised student accommodation essential facilities being the basement cycle parking, ground floor entrance and reception and communal kitchens lounges and bathrooms shall be provided, fitted out and operational prior to the first occupation for the student accommodation. The essential facilities shall be provided strictly in accordance with the approved details and shall be maintained as such thereafter and shall not be converted into individual student rooms.</p> <p>REASON: To provide for the wellbeing of future occupiers.</p>
32	<p>Water supply</p> <p>Prior to the commencement of the superstructure works, impact studies of the existing water supply infrastructure shall be submitted to and approved in writing by the local planning authority in consultation with Thames Water. The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.</p> <p>REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with any additional demand.</p>
33	<p>Ventilation</p> <p>Prior to commencement of the relevant part of the development, full details of any ventilation for both non-residential and residential units shall be submitted to the Local Planning Authority and approved in writing before implementation for the following parts:</p> <p>a) Student accommodation units b) Non-student accommodation units</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In order to protect the future occupants of the development from adverse health effects from poor air quality.</p>

List of Informatives:

1	S106
	SECTION 106 AGREEMENT

	You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	Community Infrastructure Levy (CIL) (Granting Consent)
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p> <p>Pre-Commencement Conditions:</p> <p>These conditions are identified with an 'asterisk' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>
4	Car-Free Development
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
5	Sustainable sourcing of materials
	<p>SUSTAINABLE SOURCING OF MATERIALS: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.</p>
6	Thames Water
	<p>Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. Furthermore, it is recommended, in line with best practice for the disposal of fats, oils and grease, the collection of waste by an oil contractor, particularly to recycle for the production of bio-diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses.</p>

	<p>Thames Water would recommend that petrol / oil interceptors be fitted in all car-parking / washing / repair facilities. Failure to do enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.</p> <p>A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution.</p>
7	<p>Thames Water</p> <p>THAMES WATER: [delete paragraphs as appropriate]</p> <p>Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.</p> <p>With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer prior approval from Thames Water Developer Services will be required.</p> <p>There are public sewers crossing this site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Thames Water advises that they should be contacted directly should a building over / diversion application form, or other information relating to Thames Water's assets be required.</p> <p>Thames Water requests that the Applicant should incorporate within their proposal protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions.</p>
8	<p>Thames Water</p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through . 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 ccompany/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. Compliance with section 140A of the Highways Act, 1980 ? ?Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk.</p>
9	<p>Joint Conditions Surveys</p> <p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from streetworks@islington.gov.uk. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty</p>

crossover is in place. 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. Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004. Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

2. Development Plan

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

A) The London Plan 2021 - Spatial Development Strategy for Greater London

Policy SD4 Central Activities Zone Policy SD5 Offices, other strategic functions and residential development in the CAZ Policy GG1 Building strong and inclusive communities Policy GG2 Making the best use of land 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 D12 Fire safety Policy D13 Agent of Change Policy D14 Noise Policy H1 Increasing housing supply Policy H15 Purpose built student Accommodation. Policy E1 Offices Policy E11 Skills and opportunities for all. Policy HC1 Heritage and Growth	Policy G5 Urban Greening Policy G6 Biodiversity and access to nature Policy S11 Improving air quality Policy S12 Minimising greenhouse emissions Policy S13 Energy Infrastructure 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 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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B) Islington Core Strategy 2011

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

Strategic Policies

Policy CS13 (Employment Spaces)

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

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

Policy CS10 (Sustainable Design)

Policy CS11 (Waste)

Policy CS12 (Meeting the Housing Challenge)

Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design

DM2.2 Inclusive Design

DM2.3 Heritage

Housing

DM3.9 Houses in Multiple Occupation, hostels and student accommodation

Employment

DM5.1 New business floorspace

DM5.2 Loss of existing business floorspace

DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction statements

DM7.2 Energy efficiency and carbon reduction in minor schemes

DM7.3 Decentralised energy networks

DM7.4 Sustainable design standards

DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy

DM8.2 Managing transport impacts

DM8.3 Public transport

DM8.4 Walking and cycling

DM8.5 Vehicle parking

DM8.6 Delivery and servicing for new developments

Infrastructure

DM9.1 Infrastructure

DM9.2 Planning obligations

DM9.3 Implementation

D) Finsbury Local Plan June 2013

BC8 Achieving a balanced mix of uses

BC9 Tall buildings and contextual considerations for building heights

BC10 Implementation

5. Designations

- Moorfields Conservation area
- Central Activities Zone
- Bunhill and Finsbury Area Action Plan (BC1 Kings Square & St Luke's

6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Islington Local Development Plan | London Plan |
| <ul style="list-style-type: none">- Student Bursaries- Conservation Area Design Guidelines- Inclusive Landscape Design- Planning Obligations and S106- Urban Design Guide | <ul style="list-style-type: none">- Accessible London: Achieving and Inclusive Environment- Housing- Sustainable Design & Construction- Providing for Children and Young Peoples Play and Informal Recreation- Planning for Equality and Diversity in London |