



PLANNING COMMITTEE REPORT



PLANNING COMMITTEE		
Date:	02 November 2021	NON-EXEMPT

Application number	P2021/1386/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	No
Conservation area	No
Development Plan Context	50m from Charterhouse Square Conservation Area 50m from Hat & Feathers Conservation Area Central Activities Zone (CAZ) Bunhill & Clerkenwell Core Strategy Key Area Finsbury Local Plan Area Employment Priority Area (General) Article 4 Direction A1-A2 (Rest of the borough) Article 4 Direction B1c to C3
Licensing Implications	None
Site Address	14 Charterhouse Buildings, London, EC1M 7BA
Proposal	Change of use of building from Class F1 (genealogy library) to Class E (office); erection of two-storey roof extension to provide additional Class E (office) floorspace; fourth floor terrace; recladding of existing building; installation of mechanical plant; and associated works and alterations.

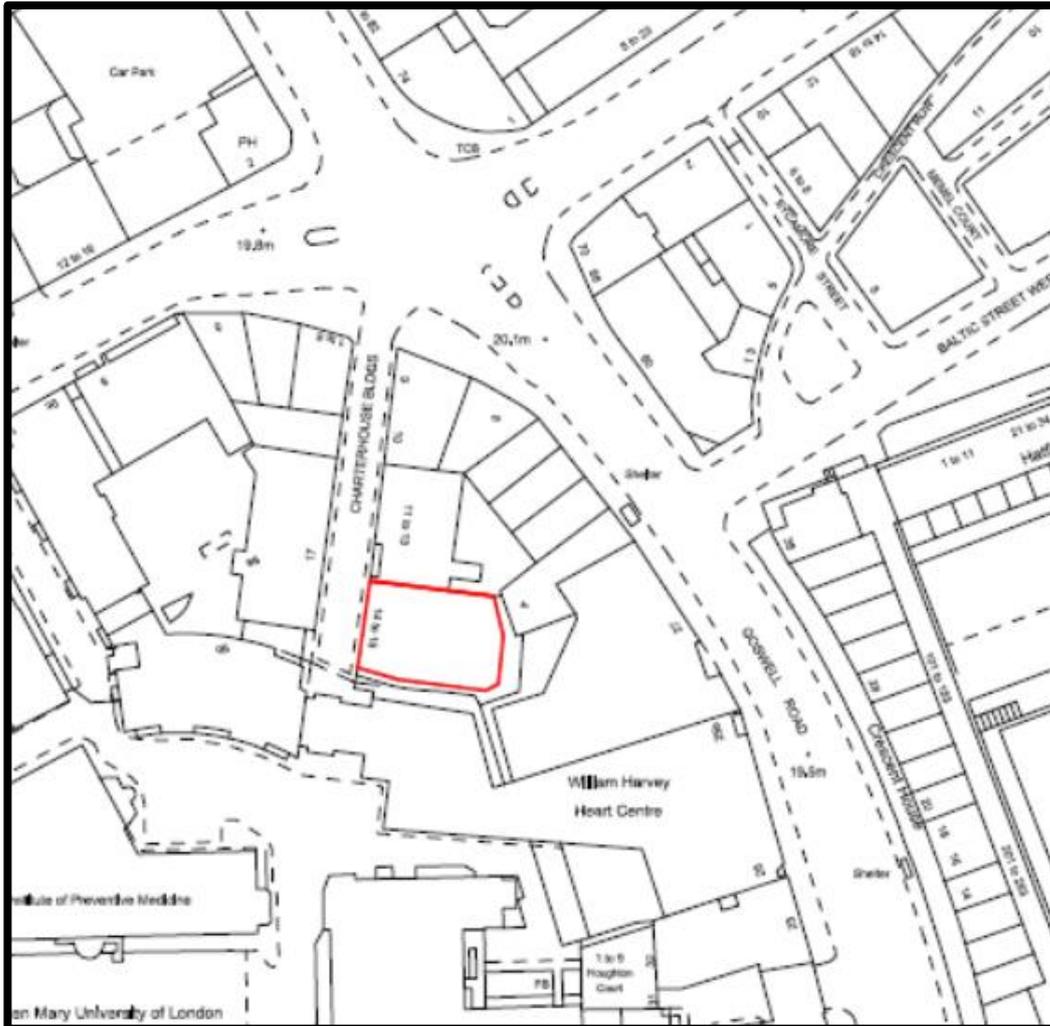
Case Officer	Samir Benmbarek
Applicant	S Berg
Agent	Iceni Projects- Lewis Westhoff

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

1. subject to the conditions set out in Appendix 1; and
2. conditional on 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)



Site Plan. Application site outlined in red.

3. PHOTOS OF SITE/STREET

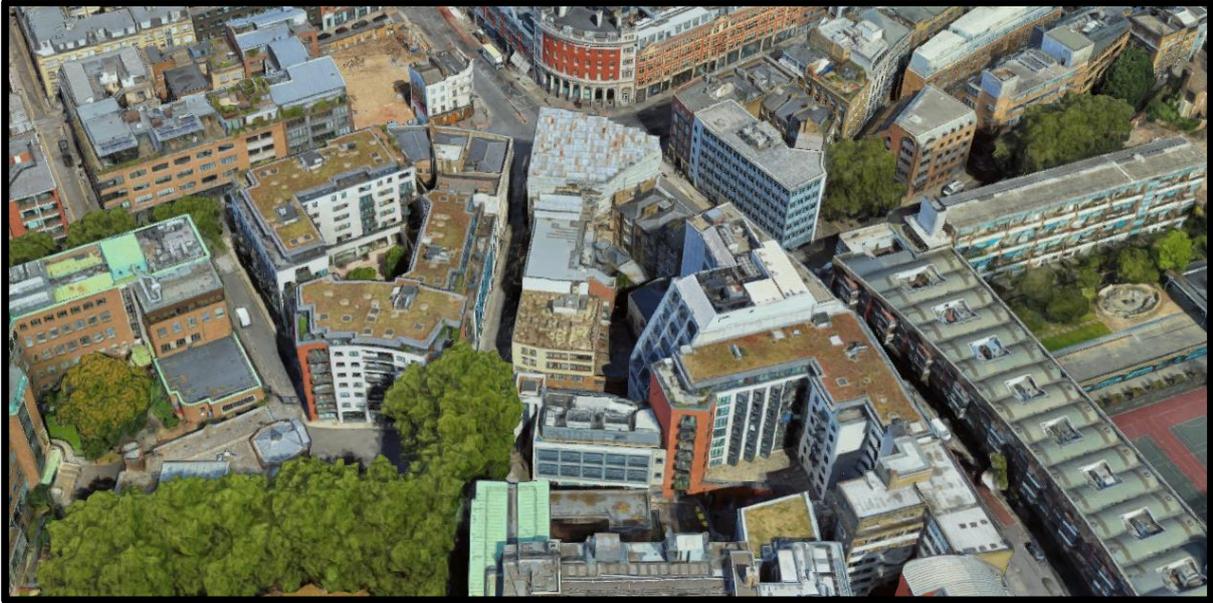


Image 1: Aerial view of site looking north.



Image 2: Aerial view of site looking south.



Image 3: Front elevation.



Image 4: Building as viewed along Charterhouse Buildings.



Image 5: Relationship between No. 17 Charterhouse Buildings and site.

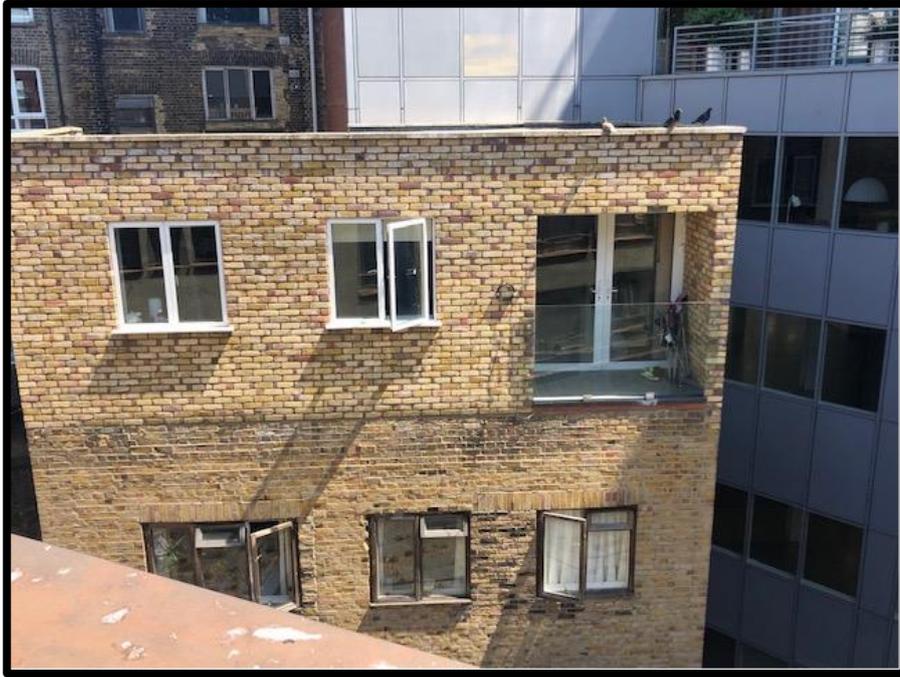


Image 6: No. 4 Charterhouse Buildings to the east.



Image 7: View of Charterhouse Buildings from Old Street/Goswell Road/Clerkenwell Road junction.

4. SUMMARY

- 4.1 This planning application seeks permission to refurbish and extend the existing building at roof level to create a five-storey (above ground) building which provides a total of 1433sqm (GIA) of office floorspace. This includes an uplift of 362sqm of floorspace and the change of use of the existing 1017sqm of the existing genealogy library floorspace. Other developments proposed include an associated amenity terrace, recladding of the exterior of the building to include a modernised front elevation and fenestration, new entrance at ground floor level and the installation of mechanical plant at roof level.
- 4.2 Internal improvements are also proposed including general refurbishment of the existing building and the provision of changing/shower facilities at lower ground floor level with new WCs on every floor. Cycle parking facilities are also provided at lower ground floor level.
- 4.3 The site is located within the designated Central Activities Zone (CAZ) and the Employment Priority Area (General), the principle of the proposed commercial development with provision of additional employment floorspace is considered to be acceptable, and accords with the spatial strategies of the Development Plan. Officers consider that the proposed development would positively contribute to the commercial character of Old Street and support the strategic priority of the CAZ to maximise delivery of office floorspace where appropriate.
- 4.4 The proposed development would create additional height and massing on site and would inevitably increase its visual prominence along this small section of Charterhouse Buildings. However, having carefully assessed the visual and heritage impact, it is considered that the proposed development would not adversely affect the character nor appearance of the area, and would not pose unacceptable harm to the nearby Charterhouse Square and Hat & Feathers Conservation Areas nor the surrounding heritage assets, including locally listed buildings. In design terms, the proposed extensions and alterations to the building would result in improvements to its overall appearance that are considered to be acceptable and comply with the relevant design, conservation and heritage policy objectives.
- 4.5 The proposal would also include energy and sustainability measures that comply with the Development Plan's requirements, to ensure that the proposal would maximise energy efficiency and sustainable design of the site where feasible.
- 4.6 The proposed development would not result in unacceptable impact on nearby residential properties or the area in terms of loss of privacy, overlooking, or noise impacts, subject to imposition of appropriate planning conditions (recommended). The daylight/sunlight assessment shows that some of the neighbouring properties would be affected by the development, however, taking into account the location of the site, the number of neighbouring windows affected and the degree of harm, those impacts are not considered to be so significant as to warrant a refusal of permission purely on this ground.
- 4.7 Officers consider that the proposal would provide a quantum of floorspace at lower ground floor level, with its own independent access that would be affordable by virtue of the size of the units. A total of 10% of the floorspace would be provided as such small / micro units (2 x 90sqm units). These units would have lease, management and terms secured via planning obligations. This would exceed the minimum requirement under current policy.
- 4.8 Overall, the application is considered to be in accordance with the relevant policies within the Development Plan, and is therefore recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

5. SITE AND SURROUNDINGS

- 5.1 The application site is located on the eastern side of Charterhouse Buildings which is mainly accessed from the north from the adjoining crossroads of Old Street, Clerkenwell Road and Goswell Road. It is approximately 340sqm in site area.
- 5.2 The site is not statutorily or locally listed, nor is it located within a designated conservation area. However, the site is located within proximity to the Charterhouse Square Conservation Area and Hat & Feathers Conservation Area. The site is also located within: the Central Activities Zone (CAZ); the Bunhill and Clerkenwell Core Strategy Key Area; the Finsbury Local Plan area; and is an Employment Priority Area (general). The site is located in close proximity to Historic Clerkenwell as identified within the Finsbury Local Plan but not within it.
- 5.3 The existing site comprises a three-storey (above street level) building with a further storey beneath. The building is a 1960s small scale office development with brickwork, white and grey rendering, and red metal framed windows and doors. The building has a small off-centre entrance area that faces onto the narrow street.
- 5.4 The existing building has a flat roof, whilst at first floor level, it also has a flat roof area. On the main roof there is a stair overrun for access and some existing plant and other apparatus located. The existing building is currently the lowest in the street, not taking into account the infill development that is part of the William Harvey Heart Centre at the south of the street.
- 5.5 Charterhouse Buildings is a short and narrow 'stud end' street that leads off from the crossroad of Old Street, Goswell Road and Clerkenwell Road. The street is lined with buildings to each side that range in design, appearance and storey heights. The entrance to the street containing these buildings is considered to be of the highest architectural quality such as No. 1-5 which are locally listed buildings, as well as No. 9-10. These buildings lie within the Hat & Feathers Conservation Area.
- 5.6 The existing use of the building is Use Class F.1 as a library. It has been occupied by the Society of Genealogists (SoG) since 1985 as their headquarters. The SoG no longer have a need for the occupation of the building given the nature of their work has become digitalised and thus they no longer have a requirement to physically store data and records.
- 5.7 The character and use of the vicinity is dense and mixed with commercial, residential and educational uses located within a close range. The site is located nearby the Queen Mary University Charterhouse Square Campus.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal would refurbish and extend the existing building at both roof level and to the rear at first floor level to create a five storey (above ground) building providing a total of 1487sqm (GIA) of office floorspace. This would include a change of use of the existing 1017sqm GIA of genealogy library floorspace and an uplift of 362sqm GIA.
- 6.2 The proposed extension would be constructed from metal cladding with glazing and would be slightly set back from the front building and set in from the southern building line by approximately 2.2m. This set in space would be proposed as an amenity terrace for the office occupiers with associated balustrading around the perimeter.
- 6.3 The proposal would also include two small / micro office units (91sqm each) at lower ground level. This represents 12% of the floorspace of the overall proposal.
- 6.4 The proposal seeks permission for a new façade to the front of building (east elevation) to replace the existing brickwork elevation with textured concrete panels as well as metal cladding and enlarged glazing with vertical fin detailing. At ground floor level, the entrance of the building is proposed as a large glazed opening with a metal finish to create an office reception area. Elsewhere, the windows are proposed to be in full length units at each floor, located in-between the metal cladding fins.

- 6.5 In respect to outdoor space, a roof terrace is proposed at fourth floor level for the office occupiers. Green roofs are also proposed across different parts of the building to provide additional green coverage to the site.
- 6.6 It is proposed to provide 19 cycle parking spaces at lower ground floor level, with associated shower facilities. Bin storage is proposed to be located on the ground floor. The proposal would be car-free.
- 6.7 A substation and plant room area would be provided at lower ground level with another separate plant area proposed to be located at roof level.
- 6.8 Revisions were received during the course of the application process which omitted the first floor rear extension at first floor level following discussions on the impact towards light and outlook toward the rear facing windows of No. 4 Charterhouse Buildings to the east of the site.

7. RELEVANT HISTORY:

Application Site- No 14 Charterhouse Buildings

- 7.1 P2017/4110/FUL- Erection of three storey roof extension to existing office building to provide three 1-bedroom units and one 3-bedroom unit. Erection of single storey office extension to the first floor flat roof. **Withdrawn by applicant 27/04/2018.**
- 7.2 Q2020/3302/MIN- Change of use of existing building from Class F.2 to Class E; erection of a two-storey roof extension (setback fourth floor) and first floor rear extension to provide an additional 416sqm of floorspace; refurbishment and recladding of the exterior and associated works. **Pre-application advice issued 25/02/2021.**
- 7.3 Advice provided by officers was the scheme is overall supported in principle subject to marketing evidence demonstrating that there is no interest in the continued use of the site as an genealogy library. The design of the scheme was considered to be acceptable and would preserve and enhance the character and appearance of the neighbouring conservation areas whilst in regards to neighbouring amenity, officers advised that the submission of a daylight and sunlight assessment would be required to fully demonstrate the impact of the development upon neighbouring occupiers.

Neighbouring Site- No. 4 Charterhouse Buildings

- 7.4 P2013/3216/FUL- Erection of a second floor rear roof extension to provide an additional two-bedroom flat with an inset balcony, and alterations to the existing rear first floor flat comprising installation of an obscurely glazed window in the south elevation, creation of an inset balcony on the west elevation and infilling of an existing window on the east elevation. **Approved with conditions 28/11/2013.**

Neighbouring Site- No. 17 Charterhouse Buildings

- 7.5 P051898- Redevelopment to provide mixed use containing 14,613 sq m residential floorspace (174 dwellings) and 4,699 sq m commercial space Classes A1-5 and B1 accommodation, within two blocks (A, B, and C, and E Blocks) of between four and nine storeys. **Approved with conditions 09/05/2006.** *Note the site was titled 'Vacant land at St. Bartholomew's Hospital' at the time of the application.*

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 246 adjoining and nearby properties at Charterhouse Buildings, Clerkenwell Road, and Goswell Road on 18/05/2021.

- 8.2 A site notice and press notice were displayed on 27/05/2021. The public consultation of the application therefore expired on 20/06/2021; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 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. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Land Use

- Encroachment of office space within a residential block.

(Paragraph 10.47)

Neighbouring Amenity

- Loss of daylight, sunlight, outlook, and privacy
- Potential light pollution during the night-time period and winter months
- Impacts of noise from construction works, mechanical plant, use and servicing of the building.

(Paragraphs 10.120- 10.191)

Other Matters

- Reduction in the value of neighbouring properties;
- Neighbouring tenant(s) to move if works commence.

Officer comment: The above concerns are not material planning considerations.

External Consultees

- 8.4 No external statutory consultees are required for this application.

Internal Consultees

- 8.5 **Planning Policy:** Given the specific circumstances of the existing site, no overall objection to the loss of the genealogy library when weighed against the development of office floorspace within the CAZ and Bunhill and Clerkenwell Core Strategy Key Area.
- 8.6 **Design & Conservation:** No objection to the proposed development subject to conditions on details of materials and treatments. The building as a result of the development would surpass the architectural quality of those modern buildings adjacent to and opposite the site and would create a new and welcomed benchmark in respect to contemporary design quality within Charterhouse Buildings. The proposed development would have a neutral impact upon the setting of adjoining conservation areas and locally listed buildings.
- 8.7 **Inclusive Design Officer:** A mostly well considered redevelopment of the existing building that is welcomed with minor concerns such as the lower level location of the cycle parking and shower facilities.
- 8.8 **Energy:** Carbon offsetting contribution figure agreed. More information required in respect to BREEAM, energy efficiency improvements, future network connections and green performance plan.
- 8.9 **Highways:** No objection in principle to the redevelopment of the site. Condition upon approval to secure a construction management plan (CMP).

8.10 **Public Protection:** No objection in regards to noise subject to conditions.

8.11 **Building Control:**

Construction impact

8.12 The site is at the end of a narrow road with access into and out of the site being constrained. It is advised that a Construction Management Plan (CMP) that looks into the mitigation of impact for nearby receptors is required, either by S106 agreement or condition.

Plant equipment

8.13 The submission includes a noise report with background noise survey and assessment of the proposed mechanical plant. The report has been reviewed by the Public Protection Officer who does not object subject to conditions regarding plant noise levels and a post-installation report.

Roof terrace

8.14 The proposed terrace faces onto the William Harvey Centre with the ambient sound providing some masking but recommended to condition to restrict the hours of use of the terrace to protect neighbouring amenity.

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

National Guidance

9.1 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
- As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).

9.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.

9.3 The National Planning Policy Framework 2021 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

9.4 Since March 2014 Planning Practice Guidance for England has been published online.

9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.

9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

9.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.

9.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. In assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the adjoining listed buildings, its setting and any of its features of special architectural or historic interest.

Development Plan

9.11 The Development Plan is comprised of the London Plan 2021, Islington Core Strategy 2011 and the Islington Development Management Policies 2013 and Finsbury Local Plan (2013). The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

9.12 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:

- Central Activities Zone (CAZ)
- Archaeological Priority Area
- Bunhill & Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area (Historic Clerkenwell)
- Employment Priority Area (General)
- Article 4 Direction A1-A2 (Rest of the borough)
- Article 4 Direction B1c to C3

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan

9.14 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process in progress. The Matters and Issues have been published with hearings concluded over the period 13 September to 5 October.

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

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

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

- Policy SP1- Bunhill & Clerkenwell
- Policy SC1- Social and community infrastructure
- Policy B2- New business floorspace
- Policy B4- Affordable workspace
- Policy S1- Delivering sustainable design
- Policy S2- Sustainable design and construction
- Policy S4- Minimising greenhouse gas emissions
- Policy T2- Sustainable transport choices
- Policy T5- Delivery, servicing and construction
- Policy DH1- Fostering innovation and conserving and enhancing the historic environment
- Policy DH2- Heritage assets

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Principle of Development
- Land Use
- Affordable workspace
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Energy and Sustainability
- Highways and Transport
- Refuse and Recycling
- Fire Safety
- Planning Obligations and CIL
- Planning Balance Assessment

PRINCIPLE OF DEVELOPMENT

10.2 The existing three-storey building was built during the late 1950s/early 1960s with planning permissions granted during the 1980s to convert the building from a warehouse to the current

library facility. The existing building positively contributes to the local area in terms of its provision of social and educational infrastructure and functions.

- 10.3 London Plan policy GG2 states that development proposals should proactively explore the potential to intensify the use of land to support additional workspaces, promoting higher density development, particularly in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.4 The proposal would extend (increase the floorspace) and improve the quality and efficiency of the existing floorspace within the building as well its flexibility of use and is acceptable in principle. The proposed commercial development is considered to be supported by national, regional and local planning policies, mainly due to the site's central and highly accessible location.
- 10.5 The principle of the development is therefore acceptable and accords with the National Planning Policy Framework's presumption in favour of sustainable development, subject to the other material planning considerations below.

LAND USE

- 10.6 The site is located within the Central Activities Zone (CAZ), the Bunhill and Clerkenwell Core Strategy Key Area and is located within an Employment Priority Area (general). The application site is not allocated within the Local Plan. The proposed development would involve the change of use of the existing 1071sqm of floorspace from genealogy library (Class F.1) to office (Class E(g)). The proposal would also involve an uplift of 416sqm of office floorspace to the building at first and third floor levels (to include a new fourth floor level).

Loss of Genealogy Library

- 10.7 Class F1 is classified as 'Learning and non-residential institutions' (previously classified as Class D1) and encompasses school, non-residential education, training centres, museums, public libraries, public halls, exhibition halls, places of worship and law courts. Under current planning policies of the local development plan, the library use as well as others listed under Class F1 are considered as a social infrastructure and cultural facility.
- 10.8 Part A of policy DM4.12 of the Islington Development Management Policies reads
- "The Council will not permit any loss or reduction in social infrastructure uses unless:*
- *i) a replacement facility is provided on site which would, in the Council's view, meet the need of the local population for the specific use; or*
 - *ii) the specific use is no longer required on site. In such circumstances, the applicant must provide evidence demonstrating:*
 - *a) that the proposal would not lead to a shortfall in provision for the specific use within the local catchment*
 - *b) that there is either no demand for another suitable social infrastructure use on site, or that the site/premises is no longer appropriate for social infrastructure uses; and*
 - *c) any replacement/relocated facilities for the specific use provide a level of accessibility and standard of provision at least equal to that of the existing facility."*
- 10.9 Part of the rationale for the proposed development is the existing occupiers, the Society of Genealogists (SoG), are going through a digitalisation strategy. As a result of this strategy, all of their material and content would be online only, and day-to-day work and functions would be done digitally. As such, there is no longer a need for the SoG to have a physical form of accommodation.
- 10.10 In the case of this proposal, with the SoG vacating the premises, this application would fall under sub-part ii) of part A of policy DM4.12 (specific use no longer required on site). Therefore the proposal would need to satisfy points a), b) & c) as listed in paragraph 10.8 including the

submission of a two-year marketing exercise to demonstrate no other social infrastructure use seeks the building. The assessment of the loss of the existing genealogy library is discussed below in reference to part a), b) and c) of policy DM4.12, part A, sub-part ii.

Part a)- the proposal would not lead to a shortfall in provision for the specific use within the local catchment

- 10.11 The SoG would be vacating the building with all of its contents and records available on the internet as part of their digitisation process. Given this, it would be considered that the proposed change of use would not lead to a shortfall in the provision of a specific use within the local catchment as local residents would be able to access the information online.
- 10.12 There is also the consideration that the existing specific use does not intensively serve or provide an essential community service or function to the local catchment area. This is in comparison to a regular library, a school or community centre. The SoG contains family and genealogy records nationwide as well as internationally and given its specific nature, visitors to the existing building would be likely those with an invested interest from all over the country, rather than everyday visits by the local population. Whilst the loss of the specific use at the site may be lamented by such interested persons, it is considered the shortfall (or complete removal in this instance) of this specific use would not be at the detriment to the social and cultural infrastructure of the local catchment or the borough as a whole.
- 10.13 Conventional libraries such as the Finsbury Library and Barbican Library are located nearby to provide typical library services to the local area. It is also considered that there is an argument that not all persons in the local catchment area have access to the internet for continued access to the records that the site accommodated. Local libraries (such as Finsbury and Barbican) can provide people access to IT where they can use it for such. Furthermore, whilst not a policy concern, it is also considered patrons who currently travel in from further afield would also have access to IT facilities at their local libraries or centres throughout the country.
- 10.14 In summary, it is evident from the niche specific use of the site as the only genealogy library in the country, that whilst the loss is regrettable, its loss is not of a vital cultural or community service to the local catchment. It is noted that this would be nationwide loss; however, the policy only concerns loss at a local level.

Part b)- that there is no demand for another suitable social infrastructure use on site

- 10.15 The SoG is the only genealogical group or society in the UK, and given the niche nature of the site and unique facilities, there would be no other occupier that would be able to continue the existing specific use of the site. It would also be unreasonable to suggest such as part of policy DM4.12 given the only suitable occupier is the existing occupier.
- 10.16 Notwithstanding the above, part B of the policy does require demonstration that there is no demand for another *suitable* form of social infrastructure at the building. This is expected to be in the form of a marketing exercise of a period of at least two years to demonstrate such lack of demand.
- 10.17 During the pre-application discussions, officers advised that some uses classified under use F.1 would not be desirable in this location, namely schools and places of worship. Therefore, it would not be considered unreasonable if the site was not marketed for such forms of social infrastructure. A full assessment has been made into suitable forms of F.1 uses in this location as summarised in the below table.

F.1 Use	Suitable use to market	Reason(s) for Yes/No
School	NO	<ul style="list-style-type: none"> • Lack of outdoor space for recreation and play; • Impacts on local highway network from drop-off/pick-ups; • Amenity impacts to neighbouring businesses/residents from general noise and disturbance in a tight urban grain area.

Non-residential education/training centre	YES	<ul style="list-style-type: none"> • Most likely for adult training in which there would not be a need for outdoor space; • Can be accessed easily by public transport.
Public library	YES	<ul style="list-style-type: none"> • Similar to existing use and therefore no significant impacts to the local area as a result.
Museum	YES	<ul style="list-style-type: none"> • Similar in its function to a library and therefore no significant impacts to the local area as a result.
Public Hall	NO	<ul style="list-style-type: none"> • Impacts of noise and disturbance to neighbouring residents depending on events; • The use would be difficult to service given its location; • Capacity and not enough area for access along the street.
Exhibition Hall	NO	<ul style="list-style-type: none"> • Impacts of noise and disturbance to neighbouring residents depending on events; • The use would be difficult to service given its location; • Capacity and not enough area for access along the street; • The floorspace is too small to accommodate an exhibition hall use and the building is formed of multiple levels.
Places of worship	NO	<ul style="list-style-type: none"> • Noise and disturbance impacts from its use to neighbouring occupiers within a tight location; • Highway and parking impacts.
Law court	NO	<ul style="list-style-type: none"> • It is anticipated there would be no interest given the small floorspace the building has; • Tight area would be unlikely to accommodate requirements of safety and security.

10.18 Given the above considerations, it would be unreasonable to refuse the application if as part of their marketing for social uses, the site was not marketed for school, public and exhibition halls, place of worship or law court uses. Furthermore, lack or no responses (if any potential interest) from occupiers of such uses would not be queried.

10.19 Appendix 11 of the Islington Development Management Policies is used by the Council to review the marketing evidence submitted for applications of loss of certain commercial and social floorspace. Evidence must demonstrate that the floorspace has been vacant and marketed for at least two years. In exceptional circumstances related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable. The site must also have three separate valuations and have been marketed at a reasonable rate.

10.20 The applicant has submitted a marketing exercise and details of responses covering a period from March 2020 to April 2021. Whilst this only covers a period of thirteen months, it is noted that the marketing exercise is still ongoing with the marketing boards observed on the property at the office site visit in June 2021 (as seen in image 4). Marketing has been undertaken by Cummings Commercial and Metrus.

10.21 Under Cummings Commercial, the property was marketed for sale with the objective to sell the freehold of the property to Class F.1 landowners/occupiers. The marketing campaign included:

distribution of particulars to agents in the City/West End area; advertisements on property searches, social media, and Estates Gazette/Composite EG; direct approaches to neighbouring occupiers including Queen Mary University and Barts Health; direct approaches to known F.1 occupiers; and numerous open days for viewings.

10.22 In all, the marketing exercise resulted in 136 initial enquiries and 24 viewings; however, the majority of these enquiries were not from F.1 interest, but from property companies interested in the site for other uses such as hotels, offices and residential uses. From those of F.1 interest, the feedback provided included:

- Building too small for a school or special needs school
- Lack of outdoor space
- Not appropriate for a religious use

10.23 It is noted that the responses from the marketing exercise from potential F.1 occupiers correlate to an extent with officer considerations prior to the assessment of such marketing.

10.24 Under Metrus, the property was marketed on a leaseholder basis. The marketing campaign included: preparation and distribution of particulars to agents in the City/West End area; advertising board on the property; and advertisement on online portals. The rent was advertised at £35 per sq ft. 14 enquires were made; however this did not generate any subsequent viewings of the property. Feedback from prospective occupiers included:

- No outdoor space for amenity or parking;
- Unsuitable location;
- Either too large for sole occupancy or too small for specific usages;
- Fitted space is preferred for educational uses.

10.25 Again, it is noted that some of these responses correlate with the officer considerations of unsuitability prior to the assessment of the marketing exercise.

10.26 In terms of the marketing exercise submitted, whilst the majority of it meets the Appendix 11 criteria, there are some considerable shortcomings. In particular, these are: the property has not been marketed for the full two years; only two valuations were sought; and they have not stated if the property was vacant during the period.

10.27 Whilst the submitted marketing exercise is considered to not be wholly compliant with the expectations of Appendix 11, it is considered that on balance, the details submitted are enough to demonstrate that there is not demand for another *suitable* social or cultural use at this site. From the limited response from potential F.1 occupiers, the lack of further interest are mainly to do with contextual factors such as the building itself or its surroundings that can't be altered. Examples are lack of outdoor space, inappropriate location down the narrow street and the building either too large or too small. Therefore, it is considered that as these factors cannot be changed, the same responses would be likely to be received should the marketing be completed over a full two-year period. It should also be noted that the proposed extensions would not help alleviate the negative responses.

10.28 It is confirmed that the property has not been vacant as evidenced on the officer site visit in June 2021; however, it was observed that the operations within the building were staff removing the physical contents of the building and scanning in records as part of their digitalisation strategy and not face-to-face services with the public.

10.29 The main segment of the commercial property market within the local area is office; however, it would be unreasonable to compare the floorspace with office as they are two different uses. Also the sale of general library buildings would not be a common transaction within the property market, which would lead to, again, no comparative variables.

- 10.30 As discussed within paragraph 10.9 of this report, the local area is served by everyday local libraries, and in addition there are nearby university libraries in relation to Queen Mary University (Charterhouse Square Campus) and City University located nearby to the north along Goswell Road. The marketing exercise commented on no interest from library and higher education providers, it can be considered from a commercial standpoint, a new conventional library would not be successful in this location given the saturation of libraries in the local area to cater for the local and student population. Therefore it can be considered definitive that there is no demand for the continued use for the site as a library (genealogy or conventional) and therefore no reasonable prospect of it being continued to be used as such.
- 10.31 Other social infrastructure uses have been deemed as inappropriate for the site as discussed earlier, and there has been no interest from occupiers of other suitable uses such as a museum or non-residential education/training. It is also considered given the site context, location and condition of the building that there would be no likely prospect of confirmed interest from after two years of continuous marketing exercise.

Part c)- Any replacement/relocated facilities for the specific use provide a level of accessibility and standard of provision at least equal to that of the existing facility

- 10.32 It is considered in this instance that the digitalisation of the specific use within the existing building would be of a high level of accessibility given it could technically be accessed anywhere once online.
- 10.33 Therefore, it is considered in this instance, that the loss of the existing genealogy library is acceptable following the review of the marketing exercise and taking into account contextual and site factors. It should be stressed that some leniency has been given in the case of this application due to the existing specific use of the site and being the only one of its kind (locally and further afield). Therefore, it is expected that should the marketing exercise be done to full compliance with Appendix 11, the exercise would reach the same conclusions. It should also be further stressed that due to the unique circumstances of the existing land use, such leniency would not be applied to future applications in which marketing information is required to demonstrate there is no demand for the existing use. The proposed development is also considered to bring planning benefits as discussed further on.

Proposed Office

- 10.34 The proposal under this application would redevelop the site to provide a building that comprises 1478sqm (GIA) of office floorspace. It is estimated that the proposed development would generate approximately 114 full time jobs on site.
- 10.35 The principle of the provision of new employment floorspace at this location is supported by the Development Plan, due to the site's commercial context and its central location. London Plan policy SD4 notes that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values.
- 10.36 London Plan policy SD5 states that within the CAZ, offices and other CAZ strategic functions are to be given greater weight relative to residential development, except sites that are situated within wholly residential streets or predominantly residential neighbourhoods. This is further supported by London Plan Policy E1 which states that the Mayor supports the increases in current stocks of office floorspace within the CAZ, and improvement to the quality, flexibility and adaptability of office floorspace (of different sizes), through new office provision and refurbishments.
- 10.37 Policy CS13 (A) of the Islington Core Strategy specifies that new employment space development should be encouraged to be located within the CAZ or town centres; be flexible and meet changing business needs and to require different types and sizes including those that can accommodate SMEs. In conjunction, policy CS7 of the Core Strategy requires "Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy. Employment-led development will be largely concentrated south of Old Street and Clerkenwell Road..."

10.38 Policy BC8 of the Finsbury Local Plan 2013 prevents any loss of business floorspace within the area and the maximisation of such floorspace. The policy reads:

“A. Within the Employment Priority Areas (General and Offices) designated on the Policies Map and shown on Figure 16:

i. No net loss in business floorspace will be permitted, either through change of use or redevelopment, unless exceptional circumstances can be demonstrated, including through the submission of clear and robust evidence which shows that there is no demand for the floorspace. This evidence must demonstrate that the floorspace has been vacant and continuously marketed for a period of at least two years. In exceptional cases related to site-specific circumstances, where the vacancy period has been less than two years, a robust market demand analysis which supplements any marketing and vacancy evidence may be considered acceptable. In addition, the loss of business floorspace will only be permitted where:

a. The proposal would not have a detrimental individual or cumulative impact on the area's primary business role and would not compromise economic function/growth, or

b. It can be demonstrated to the council's satisfaction that the site is no longer suitable for the provision of similar uses.

ii. Proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

B. Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:

i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or

ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or

iii. Affordable workspace, to be managed for the benefit of occupants whose needs aren't met by the market.”

10.39 In land use terms, the proposed incorporation and uplift of office floorspace is considered acceptable in principle given that it is located within multiple designated areas where the development, growth and maximisation of business floorspace is encouraged. The proposed development by reason of the change of use and the proposed extensions represents a maximisation of office floorspace as required by policy. Furthermore, it is considered the proposed use of the site as office within this desired location provides a planning benefit as it would help towards achieving the aims of the Council's employment policies as well as provide a continued and efficient use of the site.

10.40 The proposed development (namely the internal alterations and the extensions) will ensure enhanced provision of flexible office floorspace with specifications and facilities to meet the needs of a variety of modern businesses, particularly micro, small and medium sized enterprises. The internal alterations will allow for cellular units on the upper floors to cater for SMEs, high ceilinged units all of at least 2.7 metres, and a double lift core to cater for a wider range of needs. The proposed new and reconfigured office floorspace across the site has level access at each level. The proposals will ensure enhanced provision of flexible business floorspace.

10.41 It was discussed earlier that one of the common responses within the marketing exercise was the issue of the scale and condition of the building for either sole occupancy or division for smaller firms to occupy the floorspace. It is considered that the proposed development would bring a commercial and planning benefit by being more attractive to multiple business occupiers as it can

be divided and subsequently amalgamated to meet changing needs. This would further provide efficiency to the site.

- 10.42 It is considered that these planning benefits the proposed office floorspace and its flexibility brings outweigh the initial loss of the existing genealogy library.
- 10.43 As a result, the provision of additional office floorspace and its design is considered to meet the requirements of policy CS13 of the Core Strategy, policy DM5.1 of the Development Management Policies, and the needs of micro and small enterprises as required by policy BC8 of the Finsbury Local Plan, and is acceptable in this regard.
- 10.44 Some of the comments within the received representations objected to the development of office space next to a residential building. Whilst some of the neighbouring sites are residential, the overall area is of a predominately commercial character within a mixed-use inner city area. Given the site's location within the designated Central Activities Zone and Employment Priority Areas (General), the Council's land use policies seek to support the City of London's financial and business services sectors which extend across the Islington borough boundary through incorporating the maximum amount of business floorspace reasonably possible on the site.

Class E restrictions

- 10.45 The Town and Country Planning (Use Classes) Regulations were amended on 1st September 2020. The amended Use Class regulations omit the former Use Class B1 and introduces a new Use Class E, which encompasses office use, together with many other town centre uses. The application proposes the introduction of additional office floorspace, with no other uses proposed. The assessment of the proposal is based on the applicant's submission for office use and no other uses within Class E.
- 10.46 It is considered that the other uses that are encompassed by Class E would not be an appropriate use of the development within its surrounding local context without the submission of further details and mitigation measures. The proposed building would be likely to be inappropriate for retail use given its location away from the main streets and as such would not get much footfall due to lack of presence. The use of the building as retail would also cause amenity impacts to neighbouring occupiers in respect to services and deliveries. Notwithstanding these points, the building would be likely to be unattractive to a retail occupier given the amount of floorspace concerned which includes a low ratio of ground floor to the total floorspace.
- 10.47 The use of the site as a café/restaurant (former A3) would be considered harmful to neighbouring residential properties by reason of its inappropriate location, delivery and servicing and general noise and disturbance from patronage. Furthermore, it is anticipated that a significant amount of mechanical plant would be required for a restaurant use with a GIA of 1017sqm (at minimum).
- 10.48 The use of the extensions as clinic, health centre or nursery (former D1) is considered not appropriate given no information to demonstrate otherwise, these uses would be expected to cause a strain upon the local highway and traffic which is considered also likely to impact on neighbouring amenity.
- 10.49 It is considered that financial and professional services (former A2) would be appropriate given the day-to day operation is similar to that of office floorspace. Furthermore, it is then considered on balance such operations would not hinder the policy aims of directing business and employment floorspace within this part of the borough given the akin nature of both the former B1 and A2 uses.
- 10.50 As such, a condition is recommended restricting the use of the redeveloped building to be only of office/business floorspace or financial and professional services and no other use within Class E of the Use Classes Order 2020. Should any other use be proposed to the building, this would require the submission of an application and appropriate supporting documentation.

Residential Use

- 10.51 Whilst current London Plan policy SD5 had replaced former policy 4.3 of the 2016 version, the Finsbury Local Plan contains policy BC8 and the Development Management Policies contains policy DM5.1 (part E) which seek housing as an element of developments within the CAZ (20% of the floorspace). In order to secure compliance with this policy (BC8) a financial contribution of £57,920 has been secured towards the delivery of affordable housing. This calculation has factored in the delivery of affordable workspace as discussed in the following section.
- 10.52 The introduction of the new permitted development rights under Class MA in Part 3 of Schedule 2 of the Town and Country Planning (General Permitted Development etc.) (England) (Amendment) Order (2021 No.428) would allow change of use of a building from Class E to C3 (dwellinghouses), which takes effect from 1st August 2021. This means the proposed commercial development would be able to (subject to limitations and conditions) be converted into residential use, which would clearly conflict with the objectives of the Development Plan that supports commercial use and job growth.
- 10.53 In accordance with the aforementioned policies, officers considered that it would be necessary to resist unacceptable change of use from commercial to residential use, in order to protect the commercial floorspace within the site and the wider CAZ. It is recommended that a condition is imposed to restrict the permitted development rights within the provision of Class MA of the GPDO.

AFFORDABLE WORKSPACE

- 10.54 Part B of policy E3 of the London Plan 2021 states that considerations should be given to the need for affordable workspace based on:
- 1) where there is affordable workspace on-site currently, or has been at any time since 1 December 2017, except where it is demonstrated that the affordable workspace has been provided on a temporary basis pending redevelopment of the site
 - 2) in areas identified in a local Development Plan Document where cost pressures could lead to the loss of affordable or low-cost workspace for micro, small and medium sized enterprises (such as in the City Fringe around the CAZ and in Creative Enterprise Zones)
 - 3) in locations identified in a local Development Plan Document where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area.
- 10.55 Policy E3 also states that in defined circumstances, planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose.
- 10.56 Policy DM5.4 of the Islington Development Management Policies 2013 concerns the size and affordability of workspace. As set out in paragraph 5.25 of the IDMP, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).
- 10.57 The Finsbury Local Plan Policy BC8 part B states:
- “Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) uses, but, where appropriate, must also include retail or leisure uses at ground floor, alongside:*
- i. A proportion of non-B1(a) business or business-related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or*

ii. Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or

iii. Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.”

10.58 The Supporting text states:

“Micro and small” workspaces are considered to be workspaces in business use (B use classes) with a gross internal floor area of around 90m² (gross) or less and which will be offered to occupants on favourable and flexible terms. Small retail units are considered to be individual shop (A1) units of 80m² or less (gross), as well as stalls and kiosks. “Affordable” workspaces/retail spaces are units provided for rent below the market rate, either to provide for the needs of specific sectors or to promote regeneration. Affordable, micro and small workspaces and retail spaces are encouraged throughout the area to promote and retain economic diversity. More information on attributes and features of small, micro and affordable workspace is set out in the Development Management Policies.”

10.59 The emerging Local Plan (SDMP) policy B4 (Modifications for consultation - March 2021) states that within the CAZ and Bunhill and Clerkenwell AAP area, major development proposals involving office development must incorporate at least 10% affordable workspace (as a proportion of proposed office floorspace GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years. The policy is currently at draft stage and can be afforded limited weight.

10.60 The supporting text for Policy B4 (para 4.47) further outlines that for proposals involving redevelopment, refurbishment (or refurbishment and extension), the requirement would apply to all redeveloped, refurbished and/or extended space, regardless of the fact that there is existing floorspace. For proposals solely involving extension of floorspace with no change to existing floorspace, the requirement can be considered to apply to the new floorspace only. Having reviewed the Planning Statement dated December 2020, it is noted that the proposed development would amount to a full redevelopment of the site building with substantial building works, and the use of the building would be significantly changed.

10.61 Officers note that the emerging policy B4 can only be afforded limited weight, reflecting the stage the local plan is at and the number of objections received; therefore, taking the current and emerging local plan into account, it is considered that an onsite affordable workspace area based on 5% of the whole re-development would be sought, rather than just the uplift.

10.62 The applicant has proposed to designate the entirety of the lower ground floor as SME space, measured at a GIA of 180sqm which would represent 12.5% of the total proposed floorspace concerned and greatly surpasses the 5% minimum expected by current policy. The designated space would be separated into 2x units (91sqm each).

10.63 Having assessed the general internal layout, it is considered the proposed lower ground floor units would be suitable to be used as a dedicated small / micro units and would comprise a good working environment for occupiers. It can be accessed step free access, and would also benefit from natural daylight and outlook which is welcomed by officers.

10.64 Whilst the general layout and provision of the SME space is considered acceptable in principle, overall acceptability of this element of the scheme is subject to the applicant entering a S106 legal agreement to secure the following:

- a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
- flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
- good standards of internal sound insulation;

- a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts;
- and external space reserved for loading/unloading

10.65 The S106 legal agreement would demonstrate likely lease terms for target sectors, and where appropriate make provision for short-term, flexible 'all-in' or 'meanwhile' leases, and/or letting space on a per-desk rather than per-square-foot basis. As noted earlier, the aforementioned affordable housing contribution has factored in the provision of dedicated small /micro units at lower ground floor and medium size workspace throughout the rest of the building, and reflects the emerging emphasis of providing affordable workspace (in future policies) and prioritising commercial floorspace in this part of the borough in particular (CAZ).

DESIGN, CONSERVATION AND HERITAGE

Policy context

10.66 Paragraph 124 of the NPPF 2021 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

10.67 Paragraph 128 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

London Plan

10.68 Policy D3 of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

10.69 In terms of design and heritage considerations, London Plan policy D3, part D states that development proposals should:

- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
- 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.

10.70 Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, 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.

- 10.71 Policy HC1 reads 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. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in this design process.

Local Plan

- 10.72 The national and regional policies are supported locally by Islington Core Strategy policy CS7 (Bunhill and Clerkenwell) which states that much of the area has a rich character and is noted for its historic value, the historic significance and character of the area will be protected and enhanced.
- 10.73 Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.
- 10.74 Policy BC7 (Historic Clerkenwell) of the Finsbury Local Plan states that the special character of this historic part of London will be protected and enhanced through heritage-led development. Part B of the policies states that new buildings shall be of high architectural quality and local distinctiveness, of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height. New development should reflect long established building lines, street frontages and plot widths. Roof extensions, plant rooms and lift overruns should conform to prevailing building heights and should not harm the character and appearance of the existing building as seen from streets and public open spaces.
- 10.75 Part F of the policy refers to protection and enhancement of alleyways, pedestrian routes and yards such as Charterhouse buildings (recognised as an important pedestrian route within the designated area).
- 10.76 Policy DM2.1 (Design) of the Islington Development Management Policies requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.77 Policy DM2.3 (Heritage) of the Development Management Policies requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires new developments within Islington's conservation area settings to be of high quality contextual design, and the policy states that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part C of the policy states that the significance of Islington's listed buildings is required to be conserved or enhanced; new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted.
- 10.78 Moreover, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.
- 10.79 In terms of conservation area and heritage assets, the Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (section 72); it

also requires decision maker to have special regard to preserve or enhance the significance of heritage assets (including their setting) through the planning process (section 66).

Existing Context

10.80 The site sits in close proximity to the southern edge of the Hat and Feather’s Conservation Area and the northern edge of the Charterhouse Square Conservation Area. Listed buildings lie to the south and west of the site within the Rutland Place Medical Campus of Queen Mary University (Grade II Listed) and to the east there is the Grade II Listed building on Goswell Road. Locally listed buildings are located to the north and east of the site along the sections of Charterhouse Buildings that front the main streets.



Map 1: GIS Map of site in context of nearby conservation areas.

- 10.81 The focal part of Charterhouse Buildings is a short and narrow ‘stub end’ street, lined with buildings on each side that range from single storey infills (the ancillary entrance to the William Harvey Heart Centre), to the rear elevation of an eight storey block of student accommodation in which its service yard sits directly and awkwardly opposite the application site.
- 10.82 Nos. 11-13 and Nos. 14-15 (the application building) are relatively small scaled three and four storey post-war office buildings. No. 17 which is located directly opposite is a six-storey building which is a 2000s construction with the top two floors set back from the street edge. This building abuts the eight storey student block as detailed in the previous paragraph. Both of these buildings are considered lacking in any architectural merit.
- 10.83 It is to the entrance of the narrow street (which face the junction of the main roads) that the buildings of architectural quality are located. These include Nos. 1-5 which are locally listed and Nos. 9-10 to the east. These are fine, richly detailed, five storey buildings that lie within the boundary of the Hat & Feathers Conservation Area. Buildings to the west and south of the site lie within the curtilage of the listed medical college of Rutland Place although they themselves are of limited to poor architectural quality.

Proposed Development



Image 8: Visual of proposed redevelopment.

- 10.84 The applicant has submitted a Design and Access Statement (prepared by Thirdway Architecture dated April 2021) in support of the application.
- 10.85 The proposed development comprises of the erection of a two-storey roof extension, and the comprehensive refurbishment of the front façade. The proposed façade would incorporate textured concrete panels as well as metal cladding with vertical fin detailing. The proposed façade incorporates extensive full height windows as well as a new front entrance area in attempt to enhance the visual permeability and to create a greater degree of active frontage at street level.
- 10.86 The above policy framework makes it clear the relationship between the height of the buildings and the street/space they flank is of critical importance and the roofline is an important factor contributing to the rhythm and uniformity of a street. In order to be successful, the proposals should be both sympathetic to the host building, harmonise with the pattern of development of the area and be sensitive to the setting of adjacent heritage assets.

Scale and Massing

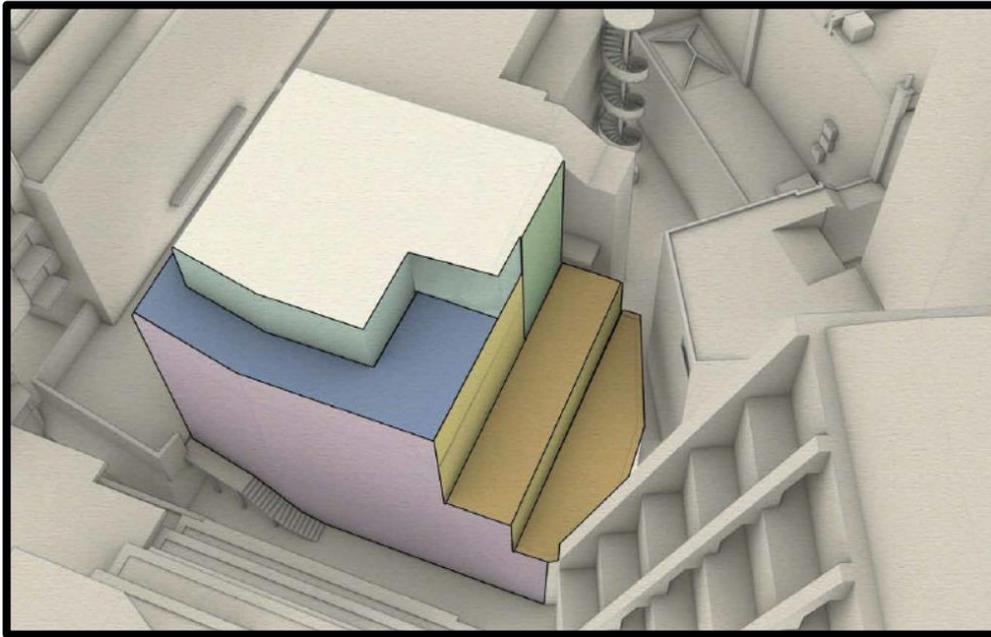


Image 9: Proposed massing from the roof and first floor extensions.

- 10.87 Paragraph 5.146 of the Islington Urban Design Guide reads “*When considering the scope for roof extensions, it is necessary to consider the particular terrace within which the host building sits as well as the local context. Successful proposals will be both sympathetic to the host building and harmonise with the predominant roofline in the vicinity.*”
- 10.88 The height and massing of the proposed two-floor upwards extension including plant is considered acceptable. The site is framed by significantly higher buildings including the five-storey Victorian buildings at the entrance of Charterhouse Buildings, the eight-storey student accommodation building, and the six-storey residential building opposite the site (No. 17). Furthermore, Old Street (to the north) and Goswell Road (to the east) have a considerably taller storey height ambient reflecting and responding to their more primary positions within the urban structure.
- 10.89 Given its location surrounded by taller buildings that front both the primary and secondary streets, it is considered the principle of the upwards extension at the subject building is acceptable as it would result in a five-storey building which would still conform to the established terminating heights and roofline within the vicinity.
- 10.90 The new third floor of the building would be of the same bulk and height and the second floor level and would be of the same construction and detail as that of the building below which would be read as a continuation of the existing building. By contrast, the proposed fourth floor level would be set back from the perimeter of the building and would be of a lighter construction and more intricate architectural expressions, thereby mitigating its visual impact as viewed from the narrow street of Charterhouse Buildings. The proposed roof extensions are considered to achieve a balance between maximising the amount of upward build possible whilst achieving a minimal and acceptable visual impact.
- 10.91 The proposed plant at roof levels are contained within three box structures at 1.7m, 1.8m and 2m in height and 2m in depth and width. These structures are positioned centrally upon the new roof and deeply recessed from the building’s perimeter which would minimise its visual impact. It is also noted this is on the fourth floor element which had been considered itself to be of a lesser visual impact. The lift overrun is further located to the rear and overall none of these additional structures would be visible from the public realm within Charterhouse Buildings.
- 10.92 Overall, given the tight enclosed nature of the site as a result of the taller buildings, the scale and bulk of the proposed development would be visible within limited public views of the building along Charterhouse Square and where visible are considered to be of an appropriate bulk and mass upon the building. Furthermore, the scale of the first floor extension is considered appropriate upon

the building and there it is concluded that the scale and massing of the proposed development is acceptable.

Elevational Treatment and Materiality

- 10.93 Overall, the elevational treatment is very well considered and of a high architectural quality and the building would be vastly improved in its appearance as a result of the development. It would have an urbane and contemporary language. The design also takes advantage of the dominant view of the building which is that primarily experienced as oblique; however, the elevational treatment is considered just as successful when view in direct elevational view.
- 10.94 In respect to the proportions, it is considered there is a rhythmic and well designed relationship between the solid and void elements as well as a vertical expression. This is achieved by the use of 'fins' rising up the primary floors with the horizontal rhythm maintained through the fenestration patterning. At ground floor level, a solid and dramatic front entrance is proposed, framed in corten steel in which a generous reception area can be visible through the glazing. As well as an active frontage, it is considered this provides an open and transparent relationship between the interior of the ground floor and the street. The new front entrance is also considered to correct the issue with the existing front entrance in which it successfully indicates its primacy and function upon the building and within the streetscene as well as provide a strong presence.



Image 10: Proposed façade treatment and front entrance

- 10.95 A secondary entrance is also proposed at the front elevation (nearby the existing front entrance) and as it serves the ground floor office element, reads as an ancillary entrance.
- 10.96 The flank and rear elevations have also been carefully considered. The elevations are expressive and animated whilst also being kept as subservient to the front façade. The rear elevation in particular has also creatively addressed by introducing a green wall which acknowledges the tightness of grain and the proximity of neighbouring windows opposite at No.4 Charterhouse Buildings (approx. 3m away from the rear elevation of the building's lower ground/ground floor elevation) and matters relating to outlook. Both the side and rear elevation are punctuated by the occasional framing of larger windows in corten steel which adds a rich sculptural element to these elevations as well as carrying on the elements used in the main entrance around the building.

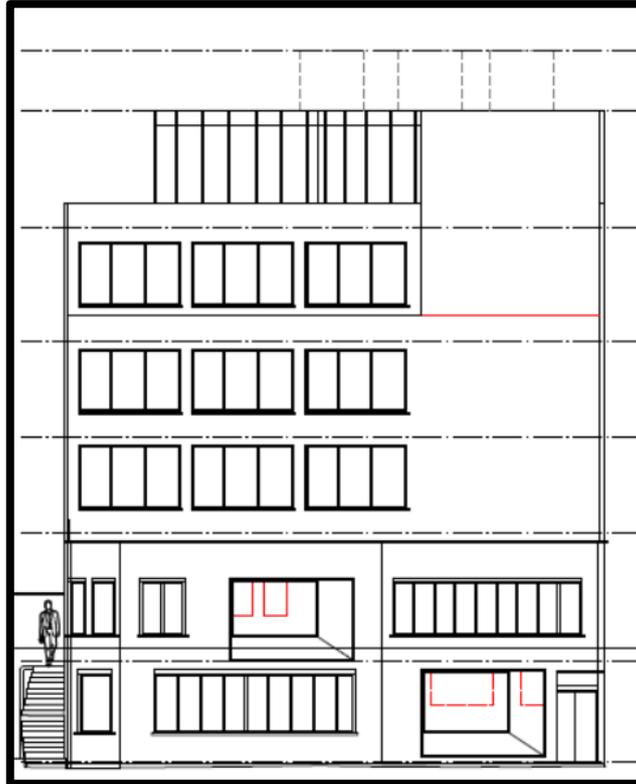


Image 11: Proposed rear elevation.

- 10.97 The new fourth floor storey is also considered a well detailed element and is of a lighter appearance which coupled with its recessed positioning reads as a secondary element within the building hierarchy. The design utilises the bronze coloured aluminium within a series of rhythmically arranged, small and narrow modules.
- 10.98 The proposed material selection is considered entirely appropriate to the site and its varied architectural context. The material choice include a pale stone to the front façade with both a smooth and corrugated effect, brushed concrete to flank and rear elevations, bronze coloured fenestration and a minimal use of corten steel which in conjunction with the other materials appears as effective and punctuating with its use for the main entrance and some of the window openings.

Impact on Heritage Assets

- 10.99 The application site is surrounding by two conservation areas: Hat & Feathers; and Charterhouse Square.
- 10.100 The significance of both these conservation areas (along with the nearby Clerkenwell Green CA) is that they have a special character and appearance which stems from its mix of uses, its architecture and history, which justifies its conservation area status. As part of the larger Clerenwell and Smithfield area, it has the longest history of any part of the borough as well as a long history of a part of London as confirmed by the Government Office of London.
- 10.101 The fabric of the area derives from incremental development from Norman times to the present day, with surviving examples of buildings from nine different centuries. The character of the area also depends on its great variety of uses including specialist manufacturing, workshops, wholesaling and retailing activities. The juxtaposition of different activities, cheek by jowl, sets Clerkenwell and Smithfield apart from the more homogenous business and residential areas.
- 10.102 The site is located approximately 90m from the Hat & Feather Public House located on the corner of Clerkenwell Road and Goswell Road. The listed for the Grade II listed building is as quoted below:

- 10.103 *“Public house. c.1860 with alterations to the ground floor of c.1900. Polished granite, brick and stucco, roof obscured by parapet. Four storeys over basement, seven-window range, the frontage bowed on the corner of Goswell Road and Clerkenwell Road. Ground floor has a plinth of black polished granite and slender piers of pink polished granite supporting a fascia with early C20 glazed and painted panels 'PARTIES CATERED FOR/ HAT AND FEATHERS/ RESTAURANT'; the curved frontage and that in Goswell Road have original woodwork to the entrances with scrolled pediments and engraved glass, and leaded glass overlights to the windows; moulded and bracketed stucco cornice. On the upper floors the two westernmost bays in Clerkenwell Road have simple flat-arched windows and a stucco band to the parapet; the rest of the facade is treated more elaborately. The centrepiece on the curved front consists, at first-floor level, of two flat-arched windows flanked by engaged Ionic columns with wreathed capitals supporting an entablature which breaks back and forwards and in its turn supports urn-like finials flanking the flat-arched second-floor windows. To either side of the centrepiece are giant stucco pilasters with ornate foliage capitals and fruit and foliage pendants on their faces, supporting equally ornate brackets and a moulded stucco cornice which runs across the whole of this part of the facade; the outer windows under the cornice in Clerkenwell Road and Goswell Road have moulded stucco architraves. The third floor has two pairs of round-arched windows to centrepiece, deeply recessed between antae, then statues of Classical female figures on either side, and then flat-arched windows with moulded stucco architraves. Parapet with segmental-arched panel to centre flanked by scrolled consoles and balustrade, and inscribed 'THE HAT AND FEATHERS'. The interior is much altered but retains dado panelling and some c.1900 panelled and glazed partitions to the bar facing Goswell Road, and a bar front, some dado panelling and staircase with turned balusters in the bar facing Clerkenwell Road.”*
- 10.104 The site is also located near a cluster of locally listed buildings at the entrance to Charterhouse Building (also addressed at Nos. 1, 3 and 5 Clerkenwell Road). These buildings are described as “Renaissance influence. Commercial. Five storey, render and stucco”, with its special features as “Pilasters, arcading fretted spandrels, cornice, etc”. The listing concludes that the buildings’ principal qualities are its “Design, ornament. Good example of cast iron construction. Good examples of period.”
- 10.105 The architectural quality is of a high standard and as such, the scheme is considered a significant improvement over the existing building, and even factoring in the increase in mass and height, would have a neutral impact on the setting of the adjacent heritage assets. This includes the locally listed building at Nos. 1-5 Charterhouse Buildings (also known as Nos. 1, 3, and 5 Clerkenwell Road) which faces the junction at the entrance to the narrow street.
- 10.106 The proposed development is considered to significantly enrich the streetscape of Charterhouse Buildings.
- 10.107 Given the scale of the adjacent buildings, it would not be visible from the adjoining public realm from Goswell Road and will only be visible in a very limited oblique view from Old Street at its junction with the entrance to Charterhouse Buildings. Due to the design of the proposal, this is considered to enrich rather than detract from the heritage settings when seen within this limited view.
- 10.108 Furthermore, given its location at the extreme south of the narrow street of Charterhouse Buildings, away from the main crossroads, the proposed development would not impact upon the setting of the Grade II listed Hat & Feathers public house located on the north western corner of Clerkenwell Road and Goswell Road.

Summary

- 10.109 As a result of the proposed development, the building is considered to surpass the architectural quality of the modern buildings adjacent to and opposite the site, setting a new and welcome benchmark for future developments with regard to contemporary design within Charterhouse Buildings. Given the high quality architecture, the richness of the proposed material palette and its application across the building, the proposed development is considered to enhance the streetscape and befits this highly urban site.

10.110 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Clerkenwell Green Conservation Area. Given the above, the proposal is not considered to cause harm to the character or appearance of the host building, or the wider conservation area. The proposed development is considered to be of a high quality design that is sensitive to its context. It would enhance and not detract from the character and appearance of the Hat & Feathers conservation area nor the Charterhouse Square conservation area as seen within public and private views.

10.111 Therefore, the proposed development complies with the National Planning Policy Framework 2021, policies D3, D4 and HC1 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011, policy BC7 of the Finsbury Local Plan 2013 and policies DM2.1 and DM2.3 of the Development Management Policies 2013. The development also adheres to the guidance in the Islington Urban Design Guide 2017. Whilst the proposed development adjoins the conservation areas, it is considered it generally adheres to the guidance contained within and the Charterhouse Square Conservation Area Design Guidelines 2002 Hat & Feathers Conservation Area Design Guidelines 2014.

10.112 Consideration has also been taken into policies DH1 (Fostering innovation and conserving and enhancing the historic environment) and DH2 (Heritage assets) of the Draft Islington Local Plan. The proposed development is considered to be of high quality which would contribute to the character of this important historic part of the borough.. It is noted that the aims of policy DH2 of the Draft Local Plan does not diverge significantly from that of policy DM2.3 of the Development Management Policies in respect to heritage assets.

INCLUSIVE DESIGN

10.113 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promote the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

10.114 The Inclusive Design principles are set out within policy D5 of the London Plan which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:

1. be designed taking into account London's diverse population
2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
4. be able to be entered, used and exited safely, easily and with dignity for all 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

10.115 At a local level, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they: i) provide for ease of and versatility in use; ii) deliver safe, legible and logical environments; iii) produce places and spaces that are convenient and enjoyable to use for everyone, and iv) bring together the design and management of a development from the outset and over its lifetime

10.116 The Council's Inclusive Design SPD further sets out detailed guidelines for the appropriate design and layout of existing proposed new buildings.

10.117 The key inclusive design considerations and comments were provided by the Accessibility Officer and include provision of easily identifiable entrance with contrasting materials, welcome flexibility to the floorplates and circulation, shower facilities to support cycling are welcomed and accessible WCs are also welcomed. A condition is recommended to secure:

- Opening weight of doors should be under 30N or else power assisted;
- Entry phones shall be located within reach of wheelchair users;
- In this case where only one lift serves the building, the lift shall be an evacuation lift with separate power supply and provision of fire protection; and
- Accessible WCs shall be provided with an outward opening door.

10.118 Overall, the proposed development is welcomed in terms of accessible design and is a significant improvement upon the existing building and its layout.

10.119 In conclusion, the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users.

NEIGHBOURING AMENITY

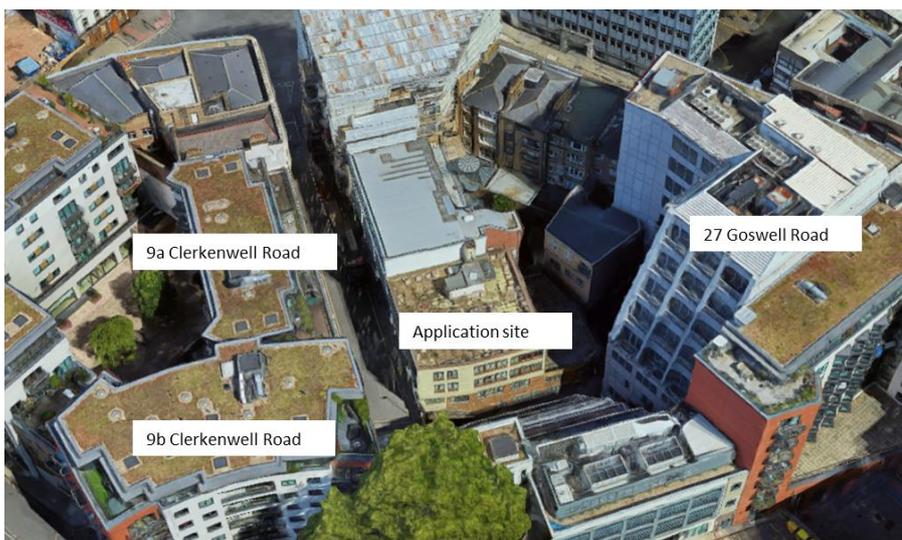
10.120 Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.

10.121 Part D of policy D3 of the London Plan 2021 states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.

10.122 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.

10.123 Given the location of the building and the extent of the development, it is considered that the identified neighbouring properties with the potential to be impacted by the development are:

- No. 4 Charterhouse Buildings
- No. 27 Goswell Road
- No. 9a Clerkenwell Road
- No. 9b Clerkenwell Road



Daylight, Sunlight and Overshadowing

- 10.124 To assess the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.
- 10.125 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'
- 10.126 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 10.127 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

BRE Guidance: Daylight to existing buildings

- 10.128 The BRE Guidelines stipulate that... "the diffuse daylighting of the existing building may be adversely affected if either:
- 10.129 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;
- 10.130 The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value." (No Sky Line / Daylight Distribution).
- 10.131 At paragraph 2.2.7 of the BRE Guidelines it states: "*If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.*"
- 10.132 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.133 At paragraph 2.2.8 the BRE Guidelines state: "*Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the 'no sky line' in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside.*"
- 10.134 Paragraph 2.2.11 states: "*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*" The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.
- 10.135 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is "in a mews development within a historic city centre where a

typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

BRE Guidance: Sunlight to existing buildings

10.136 The BRE Guidelines (2011) state in relation to sunlight at paragraph 3.2.11: “If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected”.

10.137 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 during the winter months between 21 September and 21 March and;
- Receives less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.138 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

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

10.139 The guidelines go on to state (paragraph 3.2.3):

“... it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun”

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

BRE Guidance: Overshadowing

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

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

Assessment

10.143 The applicant has submitted a Daylight and Sunlight report prepared by Development & Light Consultancy dated April 2021. The report and appendices consider the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.

10.144 The report concludes that the properties relevant for assessment are as follows:

- No. 4 Charterhouse Buildings
- No. 27 Goswell Road
- No. 9a Clerkenwell Road
- No. 9b Clerkenwell Road

10.145 The layout of some of the residential properties identified above have been found to ensure that the assessment carried out is accurate; where the usage of the rooms are unknown, the assessment would be based on the worst case scenario and assumes that the room is habitable (i.e. living room) and requires a greater degree of daylight/sunlight than bedrooms for example.

Impacts to Daylight

No. 4 Charterhouse Buildings



Images 12 & 13: No 4 Charterhouse Buildings and window diagram from submitted D/S analysis.

10.146 The submitted report indicates that half of the windows assessed at No. 4 Charterhouse Buildings would transgress the BRE criteria relating to VSC and daylight distribution. In respect to VSC, 5 of the windows would experience minor adverse losses (20-29.99%) whilst 1 window would experience a moderate adverse loss (30-39.99%). In terms of NSL, 2 windows would suffer minor adverse losses (20-29.99%), 2 windows would experience moderate adverse losses (30-39.99%), and 1 window would suffer a substantial loss (40% or above).

10.147 The room that experiences the substantial loss of NSL is room R3 which serves a living kitchen and dining area window. This room is served by 2 windows on its southern and western elevation. The window on the southern elevation (W4) has no loss of VSC whilst the western elevation (W3) has a loss of 35%; however, it is noted that this window is set within a balcony of the building. The first floor windows also experience moderate VSC losses given its close proximity to the site and the development. The transgressions that are reported in the assessment are outlined further in the table below.

VERTICAL SKY COMPONENT (VSC)							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE

First	R1	Bedroom	W1	Existing	18.99	0.71	NO
				Proposed	13.49		
	R2	Study	W2	Existing	21.23	0.72	NO
				Proposed	15.35		
	R3	Bedroom	W3	Existing	22.34	0.75	NO
				Proposed	16.68		
	R5	Bedroom	W6	Existing	7.42	1.00	YES
				Proposed	7.42		
Second	R1	Bedroom	W1	Existing	28.47	0.74	NO
				Proposed	20.97		
	R1	Bedroom	W7	Existing	23.25	0.95	YES
				Proposed	22.12		
	R2	Bedroom	W2	Existing	29.26	0.76	NO
				Proposed	22.30		
	R3	LKD	W3	Existing	12.34	0.67	NO
				Proposed	8.23		
	R3	LKD	W4	Existing	6.19	1.00	YES
				Proposed	6.17		
	R5	Bedroom	W6	Existing	19.84	0.98	YES
				Proposed	19.50		
Third	R2	Bedroom	W2	Existing	23.49	0.99	YES
				Proposed	23.27		
Fourth	R2	LD	W2	Existing	24.49	1.00	YES
				Proposed	24.48		
NO SKY LINE (NSL)							
Floor	Room Ref.	Room Use	Room Area		NSL	PR/EX %	Meets BRE
First	R1	Bedroom	15.19	Existing	10.95	77.00	NO
				Proposed	8.41		
	R2	Study	6.88	Existing	6.42	68.00	NO
				Proposed	4.39		
	R3	Bedroom	10.11	Existing	7.67	62.00	NO
				Proposed	4.79		
	R5	Bedroom	12.36	Existing	4.31	100.00	YES
				Proposed	4.31		
Second	R1	Bedroom	11.21	Existing	10.74	97.00	YES
				Proposed	10.41		
	R2	Bedroom	12.17	Existing	10.98	76.00	NO
				Proposed	8.34		
	R3	LKD	35.93	Existing	24.34	60.00	NO
				Proposed	14.57		
	R5	Bedroom	12.36	Existing	11.90	100.00	YES
				Proposed	11.90		
Third	R2	Bedroom	12.37	Existing	12.02	100.00	YES
				Proposed	12.02		
Fourth	R2	LD	14.10	Existing	13.86	100.00	YES
				Proposed	13.86		

10.148 The daylight assessment has been repeated again (see table below) with the balconies omitted to ascertain whether such existing structures impact upon the initial values, which is in accordance with the BRE Guidelines. In terms of the second floor flat, which faces the development, there is an improvement in NSL from a substantial loss of 40% to a moderate loss of 36%. Within this habitable room, window W4 would be unchanged given its location on a different elevation whilst window W3 (within a balcony) receives an increased level of receipt from 0.65 to 0.83 which would result in the loss of daylight being acceptable. It is also noted that the other moderate losses of VSC and substantial losses of NSL at first floor level windows serve that of bedroom and/or studies which are commented as 'less important' by BRE.

VERTICAL SKY COMPONENT (VSC)- BALCONIES OMMITTED							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE
First	R1	Bedroom	W1	Existing	18.99	0.71	NO
				Proposed	13.49		
	R2	Study	W2	Existing	21.23	0.72	NO
				Proposed	15.35		
	R3	Bedroom	W3	Existing	22.34	0.75	NO
				Proposed	16.68		
Second	R1	Bedroom	W1	Existing	28.47	0.74	NO
				Proposed	20.97		
	R1	Bedroom	W7	Existing	23.25	0.95	YES
				Proposed	22.12		
	R2	Bedroom	W2	Existing	29.26	0.76	NO
				Proposed	22.30		
	R3	LKD	W3	Existing	24.72	0.83	YES
				Proposed	20.60		
	R3	LKD	W4	Existing	6.19	1.00	YES
				Proposed	6.17		
NO SKY LINE (NSL)- BALCONIES OMMITTED							
Floor	Room Ref.	Room Use	Room Area		NSL	PR/EX %	Meets BRE
First	R1	Bedroom	15.19	Existing	10.95	77.00	NO
				Proposed	8.41		
	R2	Study	6.88	Existing	6.42	67.00	NO
				Proposed	4.39		
	R3	Bedroom	10.11	Existing	7.67	62.00	NO
				Proposed	4.79		
	R5	Bedroom	12.36	Existing	4.31	100.00	YES
				Proposed	4.31		
Second	R1	Bedroom	11.21	Existing	10.74	97.00	YES
				Proposed	10.41		
	R2	Bedroom	12.17	Existing	10.98	76.00	NO
				Proposed	8.34		
	R3	LKD	35.93	Existing	27.11	76.00	NO
				Proposed	20.60		
	R5	Bedroom	12.36	Existing	11.90	100.00	YES
				Proposed	11.88		
Third	R2	Bedroom	12.37	Existing	12.02	100.00	YES
				Proposed	12.02		
Fourth	R2	LD	14.10	Existing	13.86	100.00	YES
				Proposed	13.86		

10.149 It is noted that the above figures are revised findings following the omission of the first floor rear extension. These revised findings are a minimal increase and are not a material improvement from the initial figures. As a basis, the room of concern is R3 (LKD) at second floor level as the NSL findings as a result of the amended development 0.6 of its former value (0.76 with balcony omitted); however it is noted within the assessment that the room forms a deep and wide L- shape with W3 facing west towards the development and W4 facing south. With the balconies omitted W3 has a VC value of 0.83 it former whilst W4 remains unchanged.

10.150 Consideration is also given that the area is of a tight urban built up context and whilst there are losses of light, outlook is maintained (as explained further on) to this dual aspect LKD area.

10.151 Therefore, on balance, taking into account the proximity and relationship of the site, the balcony overhang in respect to the second floor LKD area, and the substantial losses taking place in bedrooms and/or studies, it is concluded that the loss of daylight towards the habitable windows at No. 4 Charterhouse Buildings are not unacceptable.



Image 14: No. 25 Goswell Road (rear).

10.152 The submitted report indicates that all of the windows assessed at No. 25 Goswell Road would pass the BRE criteria relating to VSC whilst 1x room would experience a minor loss of 22% of NSL at first floor level which is a bedroom. These transgressions that are reported in the assessment are outlined further below.

VERTICAL SKY COMPONENT (VSC)							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE
First	R2	Bedroom	W7	Existing	10.88	0.90	YES
				Proposed	9.75		
Second	R2	Bedroom	W5	Existing	15.19	0.94	YES
				Proposed	14.21		
Third	R1	Bedroom	W1	Existing	21.45	0.98	YES
				Proposed	20.92		
Fourth	R1	Bedroom	W1	Existing	24.78	0.99	YES
				Proposed	24.63		
Fifth	R1	Bedroom	W1	Existing	27.30	>27%	YES
				Proposed	27.29		
Sixth	R1	Bedroom	W7	Existing/Prop	29.77	>27%	YES
NO SKY LINE (NSL)							
Floor	Room Ref.	Room Use	Room Area		NSL	PR/EX %	Meets BRE
First	R2	Bedroom	13.68	Existing	7.41	79.00	NO
				Proposed	5.89		
Second	R2	Bedroom	13.68	Existing	9.15	100.00	YES
				Proposed	9.15		
Third	R1	Bedroom	13.68	Existing	10.64	100.00	YES
				Proposed	10.64		
Fourth	R1	Bedroom	13.68	Existing	11.32	100.00	YES
				Proposed	11.32		
Fifth	R1	Bedroom	13.68	Existing	11.62	100.00	YES
				Proposed	11.62		
Sixth	R1	Bedroom	13.68	Existing	11.71	100.00	YES
				Proposed	11.71		

10.153 Given the above figures and taking into account the minor loss of NSL would be within a bedroom which is considered as 'less important' by BRE guidance, it is concluded that the residential

properties within No. 25 Goswell Road would continue to experience acceptable and very good actual levels of daylight.

No. 9b Clerkenwell Road



Images 15 & 16: No. 9b Clerkenwell Road and window diagram from submitted D/S analysis.

10.154 The submitted report indicates that 2 of the windows assessed at 9b Clerkenwell Road would fail the BRE criteria relating to VSC. These windows are First floor W1 and second floor W7 which are located underneath balconies or overhangs. Room R2 at first floor level would experience a significant loss of NSL; however, the analysis details that this room is already compromised due to its location underneath a balcony and the massing of the building to its side and above it. It is further noted that this window is a bedroom which is considered as 'less sensitive' by BRE guidance. These transgressions that are reported in the assessment are outlined further below.

VERTICAL SKY COMPONENT (VSC)							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE
First	R1	LKD	W1	Existing	2.39	0.62	NO
				Proposed	1.48		
	R1	LKD	W3	Existing	0.00	1.00	YES
				Proposed	0.00		
	R2	Bedroom	W2	Existing	0.00	1.00	YES
				Proposed	0.00		
Second	R1	LKD	W1	Existing	22.65	1.00	YES
				Proposed	22.65		
	R1	LKD	W2	Existing	25.91	1.00	YES
				Proposed	25.91		
	R1	LKD	W3	Existing	23.98	0.94	YES
				Proposed	22.48		
	R2	Bedroom	W4	Existing	24.23	0.92	YES
				Proposed	22.28		
	R3	LKD	W5	Existing	13.78	0.81	YES
				Proposed	11.17		
	R4	LKD	W6	Existing	22.80	0.85	YES
				Proposed	19.40		
	R4	LKD	W7	Existing	16.06	0.75	NO
				Proposed	12.00		
Third	R1	LKD	W1	Existing	22.62	1.00	YES
				Proposed	22.62		
	R1	LKD	W2	Existing	25.97	1.00	YES
				Proposed	25.97		
	R1	LKD	W3	Existing	27.26	0.96	YES
				Proposed	26.21		
	R2	Bedroom	W4	Existing	27.53	0.94	YES
				Proposed	26.01		
	R3	LKD	W5	Existing	16.53	0.88	YES
				Proposed	14.62		
	R4	LKD	W6	Existing	25.91	0.92	YES
				Proposed	23.84		
	R4	LKD	W7	Existing	18.75	0.87	YES
				Proposed	16.25		
Fourth	R1	LKD	W1	Existing	23.21	1.00	YES
				Proposed	23.21		
	R1	LKD	W2	Existing	26.58	1.00	YES
				Proposed	26.58		
	R1	LKD	W3	Existing	30.27	>27%	YES
				Proposed	29.75		
	R2	Bedroom	W4	Existing	30.34	>27%	YES
				Proposed	29.56		
	R3	LKD	W5	Existing	19.05	0.95	YES
				Proposed	18.02		
	R4	LKD	W6	Existing	28.78	>27%	YES
				Proposed	27.76		
	R4	LKD	W7	Existing	30.01	>27%	YES

				Proposed	28.90		
Fifth	R1	LKD	W1	Existing	24.20	1.00	YES
				Proposed	24.20		
	R1	LKD	W2	Existing	27.62	>27%	YES
				Proposed	27.62		
	R1	LKD	W3	Existing	32.20	>27%	YES
				Proposed	32.20		
	R2	Bedroom	W4	Existing	32.37	>27%	YES
				Proposed	32.17		
	R3	LKD	W5	Existing	19.27	0.98	YES
				Proposed	18.92		
NO SKY LINE (NSL)							
Floor	Room Ref.	Room Use	Room Area		NSL	PR/EX %	Meets BRE
First	R1	LKD	28.95	Existing	4.56	80.00	YES
				Proposed	3.66		
	R2	Bedroom	25.17	Existing	0.96	12.00	NO
				Proposed	0.12		
Second	R1	LKD	34.50	Existing	32.07	100.00	YES
				Proposed	32.07		
	R2	Bedroom	25.13	Existing	7.95	100.00	YES
				Proposed	7.95		
	R3	LKD	21.62	Existing	8.37	92.00	YES
				Proposed	7.67		
	R4	LKD	32.53	Existing	22.88	82.00	YES
				Proposed	18.69		
Third	R1	LKD	34.50	Existing	32.27	100.00	YES
				Proposed	32.27		
	R2	Bedroom	25.13	Existing	9.61	100.00	YES
				Proposed	9.61		
	R3	LKD	21.62	Existing	10.62	97.00	YES
				Proposed	10.28		
	R4	LKD	32.53	Existing	27.21	85.00	YES
				Proposed	23.23		
Fourth	R1	LKD	34.50	Existing	33.93	100.00	YES
				Proposed	33.93		
	R2	Bedroom	25.13	Existing	15.20	100.00	YES
				Proposed	15.20		
	R3	LKD	21.62	Existing	14.77	100.00	YES
				Proposed	14.76		
	R4	LKD	32.53	Existing	29.62	98.00	YES
				Proposed	29.07		
Fifth	R1	LKD	34.50	Existing	34.14	100.00	YES
				Proposed	34.14		
	R2	Bedroom	25.13	Existing	17.80	100.00	YES
				Proposed	17.80		
	R3	LKD	21.62	Existing	17.09	100.00	YES
				Proposed	17.09		

10.155 The daylight assessment has been repeated again (table below) with the balconies omitted to ascertain whether such existing structures impact upon the initial values. Only up to second floor as above that level all windows and rooms comply. At first floor level, the value for window W1 would be 0.86 its former value which is considered an acceptable loss of daylight within the BRE guidance, and therefore all windows are concluded to meet BRE guidance in terms of VSC. In terms of NSL, this re-assessment does conclude that the NSL value for room R2 does significantly improve to 56%, although this is still a more than substantial loss. However, as explained earlier, due to pre-existing factors, this window already experiences such losses of light.

VERTICAL SKY COMPONENT (VSC)- BALCONIES OMMITTED							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE
First	R1	LKD	W1	Existing	18.96	0.86	YES
				Proposed	16.25		
	R1	LKD	W3	Existing	0.00	1.00	YES
				Proposed	0.00		
	R2	Bedroom	W2	Existing	15.71	0.83	YES
				Proposed	13.10		
Second	R1	LKD	W1	Existing	22.65	1.00	YES
				Proposed	22.65		
	R1	LKD	W2	Existing	25.91	1.00	YES
				Proposed	25.91		
	R1	LKD	W3	Existing	23.98	0.94	YES
				Proposed	22.48		
	R2	Bedroom	W4	Existing	24.23	0.92	YES
				Proposed	22.28		
	R3	LKD	W5	Existing	22.20	0.88	YES
				Proposed	19.60		
	R4	LKD	W6	Existing	24.39	0.86	YES
				Proposed	20.99		
	R4	LKD	W7	Existing	22.18	0.82	YES
				Proposed	18.12		
NO SKY LINE (NSL)- BALCONIES OMMITTED							
Floor	Room Ref.	Room Use	Room Area		NSL	PR/EX %	Meets BRE
First	R1	LKD	28.95	Existing	7.79	97.00	YES
				Proposed	7.59		
	R2	Bedroom	25.17	Existing	5.84	56.00	NO
				Proposed	3.25		
Second	R1	LKD	34.50	Existing	32.07	100.00	YES
				Proposed	32.07		
	R2	Bedroom	25.13	Existing	7.95	100.00	YES
				Proposed	7.95		
	R3	LKD	21.62	Existing	9.42	97.00	YES
				Proposed	9.13		
	R4	LKD	32.53	Existing	23.24	81.00	YES
				Proposed	18.83		

10.156 Therefore, it is considered that the proposed development would, on balance, not adversely impact the levels of daylight experienced by the residential occupiers within this neighbouring building.

No. 9a Clerkenwell Road



Images 17 & 18: No. 9a Clerkenwell Road and window diagram from submitted D/S analysis.

10.157 The submitted report indicates that 37 out of 42 of the windows assessed at No. 9a Clerkenwell Road would meet BRE guidance for loss of daylight (less than 20% loss). The 5 windows that would experience noticeable losses are calculated to be less than 30% and are considered as minor losses. These windows serve both bedrooms and LKD areas at first and second floor levels.

10.158 In respect to NSL, 9 rooms out of the total of 37 that were assessed would not meet the typical BRE recommendations of 20% or less. Of these 9 rooms, 6 are bedrooms which are considered as 'less important' by BRE guidance. The other 3 rooms which are LKD areas would receive losses of under 30%, and are therefore considered minor in reference to BRE guidance. These transgressions that are reported in the assessment are outlined further below.

VERTICAL SKY COMPONENT (VSC)							
Floor	Room Ref.	Room Use	Window Ref		VSC	PR/EX	Meets BRE
First	R1	LKD	W1	Existing	19.68	0.70	NO
				Proposed	13.78		
	R2	Bedroom	W2	Existing	18.82	0.70	NO
				Proposed	13.22		
	R3	Bedroom	W3	Existing	17.50	0.76	NO
				Proposed	13.21		
	R4	Bedroom	W4	Existing	15.68	0.84	YES
				Proposed	13.23		
	R5	Bedroom	W5	Existing	14.37	0.91	YES
				Proposed	13.02		
	R6	LKD	W6	Existing	12.83	0.95	YES
				Proposed	12.23		
	R7	Bedroom	W7	Existing	12.24	0.97	YES
				Proposed	11.91		
	R8	Bedroom	W8	Existing	11.41	0.98	YES
				Proposed	11.19		
Second	R1	LKD	W1	Existing	24.50	0.75	NO
				Proposed	18.48		
	R2	Bedroom	W2	Existing	23.58	0.78	NO
				Proposed	18.33		
	R3	Bedroom	W3	Existing	22.62	0.83	YES
				Proposed	18.78		

	R4	Bedroom	W4	Existing	21.38	0.89	YES
				Proposed	19.07		
	R5	Bedroom	W5	Existing	20.31	0.93	YES
				Proposed	18.88		
	R6	LKD	W6	Existing	18.42	0.96	YES
				Proposed	17.76		
	R7	Bedroom	W7	Existing	17.53	0.98	YES
				Proposed	17.19		
	R8	Bedroom	W8	Existing	16.29	0.99	YES
				Proposed	16.08		
Third	R1	LKD	W1	Existing	27.89	0.88	YES
				Proposed	24.68		
	R2	Bedroom	W2	Existing	27.55	0.91	YES
				Proposed	25.17		
	R3	Bedroom	W3	Existing	27.43	0.94	YES
				Proposed	25.82		
	R4	Bedroom	W4	Existing	27.03	0.96	YES
				Proposed	26.01		
	R5	Bedroom	W5	Existing	26.37	0.97	YES
				Proposed	25.56		
	R6	LKD	W6	Existing	24.78	0.98	YES
				Proposed	24.22		
	R7	Bedroom	W7	Existing	23.45	0.99	YES
				Proposed	23.11		
	R8	Bedroom	W8	Existing	21.77	0.99	YES
				Proposed	21.52		

NO SKY LINE (NSL)

Floor	Room Ref.	Room Use	Room area m2		NSL	PR/EX %	Meets BRE
First	R1	LKD	27.22	Existing	11.59	79.00	NO
				Proposed	9.13		
	R2	Bedroom	10.80	Existing	7.02	62.00	NO
				Proposed	4.36		
	R3	Bedroom	11.51	Existing	6.50	57.00	NO
				Proposed	3.70		
	R4	Bedroom	12.61	Existing	5.12	75.00	NO
				Proposed	3.85		
	R5	Bedroom	10.87	Existing	5.02	74.00	NO
				Proposed	3.73		
	R6	LKD	22.61	Existing	5.13	93.00	YES
				Proposed	4.78		
	R7	Bedroom	11.08	Existing	2.97	100.00	YES
				Proposed	2.97		
	R8	Bedroom	12.98	Existing	3.06	100.00	YES
				Proposed	3.06		
Second	R1	LKD	27.22	Existing	16.12	71.00	NO
				Proposed	11.39		
	R2	Bedroom	10.80	Existing	8.87	69.00	NO
				Proposed	6.15		
	R3	Bedroom	11.51	Existing	7.78	77.00	NO
				Proposed	5.99		
	R4	Bedroom	12.61	Existing	6.92	96.00	YES
				Proposed	6.67		
	R5	Bedroom	10.87	Existing	7.20	92.00	YES
				Proposed	6.61		
	R6	LKD	22.61	Existing	8.44	100.00	YES
				Proposed	8.43		
	R7	Bedroom	11.08	Existing	5.27	100.00	YES

				Proposed	5.27		
	R8	Bedroom	12.98	Existing	5.41	100.00	YES
				Proposed	5.41		
Third	R1	LKD	27.22	Existing	19.54	71.00	NO
				Proposed	15.01		
	R2	Bedroom	10.80	Existing	10.28	89.00	YES
				Proposed	9.17		
	R3	Bedroom	11.51	Existing	9.41	94.00	YES
				Proposed	8.84		
	R4	Bedroom	12.61	Existing	11.15	100.00	YES
				Proposed	11.14		
	R5	Bedroom	10.87	Existing	10.30	98.00	YES
				Proposed	10.08		
	R6	LKD	22.61	Existing	19.81	100.00	YES
				Proposed	19.81		
	R7	Bedroom	11.08	Existing	9.67	100.00	YES
				Proposed	9.67		
	R8	Bedroom	12.98	Existing	11.72	100.00	YES
				Proposed	11.27		

10.159 On balance, taking into account that the rooms that would experience a greater loss of NSL are rooms deemed by BRE as less sensitive for consideration, and the living, kitchen and dining areas would experience losses of under 30% (minor), it is considered that the resulting impact to daylight in terms of NSL is acceptable. In respect to VSC, the 3 windows which would experience losses of above 20% are considered minor losses (between 20-29.99%). Retained levels of VSC with complying losses are actually lower than these reductions meaning overall the degree of light experienced after the development in place would be commensurate with surrounding properties. Taking these figures as well as the tight relationship between the two buildings, it is considered overall that the proposed developed would not adversely impact the levels of daylight towards the residential occupiers of No. 9a Clerkenwell Road.

Impacts to Sunlight

No. 4 Charterhouse Buildings

10.160 In terms of sunlight impact, 1 of the assessed windows at second floor level (W3) would fail the BRE threshold guidance with a loss of 35% due to the overhang of the balcony it is located within; however, in the same manner as the VSC daylight analysis, when the balcony was omitted the resulting loss was considered acceptable at 19% of its former value.

No. 27 Goswell Road

10.161 The windows that look onto the development do not face 90-degrees due south and therefore do not receive direct sunlight. As such, these windows were not assessed and it is considered due to such orientation the proposal would not impact on the levels of sunlight of these neighbouring windows.

No. 9b Clerkenwell Road

10.162 It is noted that all of the windows at this neighbouring property either have no losses or losses that are 20% or less when compared to their existing value. It is further noted there are two windows that face north and therefore do not receive direct sunlight.

No. 9a Clerkenwell Road

10.163 The assessment notes that 4 windows at first floor level would receive sunlight losses that are greater than 20% with two of these losses greater than 30%. All losses would take place at first floor level across 3 bedrooms and 1 LKD area. The higher relative changes would take place within the bedrooms which the BRE guidance considers a 'less sensitive' room; however, the bedrooms

would retain a good level of winter sunlight potential retaining between 18 and 20 APSH in the proposed situation. In respect to the LKD area, the loss of sunlight would be 27% from its former value which is considered a minor loss and would retain an annual sunlight potential of 22 APSH as well as meeting BRE recommendation for winter sunlight potential with no losses.

Daylight and Sunlight Summary

- 10.164 It is noted in the BRE Guidelines and London Plan policies that a level of flexibility is required when assessing daylight and sunlight, with a consideration of the site context and circumstances. In this case, the site is located within close proximity to a number of neighbouring buildings within a close and tight proximity, representing an urban context typical of inner-city locations.
- 10.165 On balance, given the limited transgressions from the BRE Guidelines and that the proposal would introduce a desired commercial use to the site, it is considered that the proposal would be acceptable in regard to daylight and sunlight considerations in this instance.

Privacy

- 10.166 The supporting text to policy DM2.1 states at paragraph 2.14 that *'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.'*
- 10.167 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.
- 10.168 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not necessarily apply. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties.

No. 4 Charterhouse Buildings

- 10.169 The separation distance between the roof extension and the neighbouring property is approximately 7.5m. Whilst not a sufficient separation distance in isolation, it is considered that the proposed roof extension would not result in new or adverse levels of overlooking towards the rear habitable windows that face the site at this neighbouring property. This is due to the positioning and relationship of the buildings and resulting angles in conjunction with the height difference, it is considered overall, that there would not be adverse direct overlooking into this property. It is noted that there would be a sense of overlooking from the roof extension; however, it is considered unreasonable to refuse on such basis given its tight urban location where a sense or feel of overlooking exists.

No. 27 Goswell Road

- 10.170 The separation distance between the proposed roof extension and this neighbouring property is approximately 7m. The new windows that would serve the southern elevation are considered to not provide direct overlooking into the residential habitable windows of this neighbouring property given the position of the two buildings and the resulting angles. Views from the windows would mainly be towards the William Harvey Heart Centre, due south of the subject site.

No. 9A & 9b Clerkenwell Road

- 10.171 The separation distance (and the width of the street) between the application site and the neighbouring building(s) opposite is approximate 7.75m. It is considered that whilst there would be obvious views provided to the residential units opposite, they are on balance considered not adverse and would be part of a mutual overlooking already established by the building on the opposite sides of this narrow street. At roof level, the impacts of mutual overlooking are eased slightly as both the top storey of development and the top storeys of the opposite buildings are stepped back from the front building line.
- 10.172 Whilst not desirable, it is taken into account the tight nature of the street, typical of its inner-city and historic location and that the proposed use is office and therefore less intensive (in terms of overlooking) towards these occupiers in comparison to a residential use being introduced. As explained earlier in respect to No. 4 Charterhouse Buildings, there is already an established feel of overlooking given the tight urban grain. To design in attempts to prevent this would significantly impact on the appearance of the building and the quality of the space internally.

Outlook

No. 4 Charterhouse Buildings

- 10.173 The proposed roof extension is considered to not adversely impact upon the outlook from the rear windows of No. 4 Charterhouse Buildings as views of the flat roof of the first floor level of the building are still maintained as well as the fenestration improvements to the rear elevation of the building.
- 10.174 It is considered that the proposal would impact on the outlook from these residential windows obstructing the visibility of sky, however much of this impact is mitigated by the high quality nature of the materials, fenestration and green wall, subject to the further amendment / set back at first floor level.

No. 27 Goswell Road

- 10.175 Given the close proximity of the application building to this neighbouring site, which is separated by a small passageway, the development would alter the outlook from these neighbouring windows. The rear extension at first floor level is of a modest minor scale and would be at an angle from these windows such that negligible change to outlook would occur. The existing building on the site is small in comparison to its neighbours and an expectation for change is reasonable given this tight urban grain. In this regard the change to outlook is considered to result in a characteristic relationship between buildings for this location and the high quality design and materials are viewed to mitigate this change to ensure its impact is not unacceptable.. Additionally, the habitable windows would still achieve an open outlook provided by the passageway and the stepped form of the William Harvey Heart Centre.

No. 9a & 9b Clerkenwell Road

- 10.176 Due to the short separation distance and that the subject building is located immediately opposite, the outlook from these habitable windows would inevitably change.. From the first and second floor windows, it is considered that the changes to outlook would be negligible and to an extent improved due to the design changes upon the front elevation of the building. The narrow street and the buildings already create an existing sense of enclosure and it is considered that the proposed roof extension would not exacerbate that sense to an adverse level within upward views.
- 10.177 At third floor level and above, the existing outlook is of across the roof of the subject building; however, it is still part of a largely built up outlook. Whilst the proposed roof extension would alter the neighbouring outlook, it is considered on balance (given the context of the area and the stepped back top storey) that it would not be an overbearing structure nor would lead to an unacceptable sense of enclosure given the context of this site within an historic alleyway characteristic of Clerkenwell.

Mechanical Noise

10.178 Policy DM2.1 also states development should not have an adverse impact on amenity in respect to noise and disturbance.

10.179 An acoustic report was submitted to support the proposed development in terms of noise. The report concludes that the noise emitted from the proposed plant would not result in an adverse impact to nearby residential properties. The noise assessment has been reviewed by the Council's Public Protection Officer and considered to be acceptable subject to conditions to limit the noise emitted from the plant to at least 5dB(A) below the background noise levels, and for the submission of a post-installation report.

General Noise and Disturbance

10.180 Noise and disturbance are likely to be generated from the proposed construction works, as well as the commercial operations proposed under this application, including the office uses on the upper levels, and the flexible commercial uses on the ground and first floor. However the noise and disturbance generated from the future use of the development is considered to be acceptable given its mixed use location and its specific office use.

10.181 An amenity terrace is proposed at fourth floor level which is considered acceptable in general in respect to noise and disturbance given its in relationship to an office use; however to ensure that it does not impact upon neighbouring occupiers during the night-time period, a condition would be attached upon approval limiting its hours of use from 0800-1800 Monday to Fridays. All other roof spaces are to be conditioned to not be accessible (except for maintenance purposes).

Hours of Operation

10.182 In respect to hours of use, whilst the proposed office use is welcomed in the area given its land use designations as discussed earlier, it is considered in this instance given it is located within an overall dense mixed use urban area, and the nature of its use, hours of use are not required.

Light Pollution

10.183 The site has been established as a commercial/community building since its inception. The proposal would not alter the commercial nature of the site; however, the proposal raises the possibility of night time light pollution occurring, should office staff need to work outside normal office hours; due to the proposed intensification of commercial use on the site, the cumulative impact is likely to be greater than existing and therefore, it is considered that adequate measures would need to be in place to mitigate any adverse light pollution impact.

10.184 To address this, condition 9 is recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors.

10.185 It is considered that these conditions would ensure the extent of light being used within the building is reduced and help minimise any impact on neighbouring properties, and address any light pollution concerns.

Construction Impacts

10.186 The construction works proposed under this application would unavoidably cause some degree of noise and disruption which would affect neighbouring residents.

10.187 The Public Protection Officer recommended that a Construction and Environmental Management Plan be submitted to and approved by the Council prior to the commencement of development. The plan shall include details including methods of demolition, quiet periods and noise mitigation, in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. It is worth noting that outside planning control there are further

controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

10.188 The transportation and highways impact during the construction stage is further discussed in the Highways and Transport section below.

Neighbouring Amenity Summary

10.189 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity, except the adverse impact identified in daylight/sunlight terms. The level of harm caused by the daylight/sunlight impact is discussed in the planning balance assessment below.

BIODIVERSITY, LANDSCAPING AND TREES

10.190 Policy G1 states that development proposals should incorporate appropriate elements of green infrastructures that are integrated into London's wider green infrastructure network. Policy G5 further states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

10.191 Policy CS15 of the Islington Core Strategy and policy DM6.5 of the Islington Development Management Policies reads that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.

10.192 The site and existing building has no green coverage or soft landscaping, and therefore, it is considered that the proposal would not adversely affect the existing natural environment.

10.193 The applicant has proposed a green roof and wall in support as part of the overall development. Green roofs and walls are proposed to the rear of the building to provide additional green coverage, which is welcomed by officers.

10.194 The proposed green roofs would enhance the biodiversity and ecological value of the site, which it currently offers very little. Upon approval, a condition would be attached to ensure details of the green roof and wall are agreed in writing to ensure they adequately promote and enhance the biodiversity of the site.

ENERGY AND SUSTAINABILITY

10.195 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 148, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

10.196 The NPPF para 153 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

10.197 London Plan policy GG6 seeks to make London to become a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050.

Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.

10.198 Policy SI 2, in support of the strategic objectives set out in Policy GG6 above, 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. It requires all major 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.

10.199 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:

- connect to local existing or planned heat networks
- use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
- use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
- use ultra-low NOx gas boilers

10.200 Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.

10.201 Policy SI 4 (Managing Heat Risk) of the 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.; The submitted energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.

10.202 Policy CS10 of the Islington Core Strategy requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO2 emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO2 emissions should be offset through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.203 Policy DM7.1 of the Islington Development Management Policies requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.

10.204 The applicant has submitted and Energy and Sustainability Report prepared by Environmental Engineering Partnership (EEP) dated April 2021.

Carbon Emissions

10.205 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.

10.206 At local level, the council requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible.

10.207 The initial submission indicates that the development would achieve an overall reduction of 46.4% of emissions, which surpasses the council's target. On review by the Council's Energy Officer, this is confirmed as a reduction of 3.57% for SAP2021 and 7.69% reduction for SAP10.

10.208 As part the proposed development, where possible (given it is an existing building), the building fabric and services would be designed to reduce the building's carbon dioxide emissions and energy consumption. These measures include: fabric insulation and glazing specification; lighting efficiency and controls, efficient mechanical series design strategy; air source heat pump; and the installation of energy meters.

Zero Carbon Policy

10.209 As noted earlier, policy SI 2 of the London Plan stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.

10.210 The Council's Environmental Design SPD states that "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.

10.211 The offset contribution of £38,765 has been confirmed by the Council's Energy Officer.

BE LEAN- Reduce Energy Demand

10.212 Part A of policy DM7.1 states "*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*" It further states that "*developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy*".

10.213 The proposed U-values for the development are proposed U-values for the development are:

- Walls= 0.26
- Roof= 0.18
- Ground Floor= 1.10
- Windows= 1.5

10.214 Lighting efficiency and controls would be achieved through the use of low energy LED light fittings which would replace the existing tungsten and fluorescent fittings. The statement notes that lighting can account for as much as a quarter of the building's total energy consumption and can be reduced by 75%.

Overheating and Cooling

10.215 Part A of policy DM7.5 of the Islington Development Management Policies requires developments to demonstrate that the proposed design has maximised passive design measures to control heat

gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.

10.216 The submitted energy and sustainability statement provides some discussion of the cooling hierarchy. The statement comments that as the building is an existing construction with its orientation, fenestration and thermal mass are largely pre-determined factors and therefore pose difficulties to improve. However, measures in order to address cooling are new glazing with improved G-values, exposure of the existing soffits, energy efficient LED lighting and lighting controls. Cross-ventilation would be provided through the use of operable windows which would be of natural means. The proposed mechanical ventilation would only be directed to areas that can't be served by natural ventilation.

BE CLEAN- Low Carbon Energy Supply

10.217 In respect to energy (heating and cooling) supply, it is proposed that such would be provided by an air source heat pump.

10.218 Part C of policy DM7.3 of the Islington Development Management Policies states "*major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.*"

10.219 The submitted statement locates the closest heat network which is Bunhill located to the north of the site. Whilst the Bunhill heat network does not extend to Charterhouse Buildings, the proposed development has allocated space at lower ground floor level to allow for future connection should it be extended or a new heat network formed nearby. A feasibility study to demonstrate this further (if it is reasonably possible) is proposed to be secured within the associated S106 legal agreement.

10.220 The development could also have the potential to be serviced from local secondary heat sources such as recovery of waste heat from Barbican Underground Station and heat pumps to fan coil units located within the offices.

Shared Energy Networks

10.221 Part D of policy DM7.4 states "*Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.*"

10.222 The Energy Statement makes no reference to shared heat networks. It has been confirmed by the Energy Officer there are no opportunities for a shared energy network within the immediate vicinity.

CHP/CCHP or Alternative Low Carbon On Site Plant

10.223 In accordance with the London Plan hierarchy, where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).

10.224 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly

heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes.”

10.225 On-site CHP was discounted in the assessment due to concerns over emissions, air quality, and noise and disturbance from deliveries. There would also need to be space on site to create a fuel store. This is accepted by the Energy Officer on the ground of low heat loads as well as the Greater London Authority’s (GLA) position on CHP.

BE GREEN- Renewable Energy Supply

10.226 The Mayor’s SD&C and SPD reads *“although the final element of the Mayor’s energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.”*

10.227 The Council’s Environmental Design SPD (page 12) states “use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.”

10.228 A variety of technologies were assessed in order to determine if they would be suitable for the site and proposed development. The use of solar receptors and photovoltaic panels were discounted given the development would be surrounded by taller buildings, making such technology inefficient at this location. Wind turbines are considered to not be generally suitable for built up urban areas as well as issues of noise to neighbouring residents and the lack of roof space to accommodate such.

10.229 Ground source heat pumps were also considered within the statement to not be feasible given the lack of ground space at the site; however air source heat pumps were concluded to be suitable for the site as they can be accommodated and were found to provide substantial energy savings.

10.230 The above investigations and discussions are accepted by the Energy Officer.

BREEAM- Sustainable Design Standards

10.231 Part A of policy DM7.4 of the Islington Development Management Policies states *“Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding.”*

10.232 The Council’s Environmental Design Guide states *“Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification”.*

10.233 A condition is recommended to secure details of how the proposed development would achieve an BREEAM ‘Excellent’ rating.

Draft Green Performance Plan

10.234 Policy DM7.1 of the Islington Development Management Policies and the Environmental Design SPD (8.0.12 – 8.0.18) states “applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy.” The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.

10.235 A draft Green Performance Plan has not been submitted as part of the application. This is proposed to be secured within the S106 legal agreement.

Circular Economy

10.236 Policy SI 7 of the London Plan 2021 states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular

economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.

10.237 Emerging policy S10 of the Islington Local Plan states that all developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible to minimise construction waste.

10.238 The proposal comprises of substantial building works, including the alterations to the existing building as well as the new roof level and rear extensions. It is required to demonstrate that materials extracted from demolition can be re-used where possible, and that the building will adapt to change over its lifetime. The development also needs to minimise the environmental impact of materials through the use of sustainably sourced, low impact and recycled materials. These details were not submitted with the application, therefore, it is recommended that a green procurement plan is secured as part of the legal agreement.

Sustainable Drainage

10.239 Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.

10.240 Policy CS10 of the Islington Core Strategy requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. Policy DM6.6 of the Islington Development Management Policies is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.

10.241 The proposal would also need to demonstrate achieving all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required. This is recommended to be secured by condition 16.

HIGHWAYS AND TRANSPORT

10.242 Paragraph 108 of the NPPF states that applications should ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Development proposals should also ensure that any significant impacts from the development on the transport network or on highway safety, can be cost effectively mitigated to an acceptable degree.

10.243 Policy T4 of the London Plan 2021 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of this policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

10.244 Policy DM8.1 of the Islington Development Management Policies states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.

10.245 The site has excellent access to public transport and the Public Transport Accessibility Level is 6B. Bus routes which serve the site are 4, 55, 56 153, and 243. The site is also a five minute walk from: Barbican Underground Station which is served by the Circle, Hammersmith & City and Metropolitan lines; a ten-minute walk from Farringdon Station which is served by the same Underground routes as well as well as Thameslink services; and a ten-minute walk from Old Street Station which is also served by the Northern Line and National Rail services.

Proposal

10.246 The access of the building is from the narrow street of Charterhouse Buildings with no vehicle entrance to the site. The development is proposed to be car-free, with no vehicle parking proposed on-site.

10.247 In regards to disabled parking, the proposal would rely on the existing resident parking bays, short stay bays and designated disabled parking bays within the vicinity, in which blue badge holders would be able to use without charge or restriction.

10.248 In terms of cycle parking, it is proposed to provide 19 on-site cycle parking spaces internally at lower ground floor level with separate access from Charterhouse Buildings.

Vehicle Parking

10.249 No vehicle parking is proposed on-site which is considered acceptable and in accordance with policy CS10 of the Islington Core Strategy and policy DM8.5 of the Islington Development Management Policies. These policies require development to be car free.

10.250 The site has a PTAL rating of 6b, which indicates that the site benefits from excellent public transport provision. The site is in close proximity to the crossroads of multiple thoroughfares within the south of the borough and there are street parking spaces within close proximity to the site on Charterhouse Buildings; however, based on the scale and nature of the proposed development, it is considered that the proposed commercial development is unlikely to generate an unacceptable level of vehicle trips to the site to adversely affect the local highways network.

10.251 In regard to disabled parking, there is no disabled parking proposed on site, however, it is anticipated that the need for disabled parking provision would increase as a result of the development. In accordance with Policy DM8.5 and the guidance with the Planning Obligation SPD, a financial contribution of £6,000 is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the S106 legal agreement.

Cycling

10.252 In terms of cycling, policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

10.253 The proposed cycle parking facility would be located at lower ground floor level and would provide 19 spaces. Although the amount of cycle parking proposed is considered acceptable, further details are required to demonstrate that such facilities would be fully accessible. These details would be secured by condition upon approval.

10.254 There is no short stay cycle storage proposed for visitors, as the front of the site is not under the ownership of the applicant. As per the requirement under Policy T5, 3 short stay cycle stands are required to meet the expected demand following the development. It was confirmed that the cost of providing 3 short stay stands would be £2,250 (£750 per stand) which includes the design, consultation, approvals and implementation of the stands by the Traffic and Parking Team and would be secured by S106 legal agreement.

10.255 The applicant has committed to the above required financial contribution and therefore, overall, the proposal would provide an acceptable level of cycle facilities to support the development and to

encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, and IDMP Policy DM8.4.

Servicing and Waste Management

- 10.256 Part A of policy DM8.6 (Delivery and Servicing for New Developments) states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that onsite provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.
- 10.257 The site is accessed from the narrow street which leads off Clerkenwell Road adjacent to the crossroads of main thoroughfares within the south of the borough. Vehicles enter the street and would reverse back up the narrow street whilst smaller vehicles may be able to turn if there are no other vehicles on the street. There is a single yellow line throughout Charterhouse Buildings. The site falls within Zone C of Islington's Controlled Parking Zone (CPZ) which operates at all times between Monday – Saturday and from 00:00 – 06:00 on Sundays. Loading and unloading is permitted on yellow lines for up to 40 minutes during the hours of control.
- 10.258 Servicing details were provided within the submitted Design and Access Statement to demonstrate the proposed servicing arrangements and how waste would be managed on site. The Design and Access Statement notes that off-street servicing arrangements would not be achievable given the tight nature of the site and street and that there is adequate space at the frontage of the site for service and refuse vehicles to service the development, with direct access to the refuse and recycling store available from the street. Therefore, waste collection distance is less than 10m as required by the Council's Refuse and Recycling Storage Requirements.
- 10.259 In terms of refuse and recycling, officers have had regard to the council's refuse and recycling storage requirements, and considers that the site would require 2.6 cubic metres per 1000sqm of waste storage in which at least 50% should be allocated for recycling. The Design and Access Statement indicates that the proposed refuse storage have a provision of 18.67 cubic metres. Waste and recycling would be transported via the lift or cycle parking staircase in preparation for refuse collection which on balance is considered acceptable given the constraints of the site.
- 10.260 Based on the submission, officers considered that further information is required in relation to the storage capacity and frequency of the refuse collection. Therefore, it is recommended that final details of refuse storage to be submitted and agreed by the council prior to the occupation of the development, on how waste would be managed on site. This is secured under condition 14.

Construction Impacts

- 10.261 The proposed construction works would inevitably have some impact to the local area during the construction period. As such, a final version would need to be submitted and agreed by the Council prior to any construction work commencing on site; this is echoed by the Council's Public Protection Team who also recommended submission of a final version of a CEMP.
- 10.262 A full Construction and Environmental Management Plan should outline measures for the routing, accommodation, loading and unloading of construction vehicles during the entirety of the construction phase. A construction programme should also be provided within the CEMP once a contractor has been appointed. This will set out indicative timescales for each phase of construction. This is secured by condition upon approval, to ensure that the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbouring amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.263 The Council's Highways Team has recommended that the applicant would need to cover any cost to repair any damages to the public footway/carriageway caused by the development. This would be secured under section 106 agreement with a figure confirmed.

10.264 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £1,500 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways Summary

10.265 Overall, it is considered that the application would have adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, subject to minor amendments, updates or off-site provision to be secured by conditions and legal agreement. The proposal would be then be acceptable and would comply with policies T5 and T6 of the London Plan 2021, policies CS10, CS11 and CS13 of the Islington Core Strategy 2011; and DM8.2, DM8.4, DM8.5 and DM8.6 of the Islington Development Management Policies 2013.

SAFETY AND SECURITY

10.266 The surrounding area is mixed with commercial and residential uses, and the site has access points from the rear. To ensure that the proposed building would be secure and meet the relevant crime prevention objectives, it is recommended that the scheme meets Secured By Design accreditation.

10.267 The proposed building was designed with no recessed entrance which is welcomed in terms of safety and prevention of anti-social behaviour. The proposed intensified commercial use is also likely to provide a greater level of passive surveillance to the street during evening hours. It is recommended that lighting be utilised with CCTV and entrance doors to the building should be appropriately located and meet the relevant SBD guidance. These measures would be secured by condition.

FIRE SAFETY

10.268 Policy D12 of the London Plan 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. Such statements should contain: the building's construction; means of escape for all building users; features that reduce the risk to life; access for fire service personnel and equipment; provision for fire appliances; and future modifications to the building.

10.269 The applicant has submitted a Fire Statement prepared by Hydrock dated November 2021. The Fire Statement details that the building construction will contain materials for both the interior and exterior that comply with the latest regulations in terms of fire (e.g.- Euro Class B-s3, d2, A2-s3, d2, A1). The statement also outlines the durable quality of materials used based on its distance from the boundary. The statement notes that given the occupancy of the building, two fire escape routes should be proposed, including the sole lift of the building to be an evacuation lift (also in line with Inclusive Design considerations detailed earlier in this report). All evacuation strategies are the responsibly of the occupier/premises management and not of the relevant fire service. The development is classified as a risk profile of A2.

10.270 The statement notes that as the building would be more than 11m above access level as a result of the development, a secondary stair for means of escape should be introduced in line with the relevant building regulations. The statement also notes, however, that the introduction of such would take up a considerable amount of the useable office floorspace and a 'fire engineered justification' for the single staircase should be pursued in this instance. Following review by the Council's Building Control Officer, the core has been redesigned to provide a firefighting shaft as an engineered solution as an alternative to a second stair. Additional riser space has also been proposed to accommodate a ventilation shaft and dry riser.

10.271 An assembly point has been detailed to be located outside Nos. 1-5 Clerkenwell Road. Internally, provisions to reduce risk include: fire detection and alarm systems; indicating equipment and

controls; first aid fire-fighting; emergency signage; emergency lighting; emergency power supplies; and smoke control systems including stair and refuse store ventilation. Also internally, the building will be compartmentalised (with the inclusion of cavity barriers) to resist spreading fire and/or smoke should it occur.

10.272 A fire hydrant is to be provided at the north eastern corner of the main junction at the north of Charterhouse Buildings with a dry fire main located within the lobby enclosure of the building within the required 18m accessibility distance. The statement also details fire tender access and clearances the narrow street can provide and concludes the local highway infrastructure around the site can accommodate most fire service vehicles.

10.273 As noted above, the submitted Fire Statement was reviewed by the Council's Building Control Officer who outlined points for the applicant to clarify and submit further details. The further clarification related to the use of cavity barriers; the installation a dry riser within the development; future modifications; confirmation of approach and entrance for the firefighting shaft; communications within refuse locations; and clearance spaces.

10.274 It is noted that the author of the submitted Fire Statement is a qualified persons with expertise in fire safety and engineered solutions, and as such, the applicant has considered the fire safety of the development as part of the overall scheme. A condition is recommended (condition 12) requiring an updated Fire Statement to be submitted in the event that there are any changes to the.

PLANNING OBLIGATIONS AND CIL

10.275 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.276 Islington's CIL Regulation 123 infrastructure list specifically excludes 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 S106 agreement.

10.277 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy 2011 states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. As mentioned in the previous section in the report, the proposed development would be subject to S106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

10.278 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 to be secured by a S106 agreement.

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway (total to be confirmed by LBI 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;

- Provision of 182sqm small / micro workspace units at lower ground floor level which includes-
 - o a basic, but good quality fit-out, which incorporates servicing to all areas of workspace;
 - o flexible internal arrangements that permit a number of different internal work areas to be accessed from shared spaces;
 - o good standards of internal sound insulation;
 - o a range of shared spaces and facilities, such as communal breakout space, kitchen areas, bike storage and goods lifts; and external space reserved for loading/unloading
 - o demonstrate likely lease terms for target sectors, and where appropriate make provision for short-term, flexible 'all-in' or 'meanwhile' leases, and/or letting space on a per-desk rather than per-square-foot basis.
- Financial contribution of £57,920 for the provision of off-site affordable housing elsewhere in the borough as part of the mixed use CAZ policy
- Compliance with the Council's Code of Local Procurement
- Carbon offsetting contribution- £38,765.
- Future connection safeguarded / secured (Energy network) (as covered within the submitted energy statement)
- Code of construction monitoring fee £1500
- 1x construction placements or employment/training contribution of £5,000.
- Cycle parking contribution (off-site) £2,250
- Employment and training contribution of £18,463 for job prospects
- Accessible transport contribution £6,000
- Green performance plan
- Associated legal fees

PLANNING BALANCE ASSESSMENT

10.279 Paragraph 47 of the NPPF dictates that *“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”*.

10.280 The proposed development is considered acceptable in principle and in land use terms, the scheme is considered to be compliant with the London Plan policy SD5 and E1, Islington Core Strategy CS13, Islington Development Management Policies DM5.1 and Finsbury Local Plan policies BC3 and BC8, which promote commercial developments within this section of Old Street and CAZ subject to the acceptability of other material considerations. The proposal includes on-site provision of affordable workspace and an off-site contribution of £66,240 towards affordable housing provision which accords with policy E3 of the London Plan 2021, DM5.4 of the Islington Development Management Policies 2013 and policy BC8 of the Finsbury Local Plan 2013.

10.281 The scheme would also comply with policies relating to design, conservation, heritage, energy, sustainability, accessibility and transportation.

10.282 There is a degree of conflict with policies relating to amenity (policy DM2.1) and specifically in relation to daylight/sunlight impacts. This has been carefully examined and while some of the adverse daylight/sunlight impact is considered to be material and would therefore weigh against the scheme, regard is given to the site's urban context and its physical constraints. It is considered that the level of harm to neighbouring amenity would not be significant to justify a warrant of refusal of planning permission on this ground.

10.283 It should be recognised that the scheme also involves benefits which should be afforded weight. These have been discussed throughout the report, and include:

- Uplift in commercial office floorspace (1433sqm GIA) within the CAZ, refurbishment of the existing office building and a greater degree of active frontage on Charterhouse Buildings;
- Increase in employment at the site, as well as the relevant jobs and training contributions;
- Enhancement to the appearance of the facades of the building;
- Provision of small / micro workspaces and floorplates suitable for occupation by medium enterprises to cater for diverse business needs / demands;
- Provision of off-site affordable housing contribution to support the Council's New Build Housing programme developed to help tackle housing need.
- Improvements to the energy efficiency of the operation of the building and reuse of structural elements of the existing building in its redevelopment as well as contributions to bring the development to a net zero carbon state.

11. CONCLUSION

11.1 It is recommended that planning permission is granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 - **RECOMMENDATIONS**.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway (total to be confirmed by LBI 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;
- Provision of affordable workspace by way of an on-site SME unit(s) at lower ground floor level
- Financial contribution of £57,920 towards the provision of off-site affordable housing elsewhere within the borough
- Compliance with the Council's Code of Local Procurement
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000
- Employment and training contribution of £18,463 to improve the prospects of local people accessing new jobs created in the proposed development
- Compliance with the Code of Employment and Training
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £1,500 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 2 accessible parking bays or a contribution of £6,000 towards accessible transport measures.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount is £36,765.
- Feasibility and 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.

- Financial contribution of £2,250 towards provision of 3no. short stay cycle parking stands within the vicinity of the area
- Submission of, and compliance with, a Green Performance Plan
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>071-TWA-XX-XX-DR-AX: 00005; 00010; 01000; 07000; 11000B; 11010A; 17000B.</p> <p>Planning Statement by Icení dated May 2021; Design and Access Statement by Thirdway Architecture dated 04/2021; Letter from Society of Genealogists dated 06/10/2020; Marketing Letter by Metrus; Marketing Letter by Cummings Commercial dated 05/05/2021; Daylight & Sunlight Report (Version 1) by Development & Light Consultancy dated 04/2021; Environmental Noise Survey and Plant Assessment by Paragon Acoustics dated 30/03/2021 (Ref: 4793_MPA_0); Energy and Sustainability Statement by Environmental Engineering Partnership dated 04/2021 (Ref: 4023 Rev D).</p> <p>Email between L Westhoff and S Benmbarek (in respect to Building Control and Fire Safety) dated 22/12/2021; Email between L Westhoff and S Benmbarek (in respect to Building Control and Fire Safety) dated 11/01/2022; Email form L Westhoff (in respect to Energy) dated 13/01/2022.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details)
	<p>CONDITION: Notwithstanding the approved drawings, 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> <p>a) Fenestration details of the roof extension and leading to the roof terrace b) Details of roof terrace boundary treatment including position on plan c) Details of plant and lift overruns treatment of window openings (including sections and reveals), details of windows;</p>

	<p>d) Details of all external facing materials to be used (including the pale stone, brushed concrete, corten steel, glazing framing).</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 securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Construction Method Statement
	<p>CONDITION: No development (including demolition works) shall take place on site unless and until a Construction Method Statement has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> i. the parking of vehicles of site operatives and visitors ii. loading and unloading of plant and materials iii. storage of plant and materials used in constructing the development iv. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate v. wheel washing facilities vi. measures to control the emission of dust and dirt during construction vii. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not adversely impact on neighbouring residential amenity due to its construction and operation.</p>
5	Cycle Parking (Details)
	<p>CONDITION: Details of the 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 the 19 (nineteen) cycle spaces proposed.</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>
6	Noise Levels (Compliance)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
7	Post-Installation Report (Details)
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 6 . The report shall include site measurements of the</p>

	<p>plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure the protection of neighbouring amenity in terms of noise and vibration.</p>
8	Roof Terrace Hours of Use (Compliance)
	<p>CONDITION: The roof terrace hereby approved shall not operate outside the hours of: 0800 to 1800 hours Monday to Friday.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.</p>
9	INTERNAL LIGHTING (DETAILS)
	<p>CONDITION: Details of measures to adequately mitigate light pollution from any areas of glazing within roof extension hereby approved the approved roof extension shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development.</p> <p>These measures could include (but are not limited to):</p> <ul style="list-style-type: none"> - Lighting strategies that reduce the output of luminaires closer to the facades; - Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter into perpetuity.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
11	Class E Restrictions (Compliance)
	<p>CONDITION: The development hereby approved shall only be used as the following uses within Use Class E of the Town and Country Planning (Use Classes) Regulations 2020, as amended for duration that this is in force.</p> <ul style="list-style-type: none"> - E(c) (i, ii, iii) - E (g) (i, ii, iii) <p>REASON: To ensure the office, business and employment floorspace within the Central Activities Zone is not reduced in the future.</p>
12	Fire Safety Strategy (Details/Compliance)
	<p>CONDITION: The details and measures set out in the Fire Statement by Hydrock dated 25/11/2021, Email between L Westhoff and S Benmbarek (in respect to Building Control and Fire Safety) dated 22/12/2021; Email between L Westhoff and S Benmbarek (in respect to Building Control and Fire Safety) dated 11/01/2022 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) be required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Statement 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 that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12</p>
13	Green Wall (Details)

	<p>CONDITION: Notwithstanding the approved plans, details of the proposed green wall(s) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development hereby approved.</p> <p>The green wall(s) shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
14	Refuse and Recycling (Details)
	<p>CONDITION: 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> <p>a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s); b) a waste management plan</p> <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>
15	Secured by Design (Compliance)
	<p>CONDITION: Notwithstanding the approved plans and documents, prior to superstructure works commencing of the development hereby approved, the development shall achieve Secured by Design - Commercial Development accreditation. The development shall be carried out strictly in accordance with the details set out in the accreditation and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
16	BREEAM (Details)
	<p>CONDITION: The development hereby permitted shall not be occupied until evidence that the development is registered with a BREEAM certification body and a pre-assessment report (or design stage certificate with interim rating if available) has been submitted indicating that all business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than "Excellent".</p> <p>The proposal would also need to demonstrate how they will achieve all BREEAM credits for water efficiency. Rainwater recycling should be considered in order to achieve this. If rainwater recycling is considered not to be possible then further evidence to support this will be required.</p> <p>No building shall be occupied until a final Certificate has been issued certifying that the highest feasible BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued.</p> <p>REASON: To ensure that the development achieves the highest feasible BREEAM rating level to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p>

17	Restriction of PD Rights- Class E to residential (Compliance)
	<p>Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without obtaining the express planning permission from the Local Planning Authority.</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 and commercial floorspace in this location. Loss of commercial floorspace within this location will have potential negative impacts on the borough's economy. This is also in order to protect the strategic functioning of the CAZ and in particular in this location, in accordance with policy objectives set out within the Finsbury Local Plan policies BC3 and BC8.</p>
18	Inclusive Design (Compliance)
	<p>CONDITION: The development hereby approved shall be implemented with the following:</p> <ul style="list-style-type: none"> - Opening weight of doors of under 30N or else power assisted; - Entry phones to be installed within reach of wheelchair users; - The sole lift shall be an evacuation lift with separate power supply and provision of fire protection; and - Accessible WCs shall be provided with an outward opening door. <p>REASON: To provide an accessible environment for future occupiers.</p>
19	No Obscure Glazing or Vinyl Graphics (Compliance)
	<p>CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the front elevation.</p> <p>REASON: To ensure that the approved elevation would provide clear views onto the street from inside, and to ensure the building would provide an active frontage and natural surveillance to the area</p>

List of Informatives:

1	Construction Works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
2	Highway Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing. 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</p>

	<p>maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. 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.</p>
3	<p>Community Infrastructure Levy (CIL)</p>
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</p>

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 2021 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.

- National Planning Policy Framework 2021
- National Planning Practice Guidance (on-line and regularly updated)

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 – The Spatial Development Strategy for Greater London

- Policy GC2- Making the best use of land
- Policy SD4- The Central Activities Zone (CAZ)
- Policy D1- London's form, character and capacity for growth
- Policy D4- Delivering good design
- Policy D5- Inclusive design
- Policy D14- Noise
- Policy E1- Offices
- Policy E2- Providing suitable business space
- Policy HC1- Heritage conservation and growth
- Policy SI 2- Minimising greenhouse gas emission

B) Islington Core Strategy 2011

- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste
- Policy CS13 Employment spaces
- Policy CS18 Delivery and infrastructure

C) Islington Development Management Policies 2013

Design and Heritage

- Policy DM2.1- Design
- Policy DM2.2- Inclusive Design
- Policy DM2.3- Heritage

Employment

- Policy DM5.1- New business floorspace
- Policy DM5.4- Size and affordability of floorspace

Energy and Environmental standards

- Policy DM7.1- Sustainable design and construction
- Policy DM7.2- Energy efficiency and carbon reduction in minor schemes

Transport

- Policy DM8.4- Walking and cycling
- Policy DM8.5- Vehicle parking

D) Finsbury Local Plan 2013

- Policy BC8- Achieving a balanced mix of uses
- Policy BC10- Implementation

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London 2016
- Character and Context 2014
- Sustainable Design and Construction 2014

Islington SPG/SPD

- Urban Design Guide 2019
- Conservation Area Design Guidelines 2002
- Environmental Design 2012
- Inclusive Design SPD