



# ISLINGTON

Development Management Service  
Planning and Development Division  
Community Wealth Building

## PLANNING COMMITTEE REPORT

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM NO:</b>	<b>B5</b>
<b>Date:</b>	22 February 2022	<b>NON-EXEMPT</b>	

Application number	P2021/1545/FUL & P2021/1553/LBC
Application type	Full Planning Application & Listed Building Consent
Ward	Clerkenwell
Listed Building	Grade II
Conservation area	New River
Development Plan Context	Central Activity Zone Local Landmarks: Engine and Pump House, New River Head Local view from Archway Road, Archway Bridge & Amwell Street Within 50m of a Conservation Area - Rosebery Avenue Article 4 Direction A1-A2 Article 4 Direction B1(c) to C3 Trees - LBI TPO (no.369)
Licensing Implications	None
Site Address	New River Head, Land Rear Of 28 Amwell Street, Amwell Street, London, EC1R 1XU
Proposal	Change of use and conversion of Grade II listed buildings known as the Engine House, Boiler House, Coal Store and Windmill Base from Class E (Commercial, Business and Service) to Class F1 (Learning and Non-Residential Institution) for gallery, exhibition and education use with ancillary shop, cafe and office uses. Occasional use as an events venue for private hire. Partial demolition of North Stores and single and two storey extension in two locations at eastern and western end. Construction of foyer link between North Stores and main buildings. Provision of cohesive landscaping scheme and associated public realm enhancements and creation of permissive pedestrian route through the Site. Reconfiguration of new vehicular and pedestrian access into the site from Amwell Street. Pedestrian and servicing access to the Site will be provided from Myddelton Passage. (Listed building consent also submitted ref: P2021/1553/LBC).

Case Officer	Owen Griffiths
Applicant	House of Illustration
Agent	Montagu Evans – Anna Manley

## 1. RECOMENDATION

The Committee is asked to resolve to **GRANT** planning permission and listed building consent:

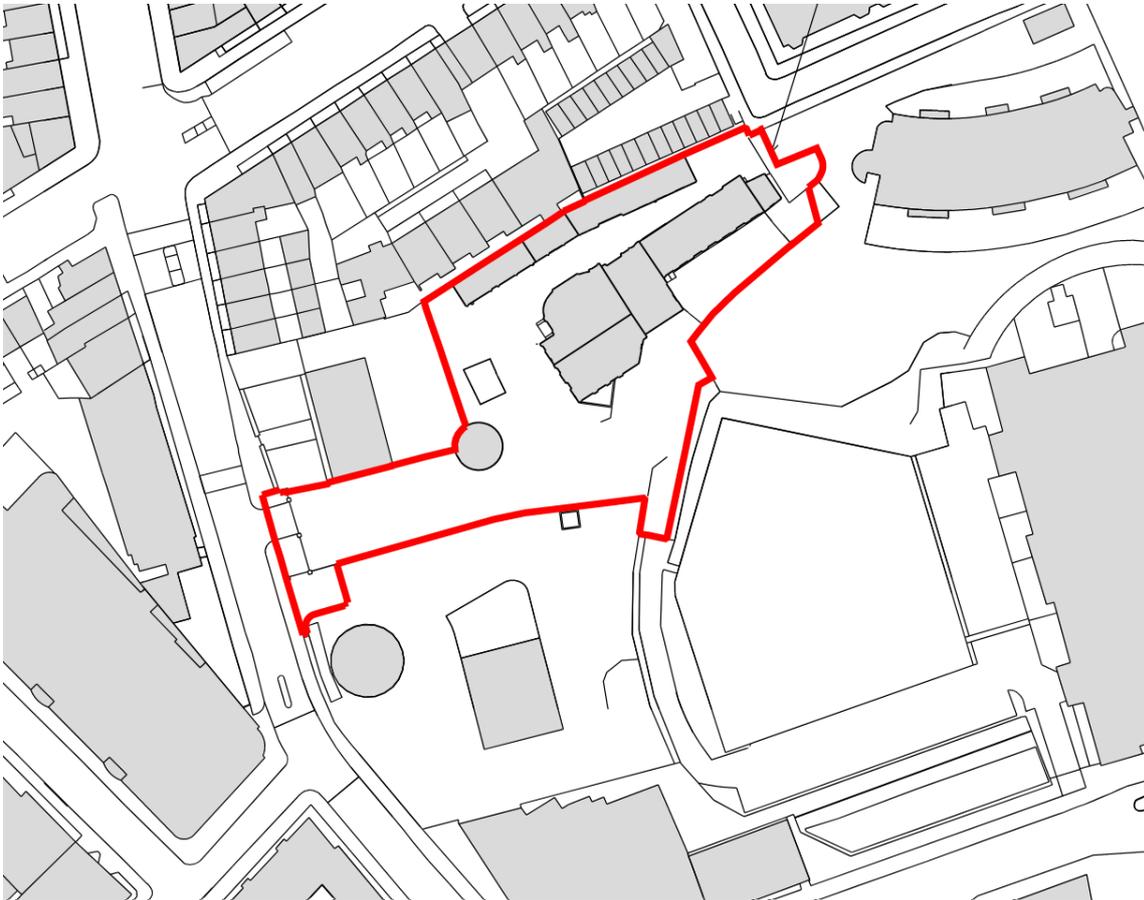
The planning permission to be:

1. subject to the conditions set out in Appendix 1 (Recommendation B); and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).

The listed building consent to be:

3. subject to the conditions set out in Appendix 1 (Recommendation C).

## 2. SITE PLAN (site area outlined in red)



**Image 1:** Location Plan

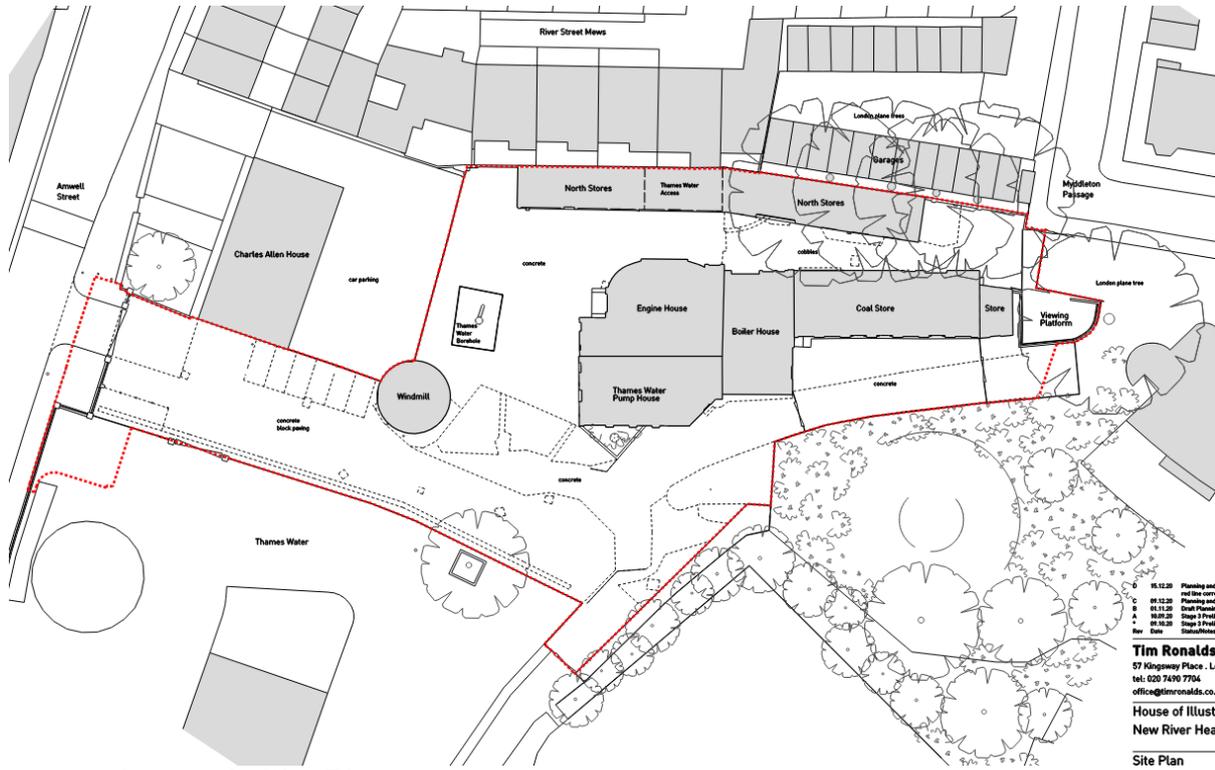


Image 2: Site Plan

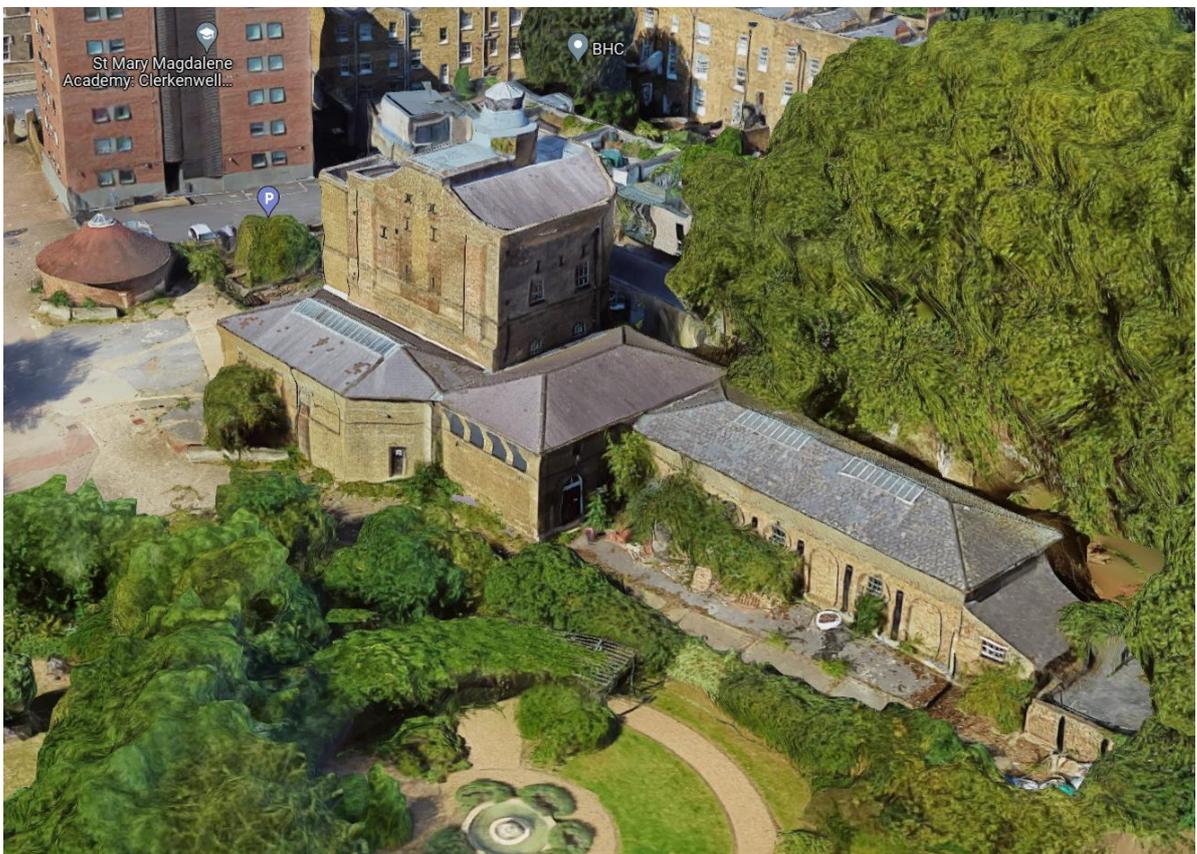
### 3. PHOTOS OF SITE



Image 3: Areal image of buildings at the site (south).



**Image 4:** Aerial image of buildings at the site (east)



**Image 5:** Aerial image of buildings at the site (west)



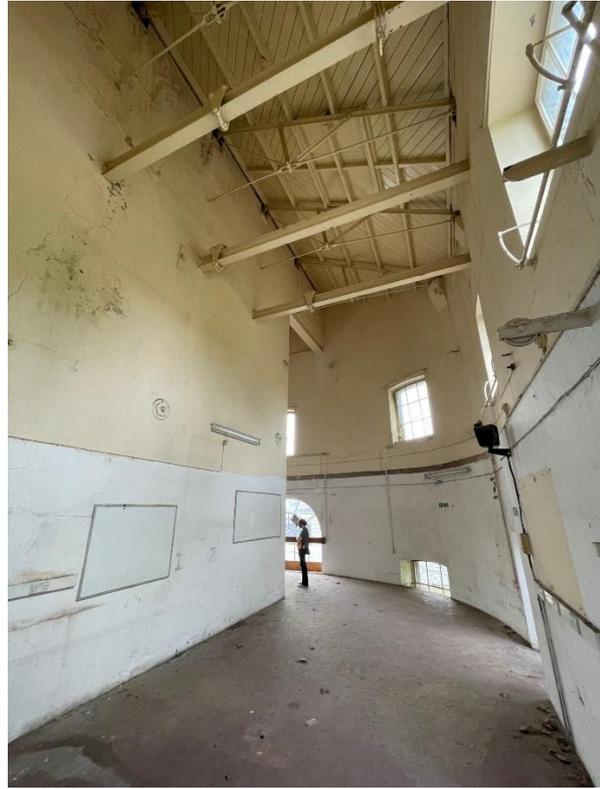
**Image 6:** Photograph of North Stores, Engine House and Pump House (west)



**Image 7:** Photograph of courtyard area south of Coal Store towards Boiler house and Engine House (east)



**Image 8:** Courtyard area between North Stores and Engine House / Coal Stores



**Image 9:** First floor internal area of Engine House.



**Image 10:** Ground floor internal area of Engine House



**Image 11:** Internal area of Coal Stores

## **4. SUMMARY**

- 4.1 The buildings on the site are Grade II listed and within the New River Conservation Area. The site has an extensive planning history with a number of refused schemes for alternative uses being dismissed at appeal. However, alternative uses at the site have gained consent, through both Local Planning Authority (LPA) approvals and allowed appeals to the Planning Inspectorate.
- 4.2 The application proposes a change of use of the site to F1 (Learning and Non-Residential Institution) to allow the site to be occupied by the House of Illustration for the primary purpose of an art gallery. Other ancillary uses are proposed such as a café (including outdoor terrace area) and office floorspace. An educational studio is proposed that also falls under Use Class F1. Occasional events are also proposed which are considered to be ancillary, subject to recommended planning controls.
- 4.3 The application includes development to various buildings across the site. The North Stores is being extended to the west and a second storey (in a rebuilt section) introduced to the east. A linking foyer building is to be introduced in the northern courtyard area between two existing buildings. Internally, a new floor is being introduced in the Engine House as well as a new stair and lift. A café and raised terrace is proposed to the south of the site that requires various openings in the listed buildings. A new pedestrian pathway is also proposed that links Amwell Street with Myddelton Passage that requires an alteration to site levels to achieve appropriate levels of access.
- 4.4 The site is addressed by the New River Head and Claremont Square Planning Brief (2013) which is a material planning consideration. The Brief outlines various long held aspirations for the site and the application is considered to meet these requirements to varying degrees. A heritage interpretation strategy forms part of the application and this includes information boards across the site and installations in the Boiler House Cafe with QR codes providing access to further detailed information and history relevant to the site. The windmill base will also provide a permanent heritage interpretation space.
- 4.5 Less than substantial harm has been identified to the significance of the listed buildings (including their setting) as well as the wider conservation area due to the interventions required to enable the use of the site for F1 purposes. However, careful consideration has been given to the relative importance of the heritage asset and this has been weighed against the heritage benefits and public benefit delivered by the proposals. The harm identified is considered to be outweighed by the heritage and public benefit that would be delivered. It is concluded that the use of the site as an art gallery is the optimum viable use of the statutorily listed buildings, which is significant heritage benefit for these listed buildings that have been vacant for over 30 years and is given significant weight in the overall planning balance.

## **5. SITE AND SURROUNDING**

- 5.1 The application site covers an area of approximately 0.17 hectares and is in a back land location to the rear of Charles Allen House, 28 Amwell Street. The site is to the northeast of Amwell Street, close to the junction of Amwell Street with River Street, and is southwest of Myddelton Passage. The site is located in the New River Conservation Area and contains various Grade II listed buildings.
- 5.2 The Grade II listed buildings on the site comprise the following and described in more detail in the Heritage section:
- (i) The primary three-storey engine house building at the centre of the site;

- (ii) The single storey Pump House that is to the south of the Engine House;
- (iii) The single storey Boiler House building that is to the east and adjoined to the Engine House and Pump House
- (iv) A linear single-storey building known as the Coal Stores, extending from the Boiler House towards the northeast boundary of the site.
- (v) A large detached single-storey stores building located along the northwest boundary of the site. This is known as the north stores buildings and is curtilage listed.
- (vi) A single-storey circular building in the southwest corner of the site. This is the remains of a windmill – known as the ‘windmill base’.

5.3 The land remains in its original use as part of an operational water provision facility. Thames Water maintains an operational pump within the ground floor of the pump house building. Thames Water requires continued access to a borehole to the northeast of the windmill base and to part of the north stores building. However, Thames Water have released parts of the site for other possible uses, subject to planning permission and listed building consent being granted.

5.4 The immediate area surrounding the site is the remaining part of the historic New River Head site and includes the Grade II\* listed ‘headquarters’, ‘research building’, ‘chimney conduit in the round reservoir’ and ‘revetment of round reservoir’. A residential block of apartments has been constructed to the east of the site, part of the wider New River Head site. Directly adjacent to the south of the site is a modern Thames Water storage and pumping facility – known as the Ring Main.

5.5 To the west of the site is Charles Allen House, 28 Amwell Street, which is a seven-storey block of flats (built to house employees of the New River Head complex but is now market housing). To the north of the site is River Street Mews, a relatively recent housing development that includes 6 residential dwellings with the area accessed from River Street. The properties to River Street Mews are in extremely close proximity to the application site with rear balconies and windows to the mews facing directly over the site towards the north of the Engine House and courtyard. The wider area is predominantly characterised by Georgian terraced housing.

5.6 There are four trees with tree protection orders to the north of the site outside of the red line site boundary. The trees are situated in close proximity to the eastern section of the north stores building with many of the branches to these trees extending above the north stores building and over the application site. Further to the north of the trees are a number of garages that are in Council ownership and associated with the Council housing buildings at Myddelton Passage, Worthington and Benyon House.

## **6. PROPOSAL**

6.1 The application seeks planning permission and listed building consent to introduce a new use at the site, that being Use Class F1 (Learning and Non-Residential Institutions). This would allow the applicant, the House of Illustration, to occupy the site as an art gallery (F1b). Further ancillary uses are proposed across the site that include a café, office floorspace and an (F1a) educational studio. Additionally, permission is sought for private events to be held on occasion, a further ancillary use outside of the previously stated main uses taking place (10am-5.30pm Tuesday – Sunday). Initially, it is anticipated that 17 private hire events will take place in a year and this is envisaged to increase to 24, equating to 2 events per month.

6.2 Externally, a new foyer building will be installed that links the Boiler House and Coal Stores with the North Stores. The foyer will be single storey with a flat roof and will be faced with glazing to the eastern and western elevations. The North Stores is being extended to the west via a single storey extension to provide the educational studio with an external

educational space to its south. To the east, the North Stores will be partially demolished due to structural issues and a two storey construction built in its place. The first floor of the extended North Stores will provide the ancillary office floorspace. To the south of the Coal Stores a raised terrace platform is also being installed for the proposed café. The extent of the terrace was reduced during the consideration of the application. The existing eastern extension to the Coal Stores is being reconstructed and partially excavated as this will house plant equipment across two floors.

- 6.3 Internally, it is proposed for a new floor to be installed in the Engine House at second floor level to provide additional gallery floorspace. A new internal stair will be installed in the old flue to the Engine House and a lift will also be installed to provide level access to the gallery floorspace across all floors. The Boiler House will be adapted into the café with a new window being installed to the southern elevation. New openings are required to the east elevation of the Boiler House to link the café with the external terrace and a further opening is required between the Boiler House and the Coal Stores for access to the kitchen space from the café. A new rooflight is also proposed to the Boiler House. The Coal Stores is being repurposed as the temporary exhibition gallery with the café terrace being built up to its southern elevation. The rooflight to the Coal Stores will be blocked up as the internal space needs to be free from natural light. The windmill base will largely remain the same and be used for both heritage interpretation as well as for other activities associated with the primary use of the site.
- 6.4 A new access route is proposed through the site that will allow pedestrian access between 9:30am and 5:30pm (Tuesday to Sunday) from Amwell Street to Myddelton Passage. The permissive route requires the land to be raised to the south of the café terrace so it can link with an existing Thames Water viewing platform to the east of the site. This viewing platform is being incorporated into the wider site but gates have been proposed that would allow this area to be segregated from the wider site to provide extended access hours. New access arrangements are proposed to Amwell Street with a separate Thames Water vehicle access being provided (to their separate site), to the south of the application site. New vehicular and separate pedestrian access is also proposed for the site of the current application.
- 6.5 The application proposes an air source heat pump (ASHP) structure to the south of the site that will contribute to the energy supply for the new use at the site. In terms of landscaping the proposals include the creation of a pond, adjacent to the public access route, cycle parking spaces and a new separate site access from Amwell Street for Thames Water to access their infrastructure.

### Amendments

- 6.6 The application has undergone a number of amendments that are summarised below:
- The west elevation of the foyer has been pushed back so it no longer internalises the Engine House door on the north elevation.
  - The design of the internal stair to the Engine House has been altered.
  - The café terrace has been reduced in its overall size.
  - The fenestration arrangement to the south of the Boiler House has reduced with two separate windows being removed and a single off-set picture window now proposed.
  - The topography to the south of the Coal Stores has been lowered, reducing landscape intervention) resulting in an alternative connection between the pathway and the viewing platform.
  - Additional cycle parking has been provided as well as end of trip facilities for the staff spaces in the North Stores.
  - Further inclusive design initiatives have been included in the application.

- The proposal to use the site occasionally for filming purposes has been removed from the application proposals.
- Further proposals in relation to free and discounted access to exhibitions and events at the site have been proposed within the updated Arts and Community Strategy (Version 5)
- A Fire Statement has been provided to address London Plan Policy D12 Part B.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

**P2014/3009/FUL & P2014/3012/LBC** - Planning Permission and listed building consent were granted on the 13<sup>th</sup> May 2015 for various alterations to Engine/Pump House building and the wind pump base in association with conversion of existing buildings to a mixed use development comprising studio space [B1] in the north Workshop range, Flexible cafe, education, meeting, heritage display, studio [sui generis] in the Listed east Boiler House and Coal Store range, and change of use of the Wind Pump base to heritage display.

**P2014/2152/FUL & P2014/2255/LBC** – Planning Permission and listed building consent were sought for Conversion of part of the existing buildings, known as the former Boiler House, from storage to provide one three-bedroom residential dwelling. The applicants appealed against non-determination and the application was **DISMISSED** by the Planning Inspectorate on the 29<sup>th</sup> October 2015.

**P2014/2499/FUL and P2014/3271/LBC** – Planning permission and listed building consent were sought for the Change of use of North Stores to provide for a new residential studio unit (use class C3) and 114m<sup>2</sup> of B1 (Office)/D1 (Community space), new pedestrian gate to Myddelton Passage and refuse and cycle stores. The applicants appealed against non-determination and the application was **ALLOWED** by the Planning Inspectorate on the 29<sup>th</sup> October 2015.

**P2013/0368/FUL & P2013/0401/LBC** – Planning permission and listed building consent applications were refused by the Council on 10/04/2013 and were subsequently **ALLOWED** on appeal by the Planning Inspectorate on 28/02/2014. The applications proposed conversion of first floor of former Engine House and Windmill base to B1/D1 use, together with creation of gated pedestrian access from Amwell Street with potential linkage to the gardens beyond to the east, and alterations to north stores building comprising enlargement of existing opening and installation of timber doors to provide secure cycle parking.

**P2013/0370/FUL & P2013/0415/LBC** – Planning permission and listed building applications were refused by the Council on 10/04/2013. The applications were subsequently **DISMISSED** on appeal by the Planning Inspectorate on 28/02/2014. The applications proposed:

*“Subdivision of south stores buildings and conversion to create three x three-bedroom houses, together with demolition of existing lean-to extension with erection of enlarged replacement extension; alterations to fenestration and entrances on north, south and east elevations; replacement of rooflights; and creation of residential gardens divided by steel cable fences to the south of the building, enclosed at each end by new solid fences. Subdivision of north stores buildings and conversion to create one x studio flat, two x B1/D1 commercial units and a communal cycle / refuse store; alterations to fenestration and entrances on south, east and west elevations; installation of two additional rooflights; creation of residential garden to west end of building enclosed by timber fence. Change of use of windmill base to create a B1/D1 commercial unit. Removal of existing internal fences*

*and gates. Creation of a new gated pedestrian access from Amwell Street and creation of a new gated pedestrian access from Myddelton Passage.”*

**P2013/2809/FUL & P2013/2876/LBC** – Planning permission and listed building applications were refused by the Council on 08/11/2013. The applications proposed conversion of first floor of former Engine House and Windmill Base to B1/D1 use, together with creation of gated pedestrian access from Amwell Street with potential linkage to the gardens beyond to the east, and alterations to north stores building comprising: enlargement of existing opening, installation of timber doors and installation of aluminium windows, to provide secure cycle parking and refuse store. These applications represented a resubmission of previously refused applications P2013/0368/FUL and P2013/0401/LBC, to which the appeal relates. The proposal has been amended with respect to the proposed internal alterations. These applications propose to create a small and removable stand-alone WC enclosure at first floor level, rather than creating an opening within the central chimney breast, with insertion of a floor to create a WC within the chimney breast.

**P2013/0367/FUL & P2013/0411/LBC** – Planning permission and listed building consent were approved on 27/08/2013 for alterations to the existing entrance, boundary treatment and forecourt on Amwell Street, including formation of a new vehicular access to Thames Water operational land to the south of the site, together with formation of a new pedestrian access and reduced width vehicular access to the New River Head Pump/Engine building site from Amwell Street.

**P121708 & P121709** – Planning permission and listed building consent were sought for ‘Various alterations to Engine/Pump House building, ancillary stores buildings and the wind pump base in association with conversion of existing buildings to a mixed use development comprising 505.5 square metres studio space(B1) in the north Workshop range, 205 square meters Flexible cafe, education, meeting, heritage display, studio (sui generis) in the Listed east Boiler House and Coal Store range, and 39 square metres change of use of the Wind Pump base to heritage display. Works include insertion of new floors within the first floor of the Listed Engine House; a new floor and lift within the east Boiler House; two new windows in the Listed Engine house and re-fenestration of the Listed Coal Store range, south side; a new pedestrian access onto Amwell Street and adjustment to the existing pedestrian access onto Myddleton Passage; and extensive hard landscaping repair work including forming a screened refuse storage area.’ The application was withdrawn 17/10/2012.

**P120453 & P120454** – Planning permission and listed building consent were refused on 17/05/2012 and the subsequent appeal (Appeal ref. APP/V5570/A/12/2175158) was dismissed on 10/10/2012. The proposed development comprised various alterations and extensions to the Engine House building, ancillary stores buildings and the windmill base in associated with conversion of existing buildings to a mixed use development comprising seven residential units and B1 (office) / D1 floorspace. Notable works include the rebuilding of lean to structure, formation of lower ground floor and rear extensions to single storey stores south building, insertion of a new floor within southern building and various fenestration alterations to the buildings. The proposal also included the formation of new pedestrian entrances and access's from Myddleton Passage and Amwell Street, and various hard/soft landscaping across the site including forms of enclosures.

**P040415 & P040897** – Planning permission and listed building consent were granted in 2004 for the creation of a new gate in the perimeter wall on Myddelton Passage.

**990955** – Planning permission was granted in 2000 for conversion of the workshop building on Hardwick Street to create eight flats (know as the Remus Building); erection of a five storey building on the corner of Hardwick Street and Amwell Street to provide 59 flats

(known as the Hydra Building) and erection of a five storey building adjacent to the former Laboratory Building along Myddelton Passage to provide 42 flats (known as the Nautilus Building). This planning permission had a S106 legal agreement attached with a clause seeking to secure the New River Head Engine House Building, associated buildings and site for heritage / community use purposes.

**970557 & 970558** – Planning permission and listed building consent were granted in 1997 for conversion of the New River Head Laboratory Building to create 35 flats. This planning permission had a S106 legal agreement attached with a clause seeking to secure the New River Head Engine House Building, associated buildings and site for heritage / community use purposes.

**972246 & 972247** - Planning permission and listed building consent were refused and the subsequent appeal was dismissed in 1998 (Appeal re.T/APP/V5570/A/98/294428/P2) for the construction of 10 single family dwelling houses at the New River head site.

#### Land to the rear of 7 River Street (River Street Mews)

**P100710** - Replacement of existing buildings with two two-storey and four two-storey over basement residential dwellings with roof terraces. **Refused 27/05/2010. Allowed on Appeal 24/02/2011**

## 8. CONSULTATION

### Public Consultation

- 8.1 In total, 365 letters were sent to surrounding occupiers at Amwell Street, Myddelton Passage, Myddelton Square, River Street, The Nautilus Building, The Hydra Building, New River Head and Naoraji Street.
- 8.2 The application has received 4 objections, 7 letters of support and 1 letter received was supportive but also raised concerns with certain elements of the proposals. Furthermore, letters of support have been received from local groups such as the Peel Institute, All Change (a community arts organisation) and various local amenity groups have also provided comments (see summary below). The feedback from amenity groups has been predominately positive although a number of concerns were also raised. The comments received are summarised below (*with the paragraphs in brackets indicating where in the report the respective points have been addressed*):
- 8.3 Objections:
- New two storey structure will block views from neighbouring residential properties as well as impacting on privacy, introducing noise and light spill. A commercial office complex in close proximity to residential occupiers will adversely affect quality of life. (*From Paragraph 10.65*)
  - Two storey extension has the potential to damage old established London plane trees and any works to the trees will impact views from the surrounding area. (*From Paragraph 10.154*)
  - The proposed new toilet block backs onto a shared wall with a residential premise. Potential for noise pollution from flushing toilets and hand dryers. (*Paragraph 10.72*)
  - The construction works and operation of the planned centre will have a serious impact on resident's quality of life. (*Paragraph 10.78 & 10.79*)
  - The toilets and associated waste water pipes are on top of fresh water supply pipes for surrounding residential premises. (*Officer Note: Underground pipework is not a material planning consideration in this case*)

- There will be noise and light pollution from the new foyer building that is close to residential premises. (*Paragraphs 10.72 - 10.77 & 10.82*)
- Concerns over noise from the outdoor educational area and there needs to be assurances that internal noise will not cause a disturbance. (*Paragraph 10.74*)
- Concerns over noise and disruption from filming and events that could be intrusive and affect privacy. Number and duration of filming and events needs to be defined and enforced. (*Officer Note: Filming events are no longer proposed as part of the development*)
- Construction noise and dirt can cause disruption and affect the ability to work from home. Residents should be offered alternative office accommodation. (*Paragraphs 10.78 & 10.79*)
- Concern over effect on the common wall during construction. A separation barrier wall should be provided for insulation and to allow the wall to breath. Need more detail on how the wall will be restored and maintained to ensure its integrity. (*Officer Note: Party Wall matters are not a material planning consideration*).
- Engine House has upper level windows that overlook residential properties. (*Paragraphs 10.6 – 10.68*)
- Rooflight for proposed educational studio is not confirmed as being fixed shut on the roof plan provided. (*Paragraph 10.73*)
- Disheartened that the House of Illustration have not included any opportunity for the community to use the facilities. (*Paragraph 10.9*)
- The noise impact assessment does not consider the impacts on Charles Allen House. (*Officer Note: submitted document 'Noise Planning Comments' dated 25/10/2021 assess noise impacts to this property*)
- The ecological assessment does not recognise that two foxes live in the woods surrounding the site. (*Ecology / Biodiversity is addressed from Paragraph 10.113*).

#### 8.4 **Local Amenity Groups:**

##### Islington Building Preservation Trust

8.5 Consider that the application is based on a careful consideration and appreciation of the heritage of the site and goes some way to set out how the heritage assets of the site and the entire New River Head will be interpreted for the public as well as for people visiting the Centre. However, we do have some concerns about public access and the heritage interpretation of the site:

- We strongly approve of the nature of the work proposed to the buildings and landscape.
- S.106 Agreement should include requirement to allow public access across the site between the hours of 08.00 and 18.00 all year, extended to 19.00 between 1st April and 30th September, to match access allowed into the Nautilus House gardens.
- Suggest that conditions should be placed on any consent setting out a timetable for the submission of more detailed proposals for the site's heritage interpretation and a means whereby those interested and qualified to do so can comment on these proposals before they are accepted.
- Suggest that the Education Studio and the Café (plus its terrace at suitable times of year) could be made available for community uses and as meeting rooms.
- £100,000 is available for heritage interpretation at the site. The money is for the Council to dispose and we suggest that this should be done in collaboration with local amenity groups and Thames Water as well as the HOI.

## Amwell Society

8.6 There are a number of aspects that we should like to see modified, or where more detail is required, and these are listed below:

- We would prefer to see a more obviously commercial/industrial treatment to the south elevation of the 2-storey section at the eastern end of the North Stores.
- We were initially concerned about the two huge openings in the south wall of the café. However, we have been shown a revised plan which we are quite happy with.
- We understand that the fence separating the café terrace from the path will be less obtrusive than is shown in the plans. In our view this feature should be as unobtrusive as possible
- Concerned by the limited hours for public access to the walkway and the potential affect this will have on the viewing platform. Hours should be stipulated in S106 agreement with a review after 2 years.
- Concerned that the dense planting along the boundary with the Nautilus Gardens may make the site less legible.
- We fully support the intention to reuse the granite setts found at various points on the site. We should like to see these integrated into the footpath to the fullest extent possible without compromising wheelchair accessibility.
- Out-of-hours lettings might be a cause for concern. We would expect conditions to be applied regarding the frequency, hours and oversight of such activities.
- The main threads of the heritage interpretation strategy should be in place before construction starts
- Applicant should commit to a minimum number of “community hires”, say 3-5 per quarter during the hours 6-9pm at marginal cost, and that this should form part of the S106 agreement.
- We hope and expect that a Construction Management Agreement will be drawn up with the applicant, taking into account consultation with local residents, prior to the start of construction.
- The Amwell Society welcomes the acquisition of the New River Head site and its future transformation into the Quentin Blake Centre for Illustration, and we will continue to engage cooperatively with the Centre to help foster its success.

## Myddelton Square Association

8.7 Extremely pleased that the site will be used sympathetically for public cultural purposes, and that the historic site and its buildings are to be preserved.

- If the centre is to be used for events and private functions in the evening then residents are likely to have concerns about noise (from outdoor events, or larger groups leaving through the Myddelton Square late at night).
- Application does not include details of street signage. Residents will be keen to ensure these are appropriately sized/placed and do not detract from the appearance of the houses in the local conservation area.
- Would like to see more clarity in the application about what exactly will happen to viewing platform area.
- Keen to ensure the walkway arrangements ensure that the rights and hours of access are not substantially altered in future or by a future lease-holder.
- We anticipate that the development on the site and the addition of new gates/CCTV monitoring will improve the security of the site.
- Keen to ensure that rubbish storage is not permanently visible to neighbours, and also that it is well sealed to prevent smells escaping or rubbish being blown or scattered from bins.
- The expected frequency of rubbish collection is not clear in the Delivery and

Servicing plan. There will be adverse impact to neighbours on Myddelton Passage if frequent (e.g. daily) collections of rubbish are required.

- The Construction Management Plan should pay particular attention to the specific dangers to children and cyclists in the area.
- Local organisations such as ours may also be interested in occasionally hiring facilities at the centre, if they can be made available at reasonable rates.

### **External Consultees**

- 8.8 Historic England (GLAAS): Advise pre-commencement condition that relates to a written scheme of historic building investigation (WSI) being approved prior to development (*Condition 9*).
- 8.9 Historic England: Historic England welcomes proposals to convert the New River Head complex into a gallery for the House of Illustration, which presents an exciting and sympathetic reuse of the site. The scheme would result in limited harm to heritage assets and would deliver important heritage benefits.
- 8.10 GLA: The application is fully in accordance with the Mayor of London's statutory Culture Strategy and will bring significant cultural, heritage and educational benefits to London. The project has strategic benefits for London, opening up a brand new cultural and heritage attraction for Islington and for the capital. We would welcome its addition to the borough.
- 8.11 Thames Water (Planning): A number of Thames Water (TW) assets (boreholes, pumps, pipework) are located within the House of Illustration ('HOI') site. Access to these assets for maintenance and in an emergency is secured and will be maintained. Additionally, HOI have been working with TW's Developer Services engineers to ensure that the proposed development does not affect the integrity and management of these assets.

The site is a TW critical water ring main, which is adjacent to and shares an access with the HOI site. TW currently takes access through HOI's site from Amwell Street. Access for large vehicles and cranes will need to be maintained at all times from Amwell Street to the New River Head site, and access between New River Head and its retained assets within the HOI site. TW and HOI are in discussion separately regarding the necessary agreements to ensure this access solution is delivered. There are also security considerations relating to this site, and as such, TW would not wish to increase security risk through any uncontrolled or unmonitored access to the HOI site adjacent.

The heritage of the site as a historic TW asset dating back to the development of the New River in the 1600s is important to TW and there is a real opportunity through this application to create and enhance the heritage interpretation strategy, including the existing viewing platform and signage. It is integral to documenting and telling the story of the New River, and should be preserved and enhanced. We are open to discussions regarding how this is done and displayed.

Support the use of a condition requiring the details to be agreed and entering into any relevant legal agreement to support this new access being undertaken with certainty, within a reasonable agreed trigger date.

*Officer Comment: This requirement is Head of Term item 7 at Appendix 1.*

- 8.12 Thames Water (Development Control): Initially requested for a drainage strategy to be provided and for conditions that related to Infrastructure Phasing Plans for foul water drainage and surface water drainage. However, a drainage strategy was provided and it was confirmed that the conditions were no longer required. Thames Water are satisfied with the drainage details within the application.

- 8.13 Metropolitan Police: No objections to the proposal. Recommended that the pathway should have clear site lines where possible. This would mean no obstructions from large street furniture, high hedges or low hanging branches. Landscaping should be maintained so that shrubs are no higher than one meter and tree canopies no lower than 2 meters above ground.

There should be a good uniformity of lighting so that it would not create dark spaces, it should also work in collaboration with any CCTV present so that it does not distort images and that they are of good evidential value.

Any new lighting should be bulkhead or column. Bollard lighting is to be avoided as it does not clearly highlight faces which, in turn, increases the fear of crime as well as the opportunity for it.

*Officer Comment: With the exception of lighting, which is not proposed here, these details will be included in the landscaping condition (Condition 13). The Metropolitan Police will be consulted on the additional details.*

### **Internal Consultees**

- 8.14 Design and Conservation Officer: The proposals would fail to preserve the special architectural or historic interest of the listed building and their setting and fail to preserve or enhance the character or appearance of the conservation area. The nature of the public benefits would need to be looked at in the wider planning balance. Optimum viable use would also need to be looked at, although it is noted that other uses have previously been proposed for the site and tested at appeal. The gallery and exhibition uses proposed involve public access to the site to visit the exhibitions, but also the buildings. The need for large spaces for a café and temporary exhibition space also works with those buildings' large volumes. If officers are minded to recommend approval, conditions are recommended for further details to be provided in relation to various design elements.

- 8.15 Environmental Protection Officer: Concerns were raised over the potential consequence of the site being used as a filming location base but as this element of the application has been removed this major potential noise issue has been dealt with.

Conditions have been recommended relating to noise from plant (*Condition 4*), an Operational Management Plan that relates to the private hire events (*Condition 5*), an overall limit on the number of private hire events (*Condition 6*), for the sky lights to the education studio to be fixed shut (*Condition 7*) and for the hours of the outdoor education space to be controlled (*Condition 8*). A further condition has been advised that relates to further details of lighting being provided post approval as the exact location of lighting is not finalised at present. However, no lighting details have been included with the application to date and lighting does not form part of the proposed development. Therefore, lighting will require a further application post consent and such details can be reviewed for their adequacy when this future application is submitted.

A Construction Management Plan (CMP) is advised to be secured in the S106 agreement and that this should follow the guidance of Islington's Code of Practice for Construction Sites and relevant agreements for any works to the Party Wall will need to be sought.

*Officer Comment: The CMP has been included as a condition (Condition 30), Appendix 1.*

- 8.16 Highways: The proposal is car-free and this should be secured by the planning process. Three disabled/mobility bays will be provided with electric charging points and this is welcomed. The provision of public rights of way through the site should be properly secured and formally provide for cyclists but in principle this is also welcomed and can be seen to be a benefit. Given the car-free (permit-free) nature in an area of Very Good PTAL the

proposals can be supported in principle. However, an objection has been raised to the level of cycle parking proposed and absence of facilities to enable cycling for employment forms part of the objection.

*Officer Note: The cycle parking provision has been revised to include 46 visitor spaces and 4 staff spaces and is secured via Condition 10. Such a quantum was considered acceptable and this objection was subsequently removed.*

The permissive pedestrian route through the site is welcomed and will be of benefit to the Travelling Public. However, the approach taken by the development team to promoting cycling is not in keeping with the intentions of planning policies and this approach should be amended allowing cyclists to formally use the pathway.

- The details of access arrangements within the Highway will be considered by the separate Highway approval process. The Obligation to enter into an agreement under section 278 of the Highways Act 1980 should be secured within the Section 106 Agreement. These relate to the new access arrangements to Amwell Street. (*Head of Term item 7*)
- An Obligation will be sought requiring a Construction Management Plan. (*Condition 30*)
- A final Travel Plan should be conditioned or form part of the S106 agreement. (*Head of Term item 13*)
- A Delivery and Servicing Plan should be conditioned or form part of the S106 agreement (*Condition 16*).

8.17 Planning Policy Officer: No objections raised

8.18 Cultural Enrichment Team: Generally happy with what is offered. The only addition would be to play a role in 11 by 11 Cultural Leaders through a commitment to host one cultural leader's network meeting per year.

*Office Note: This requirement has been included at Head of Term item 4 part A.*

8.19 Energy Team: Accept the details provided in the updated Energy Statement, however, two issues are outstanding - overheating modelling, which the applicant indicates they have carried out, with a report containing the modelling results to be provided shortly, prior to approval. A BREEM pre-assessment for the development has not been provided and should be carried out / supplied as soon as possible.

*Officer Note: The thermal modelling report was intended to be submitted by the applicant prior to consent but it is now recommended to be included as a submission of detail condition (Condition 20) post consent. The applicant cannot carry out a BREEM assessment given the unique nature of the development site, the conversion of a listed water infrastructure facility to an art gallery, as there is no baseline to assess such a development type against. A suitably worded condition has been recommended that requires the development to meet BREEM or equivalent standards (Condition 18).*

8.20 Accessibility Officer: Raised various points in relation to circulation such as gradients of slopes/ramps, doors to accessible toilets, the positioning of the platform lift and refuge areas in the Engine House. The cobble type to the external areas was also questioned to ensure this wouldn't be an impediment to wheelchair users and buggies. An objection was raised to the overall provision of cycle parking and the lack of end of trip facilities. Further details for taxi drop off, mobility scooter charging and disabled parking bay dimensions were also requested.

*Officer Comment: The above issues have been addressed by the applicant in the amended plans provided and these issues are described in detail from paragraph 10.103 below.*

- 8.21 Sustainability Officer: Surface water runoff rates should be further reduced to get closer to the greenfield runoff rate if possible but I appreciate there may be limited space for a larger attenuation tank.

The roof plan and ecology report indicate a small area of sedum green roof on the education centre and ASHP building. These areas should be biodiversity based green roofs with a focus on wildflower planting in accordance with Islington policy. The potential of other flat roof areas on the site should be explored for the installation of green roofs. Biodiversity based green roofs will help to increase the Urban Greening Factor score calculated in the Ecological Report.

Further detail on the proposed bat and bird boxes/bricks should be secured via condition (*Condition 14*).

New paving should be a material with a low embodied carbon such as resin bound paving where possible, and not concrete or tarmac.

*Officer Comment: The above issues have been addressed by the applicant in the amended plans and via supplementary justifications. These issues are described in detail from paragraph 10.113 below.*

- 8.22 Tree Preservation Officer: No objection to development proposal. There should be no significant impact on the off-site trees adjacent to the development. A tree protection condition is advised (*Condition 15*).

- 8.23 Commercial Environmental Health: Questioned whether extract equipment associated with the kitchen in the café is expected. If so, no details have been provided. If the café is only intended to be light use then an odour assessment may not be necessary.

A basic desktop assessment has been conducted and the odour is considered to be within the following categories:

Dispersion is moderate (score of 10) Proximity of receptors is medium (score of 5) Size of kitchen is medium (score of 3) Cooking type is low (score of 1).

This gives a total score of 19 which would require a low level of odour control. With the kitchen extract venting at roof level, and the café limited to light cooking, this should be sufficient. However, should the cooking type change (and/or a statutory nuisance witnessed in the future) the user would still be subject to enforcement action under the Environmental Protection Act 1990.

*Officer Comment: The applicant has confirmed that the café will only be in light use and an updated roof plan has been provided that shows a small kitchen exhaust vent above the kitchen area to the Coal Stores.*

- 8.24 Building Control: The information provided in the Fire Statement is satisfactory and addresses the requirements of London Plan Policy D12 Part B.

## **9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS & POLICIES**

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

- 9.2 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); and
- 9.3 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).
- 9.4 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: 'at the heart of the NPPF is a presumption in favour of sustainable development'.
- 9.5 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.
- 9.6 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.7 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.
- 9.8 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.
- 9.9 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.
- 9.10 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.

### **National Guidance**

9.11 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.

### **Development Plan**

9.12 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 policies of the Development Plan are considered relevant to this application and are listed at Appendix 2 to this report.

### **Designations**

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

- Listed Buildings (Grade II)
- Within the New River Conservation Area
- Central Activity Zone
- Local Landmarks: Engine and Pump House, New River Head
- Local view from Archway Road, Archway Bridge & Amwell Street
- Within 50m of a Conservation Area - Rosebery Avenue
- Article 4 Direction A1-A2
- Article 4 Direction B1(c) to C3
- Trees - LBI TPO (no.369)

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

9.14 The SPGs and/or SPDs which are considered relevant are listed in Appendix 2, however, the New River Head and Claremont Square Planning Brief (2013) is of particular relevance to this site and Planning and Listed Building consent applications.

### **Emerging Policies**

#### **Draft Islington Local Plan 2019**

9.15 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020 with the examination process now in progress. As part of the examination consultation on pre-hearing modifications took place between is taking place from 19 March to and 9 May 2021. The Matters and Issues have now been published and hearings took place from 13 September to 5 October.

9.16 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).

9.17 Emerging policies that are relevant to this application are set out in below:

- Policy SC4 Promoting Social Value
- Policy B3 Existing Business Floorspace
- Policy G4 Biodiversity, Landscaping and Trees
- Policy G5 Green Roofs and Vertical Greening
- Policy S1 Delivering sustainable design
- Policy S2 Sustainable design and construction
- Policy S3 Sustainable design standards
- Policy S5 Energy infrastructure
- Policy S7 Improving Air Quality
- Policy S8 Flood risk management
- Policy S9 Integrated water management and sustainable design
- Policy T1 Enhancing the public realm and sustainable transport
- Policy T2 Sustainable transport choices
- Policy T3 Car-free development
- Policy T4 Public Realm
- Policy T5 Delivery, servicing and construction
- Policy S4 Minimising greenhouse emissions
- Policy T5 Delivery, servicing and construction
- Policy DH1 Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 Heritage assets
- Policy DH4 Basement Development
- Policy DH5 Agent of change, noise and vibration
- Policy ST1 Infrastructure Planning and Smarter City Approach

### **New River Head Planning Brief (2013)**

9.18 The site is part of the New River Head and Claremont Square Planning Brief (2013) (the Brief). The Brief sets out development guidelines for the key site (the current application site) at paragraph 4.01.2:

*Given the historic and architectural significance of the key site, the most appropriate and therefore preferred use for the site is a heritage/community use. The Council would like to see the remaining buildings on the key site used to provide a small museum (or interpretation centre and base for heritage studies) celebrating the history of water provision from the New River Head, community and meeting room facilities, educational facilities, and an ancillary café. This would also allow public access to be provided to these buildings, as well as a route through the key site (with entrances from Amwell Street and Myddelton Passage).*

9.19 Paragraph 4.03.2 and 4.03.3 goes onto provide more detail in relation to suitable land uses at the site:

*Any proposals for the reuse of the Windmill base, Engine/Pump House, South Stores (boiler house and coal store) and North Stores, must conserve and enhance the significance of these buildings, and should enable them to be enjoyed by the*

*wider community through provision of public access to these buildings, as well as a route through the key site (with entrances from Amwell Street and Myddelton Passage).*

*As stated in Section 4.01.2, the Council's preferred use of the whole of the key site is heritage/community use. There may be some limited scope for other uses on the site, provided that they do not:*

- a. preclude the provision of a viable heritage/community facility in terms of an adequate level of accessible floorspace;*
- b. harm the significance of the heritage assets, through external/internal alterations to the buildings and/or alterations to their open work yard space setting; or*
- c. impede or prohibit public access and enjoyment of the heritage asset*

9.20 A key requirement outlined in the Brief is for a Heritage Interpretation Centre or Museum to be provided at the site that will allow the water infrastructure heritage to be appreciated by future visitors. £100,000 of funding has been allocated for such a use from previous development at the wider New River Head site and this sum is currently being held by the Islington Building Preservation Trust. The details of the previous legal agreements that captured this amount are appended to the Brief. The Brief envisaged that the future Heritage Interpretation Centre or Museum would be located in the Engine House or Windmill Base and this is stipulated in the aforementioned legal agreements. However, there was a five year time period for this requirement which has now lapsed and therefore the funding is now available for heritage interpretation strategies that can be located in alternative locations across the site.

9.21 The following sections of this report will address the corresponding requirements of the Brief that are outlined from section 4.03 of the Brief. These requirements specifically relate to land use, community access and benefit, conservation and design, inclusive design, landscaping, trees and biodiversity, sustainability, transport servicing and parking.

## **10. ASSESSMENT**

10.1 The main issues arising from this proposal relate to:

- Principle of Development / Land Use / Planning Brief
- Design and Conservation
- Neighbouring Amenity
- Transport
- Inclusive Design
- Sustainability
- Trees
- Fire Safety
- Planning Obligations
- Planning Balance

### **Land Use**

#### **Principle of Development**

10.2 Policy DM4.12 relates to Social and Strategic Infrastructure and Cultural Facilities. Parts C and D of DM4.12 are relevant as they relate to new cultural facilities:

*C. New social infrastructure and cultural facilities, including extensions to existing infrastructure and facilities, must:*

*i) be located in areas convenient for the communities they serve and accessible by a range of sustainable transport modes, including walking, cycling and public transport;*

*ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards which meet the needs of intended occupants;*

*iii) be sited to maximise shared use of the facility, particularly for recreational and community uses; and*

*iv) complement existing uses and the character of the area, and avoid adverse impacts on the amenity of surrounding uses.*

*D. New cultural facilities that are expected to attract significant numbers of visitors should be located in the Central Activities Zone or Town Centres.*

10.3 Part C of DM4.12, sections i to iv, relate to transport, inclusive design, social value and neighbouring amenity considerations respectively. These issues are addressed in the forthcoming sections of this report and the overall conclusion is that the proposed development and change of use has adequately addressed each of these respective policy requirements. Part D of DM4.12 requires such cultural uses with high number of visitors to be located within the CAZ, which the site is, and therefore the application accords with this section of the Policy.

10.4 The proposed F1 floorspace at the site is not classed as business floorspace and therefore the requirements of DM5.1 (New Business Floorspace) are not directly applicable to the application. Some ancillary office floorspace is proposed which will facilitate employment in the borough alongside other employment facilitated by the primary art gallery use. Overall, the application will facilitate 30 jobs being created in the borough having economic benefits for both Islington as well as the wider economic area.

10.5 The principle of development at the site is concluded to be acceptable and is supported by Officers including those from the GLA. The use of the site as a cultural centre is in accordance with the relevant Policies of the Development Plan.

#### Land Use

10.6 Paragraph 4.03.4 of the Brief states that 'Non-residential uses (including but not restricted to a heritage/community facility), which do not require extensive demolition of historic fabric and subdivision and allow public access, are likely to be appropriate.'

10.7 The current use of the land is as a Thames Water infrastructure facility and certain areas of the site will require continued access by Thames Water, namely:

- i) the ground floor Pump House;
- ii) a borehole to the west of the site; and
- iii) an access hatch in an area of the north stores.

10.8 The application proposes to change the use of the land to uses within the F1 use class (Learning & Non-Residential Institution). Included in the new F1 use class are subsections F1(b) 'Display of works of art (otherwise than for sale or hire)' and this will be the primary use of the site (being the gallery). The F1 use class also includes subsection (a) 'Provision of Education' and such activities will occur at the site within the proposed educational studio in the extended North Stores area (in the north-west corner of the site). Given the overall scale of the education offer in comparison to the overall use of the site as an art gallery, the educational component is considered to be an ancillary function.

- 10.9 The applicant has provided an Education and Community Benefit Statement that outlines a package of benefits relating to the educational studio and wider social value initiatives that encourage both children and adult learning as well as providing free and/or discounted access to a range of activities at the site. The document is appended to this report for completeness (Appendix 3), however, the key benefits are summarised below:

#### Primary Schools & Key Stage 3

- Free exhibition entry for all Islington primary state schools and home learners
- Free 'twilight' CPD session for 25 Key Stage 1, 2 and 3 teachers (40 in year 1)
- 12 free 1.5 hour workshops, benefitting 360+ KS1, 2 and 3 state pupils
- Free access to online curriculum resources

#### Secondary Schools & Key Stage 5

- Free 'twilight' CPD session for 25 KS4 and 5 art and design teachers
- Free exhibition entry for all state KS4 and 5 art and design students (16+)
- Free half-hour talk for all visiting KS4 and 5 art and design classes with a member of the Centre's curatorial and/or welcome team
- Up to 90 free tickets for professional development workshop days for Islington residents aged 16-23
- Centre staff participation in employability events and careers fair
- At least two paid traineeships, internships or apprenticeships. Payment to be agreed in writing by the Council
- At least two week-long work experience opportunities for Islington residents.
- Recruitment procurement to be conducted in consultation with the Islington iWork Service and the Youth Unemployment Service.

#### Communities

- Free access, 10am-5pm Tuesday to Sunday
- 24 £1 tickets for each monthly early years (under 4s) workshop, benefitting 144 under-fives and 144 parents per annum
- £3 weekday exhibition tickets for day centre attendees, care home residents and elderly local estates residents
- £3 exhibition tickets for looked after children and their carers
- Structured volunteering programme with 20 local people
- Daytime access to a Changing Places toilet facility

#### Collaboration and Governance

- Collaboration with local organisations and projects
- Bookings for local community/arts groups
- Participation by the Centre's leadership
- New Youth/Community Advisory Panel
- Board representation by at least 2 local residents/workers/artists
- Host cultural leader's network

- 10.10 The above package of benefits is considered to be comprehensive and will benefit various different groups from within Islington from pre-school, school to care home residents. Further aspirations are highlighted in the Education and Community Benefit Statement as over the first 10 years of operation at the site the HOI are expected to grow in significance, creating and developing connections with local groups and organisations. This includes Islington schools where there is an intention to sustain bespoke, term-long

partnerships/residencies with 3 schools each year. While the majority of the Education and Community Benefit Statement is accepted as adding social value and being of public benefit, some areas need to be refined to ensure the proposals will be implemented and are enforceable. This includes shortening the timeframes for a limited number of items due to the risk a 10 year 'intention' may not be realised. Consequently, the Education and Community Benefit Statement is considered to be in draft form at present and further negotiation over its final details will be secured via the Education and Community Use Agreement that will be required in the S106 agreement.

- 10.11 There are further public benefits of note from the proposals and these include the 30 employees who are expected to be employed at the site by 2024, which will have positive economic impacts both locally and for the wider London area. Furthermore, the impact of having a new cultural attraction in this area of the Borough, while hard to quantify, will have positive socioeconomic impacts on the community and local businesses due to the extra activity at the site that will be partially free to access for significant periods of the week (9:30am to 5:30pm, Tuesday – Sunday).
- 10.12 Therefore, the primary and ancillary functions of the new use at the site fall are considered to fall within use class F1.
- 10.13 In addition to the primary F1 use, other ancillary uses are proposed at the site. These include:
- i) a café area in the Boiler House,
  - ii) dedicated office floorspace at new first floor level in the North Stores
  - iii) an educational studio to be used for alternative uses during periods of the year when it is not needed for the provision of education.
  - iv) private events form part of the proposed use of the site and are part of the business model for the HOI. These commercial hire events are proposed to occur in the Café, including the café terrace area and in the Quentin Blake Gallery (ground floor of the Engine House). The frequency of these events is expected to be 1 per week, although initially these events will occur far less frequently while the centre is in its infancy at this location. In order to have certainty over the potential impact on residential amenity and to address concerns raised in representations, a condition is recommended to restrict the number of special events to 24 per year, including a stipulation of no more than 1 per week or 3 per month be carried out in order to prevent bunching of events at certain times of the year (*Condition 6*).
- 10.14 The proposed internal area of the café is 127.5sqm and the dedicated office floorspace is 116sqm with the overall F1 floorspace proposed covering an internal floor area of 1030.5sqm. The proposed café area is integral to the primary function of the site as a place for the display of works of art and the hours of both uses will be aligned, aside from when the café is used for private events. A café offer in an art gallery such as the one proposed would be expected by visitors and will aid the commercial viability of the HOI occupation at the site. Given the size of the café and its integration with the primary function of the site, it is concluded that the use is an ancillary function of the primary use and its inclusion at the site is acceptable, being of benefit to the site and the surrounding area. The inclusion of a café at the site is also suggested in the Brief at paragraph 4.01.2. Furthermore, the dedicated office floor space is also concluded to be ancillary to the primary function of the site as such an area of office space is required to support the primary function and no adverse concerns are raised given the small overall area of office floorspace and its location within the new first floor level in the extended north stores.

- 10.15 It has been suggested by the applicant that the office floorspace in the North Stores may be partially rented out to external organisations on a flexible basis. This would only amount to a small number of desks within the office floorspace and the educational studio may also be used by the external organisations who occupy the office during periods when it is not used for educational purposes. This will aid the future charity occupier in maintaining a variety of income streams from the site throughout the course of the year. To ensure the ancillary office accommodation remains ancillary, Condition 19 is recommended to limit the number of employees from external organisations that can occupy the office floorspace. The primary function of the office floorspace should be to support the primary land use function at the site and it is therefore reasonable to limit how much of this space can be occupied by separate external organisations who may use other parts of the site for their purposes, such as the educational studio, as is outlined in the Education and Community Benefit Statement.
- 10.16 The educational studio will primarily be used for education purposes, both for school aged children and adult learning. The full details of this are outlined in the Education and Community Benefit Statement and are examined in full from section 10.172 below. The applicant notes that the educational studio may also be used for commercial events, meetings and/or flexible workspace including for local community and arts groups at Appendix 2 of the Education and Community Benefit Statement. As these activities are similar in nature to the primary use of the educational studio, officers are assured that the proposed use of the education studio for occasional and temporary alternative uses are ancillary functions and will not impact the social value offer from the site. The social value offer from the educational studio will be captured in the Community Use Agreement S106 clause and it is therefore concluded that the temporary use of this space for other purposes will not compromise the overall social benefits from this area of the development.
- 10.17 New Use Class F1 includes a number of wider uses, which on the basis of a lack of information submitted to address these uses are not considered to be appropriate for the area nor for the heritage status of the buildings at the site. Other such uses that form part of Use Class F1 include; 'Public Libraries', 'Places of Worship' and 'Law Courts'. Without the use of a restrictive land use condition, it would be possible for any of the other F1 uses to be operated at the site without first obtaining planning consent from the Council. To enable the Council to retain control of the future land use at the site, ensuring an inappropriate use is not implemented without having duly been assessed, a condition is advised that limits the future use of the site to within Use Class F1 (b) – 'Display of works of art (otherwise than for sale or hire)' or F1 (c) – 'Museums' (Condition 28). These two uses are similar in nature and are most aligned with the proposed use of the site by the applicant. Should the application be approved, any potential future user of the site within the F1(b) and F1(c) use class would be required to operate the site in accordance with the so approved conditions and legal agreement. Should any other use come forward, this would necessitate the submission of a new planning application.

New River Head Planning Brief (2013)

- 10.18 The Planning Brief covers the application area and is therefore relevant to the current application. The Brief is a material planning consideration when determining the application, with the correct weight attributed to the Brief being determined by the decision maker. A Planning Brief does not however introduce new planning policy. The Brief underwent a process of consultation prior to being adopted in September 2013. The Brief was produced to protect the key New River Head Site that has come forward for development in the current application from inappropriate redevelopment / insensitive land uses. The Council has held an aspiration for the site to be developed as a community / heritage centre of some sort since the first Planning Brief was adopted in 1991. In the subsequent years a number of attempts have been made for the site to be redeveloped for alternative uses including residential, office or community use schemes.

- 10.19 A full planning history is provided at section 6 above and it is evident that there is a complicated and protracted planning history at the site including a number of appealed schemes, some of which were granted and some of which were dismissed by the Planning Inspectorate. Ultimately, none of the approved schemes were ever implemented and the site has remained undeveloped for over 30 years. It is therefore encouraging that the HOI have come forward with a development proposal that delivers a key requirement of the Planning Brief, through the introduction of a cultural/community use that is partially accessible to the public with other social and public benefits.

#### *Community Access*

- 10.20 The current application proposes a publically accessible route through the site between the hours of 9:30am and 5:30pm Tuesday to Sunday. These times roughly align with the opening hours of the centre (10am to 5pm Tuesday to Sunday). The hours were queried with the applicant as paragraph 4.03.15 of the Planning Brief stipulates that the public access route should 'provide significant benefits to the local and wider community' and the neighbouring gardens to the Nautilus buildings are open from 8am to 7pm in the summer hours from April to October. Additionally, local amenity societies, including the Amwell Society and the Islington Building Preservation Trust have also raised the degree of public access as part of their consultation response.
- 10.21 The applicants have advised that extended opening hours for the public route would not be possible due to security concerns regarding safeguarding exhibition pieces and the costs associated with additional security to cover the extended opening hours period would be prohibitive to the applicant. This position has been reaffirmed by Thames Water who retain critical infrastructure at the application site and also on the adjoining land to the south. Overall, whilst greater opening hours would be desired, the constraints are recognised and degree of public access to the accessible walkway is concluded to satisfy the requirements of the Brief and will offer particular benefits to the local and wider community including providing access to a historic and important part of the borough that has been locked away for a significant period of time. The requirement for a public access route will be secured in the S106 legal agreement (*Head of Term item 1*).
- 10.22 The Planning Brief development guidelines (Section 4.01.2) state that the site should provide community and meeting room facilities and educational facilities. The Education and Community Benefit Statement confirms that the educational studio will be made available for local community groups to use as meeting space. This request has been raised by the local amenity groups in their consultation responses. A clause will be included in the S106 to ensure the local community groups can access this space at affordable prices. The educational offer from the development is assessed in detail from section.... and is concluded to be satisfactory, offering significant public benefits.

#### *Heritage Interpretation*

- 10.23 The Council's long held aspirations for the site are outlined in the Planning Brief and paragraph 4.01.2 states that the 'Council would like to see remaining buildings to be used to provide a small museum (or interpretation centre and base for heritage studies) celebrating the history of water provision from the New River Head'. As stated above (paragraph 9.20), £100,000 of funding is available for such a function to be provided at the site by a future developer.
- 10.24 The application has been submitted with a Heritage Interpretation Statement that outlines the strategy for heritage interpretation across the site. Version 1 of this document goes into detail around how the heritage story of the site will be told through various different media and at various different locations across the site. The proposed site plan has included indicative blue dots that denote the location of heritage interpretation boards across the

site that will provide information around the history of the site and its various buildings. It is the intention to include QR codes on these boards that would allow further details to be provided on a smart phone or tablet. Furthermore, it may be possible to include augmented reality features with the QR codes that would allow historic, but now removed, features of the site to be displayed on smart phones or tablets that are overlaid on the site.

- 10.25 The windmill base will be used as a permanent heritage interpretation space with audio/visual applications offering an overview of the history of the New River and the New River Head featuring community voices. A similar installation may also be provided in the Boiler House Café and specially commissioned art installations may be provided in areas such as the stairwell, café and/or toilets that visualise lost structures and connect to key stories about the impact of the New River. Further initiatives are outlined in the Heritage Interpretation document.
- 10.26 The strategy for heritage interpretation is in draft form at present and it is expected for the strategy to be improved and enhanced via consultation with community groups and other interested stakeholders prior to the use commencing. This community and stakeholder involvement has been requested by amenity groups and Thames Water in their consultation responses. It is therefore recommended for a Heritage Interpretation Strategy clause to be included in the S106 that would necessitate consultation by the applicant with local amenity groups, residents and other associated organisations including the LPA (*Head of Term item 5*). This is with the aim of securing an informed and appropriate heritage strategy befitting the significance of the facility that would enable visitors to understand and appreciate the historic significance of the site and the critical role it played in the development and growth of London.
- 10.27 Thames Water currently have a separate viewing platform to the east of the site with access provided from Myddelton Passage. The viewing platform includes a number of placards that provide an overview of the New River and New River Head's history. The surface to this area currently includes a map of the New River that is in need of refurbishment. The application proposes for this area to be incorporated into the site and enhanced with new information boards and the ground surface will be retained and cleaned. These details will be forthcoming in the Heritage Interpretation Strategy that will be secured in the S106 agreement.
- 10.28 Concerns were raised with the applicant over access to this area as it was initially proposed to be fully incorporated into the site with the fencing between the application site and the viewing platform being removed. This would result in the opening times of the viewing platform being limited to the opening times of the wider site. To overcome this, separate gates have been installed to allow extended hours of use of the viewing platform. Thames Water are agreeable to this situation and it is recommended for access times to be agreed via a S106 clause in consultation with Thames Water (*Head of Term item 1*). The enhanced viewing platform which is accessed from the new permissive pathway through the site enhances the heritage offer being of benefit to the site and wider area.

### **Design and Conservation**

- 10.29 The site lies within the New River Conservation Area which is one of the largest in Islington, and is of outstanding importance. The Conservation Area includes some of the finest terraces and squares in the Borough. The area has a rare quality and consistency of scale, materials, design and detailing which require careful and sensitive policies for its protection and enhancement. The Conservation Area Design Guidance makes special reference to the New River Head at paragraph 2.2 with its 'historic industrial and water buildings' with the name of the conservation area deriving from the New River that links to the application site and played a critical role in the growth and development of London.

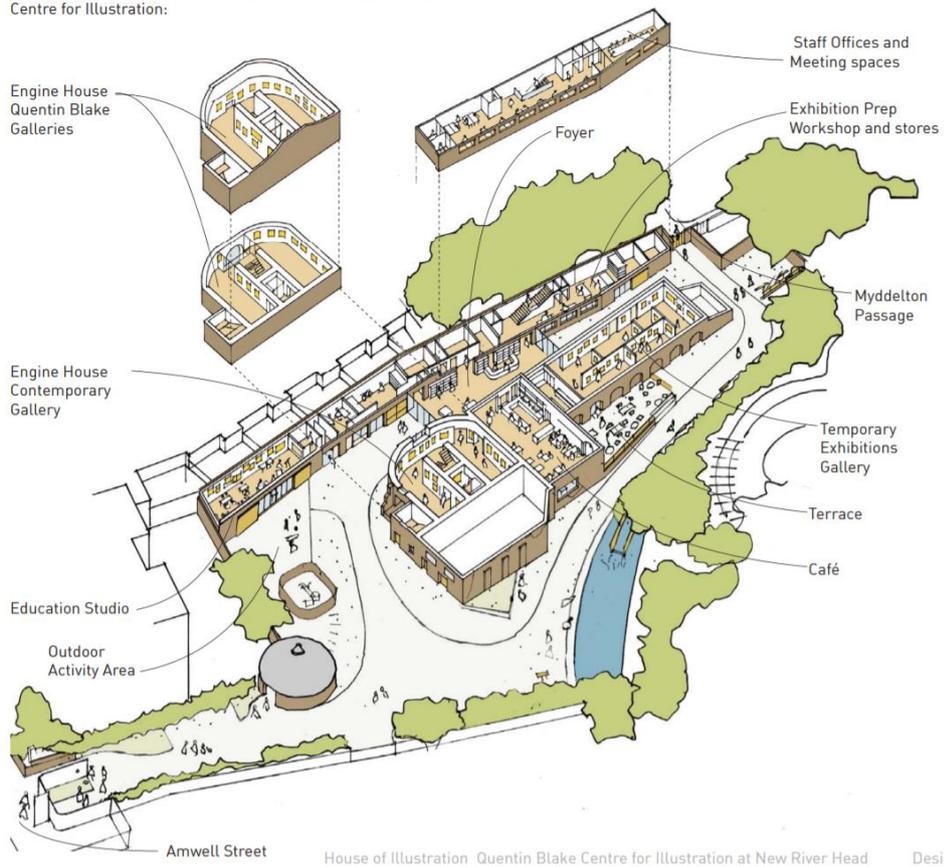
- 10.30 The proposal is to convert the buildings for use as a gallery, exhibition and education centre with ancillary shop, cafe and office uses. Historic England in their guidance note, Making Changes to Heritage Assets says at paragraph 3:
- “The best way to conserve a building is to keep it in use, or to find it an appropriate new use if it has passed out of use, either that for which it was designed or an appropriate new use which would see to its long-term conservation. Even recently restored buildings that are vacant will soon start to degenerate. An unreasonable, inflexible approach will prevent action that could give a building new life; indeed it can eliminate that use. A reasonable and proportionate approach to owners’ needs is therefore essential”.*
- 10.31 The application buildings have been out of active use and are not required operationally for their original use. Alterations would be required for appropriate new uses which would see to their long-term conservation. In the case of the gallery, exhibition and education uses proposed (with the ancillary shop, café and office uses), alterations are required to provide equal access, circulation around the site and buildings, for plant and services and for environmental performance generally.
- 10.32 The Engine House is proposed for use as a gallery space. A new stair would be inserted in the north chamber and a lift in the southern chamber. An additional floor would be inserted, the walls lined out and plant spaces incorporated to provide the environmental standards required for the display of works of art on paper. The staircase would be a substantial intervention in the earliest surviving fabric of the Engine House and would introduce breaches to the central wall to provide necessary landings.
- 10.33 The insertion of the lift in the southern chamber provides an opportunity to unblock the chamber and reveal it internally. It too would require breaches in the side walls to give access to the gallery floors. Large water mains run under parts of the Engine House, but not under the southern chamber, which means it is a location where a lift pit can be provided. The provision of a lift gives equal easy access, a public benefit. The site is constrained for insertion of a lift and the revealing of the south chamber and its verticality would be a benefit.
- 10.34 An explanation has been given that the existing cast iron stair is not suitable for public gallery use for reasons including, spacing and height of balusters, open risers and width and size of stair. Whilst adaptations can often be made to historic staircases, or relaxations in regard to certain standards, the degree of intervention would be likely to be harmful. Display windows have been incorporated in the gallery to give views of the stair and it would become a secondary means of escape stair. In the case of the inserted stair, the revised proposal is for a metal stair that would have visually permeable risers so that there could be a sense of openness without having structure harmfully embedded in the historic fabric. The history of changes in the 1768 engine house include the insertion and removal of a staircase in the southern chamber in the 18<sup>th</sup> century, insertion and removal of engines and cisterns and various removal of fabric including the north facing wall, so it would not be without precedent. However, it is considered to be a large intervention in the remaining element of the original engine house.
- 10.35 In terms of the gallery space, there would be an additional floor, which would alter the spatial character of the building and involve the adaptation of and harm to historic fabric to take it. The view of the ironwork roof would remain however. The lining out of the walls would likewise alter the character of the space but would be a reversible intervention. The plant vents have been revised so as to be low down on the south elevation out of public view and their shape changed in order to fit within removed brickwork, to avoid cutting bricks.



**Image 12:** Interior View of Contemporary Gallery Space

- 10.36 The Engine House ground floor would be adapted by removing the 1950s floor and level access across all three buildings would be provided. A reception foyer is proposed to link the buildings across the yard (see Images 15 to 16 below). It would provide the entry to the galleries and café from both the Amwell Street and Myddelton Passage entrances and allow movement through to lavatories and facilities that would be housed in the North Stores. Revision has secured the position of the west elevation of the foyer away from the 1795 Engine House brickwork and instead it would abut the Boiler House north elevation. The foyer would block the yard on this north side which would reduce the openness of the site and detract in part from the setting of the listed buildings. The harm has been minimised by the design of visual permeability with predominantly glass screen elevations on both sides and rooflights incorporated into the roof. The foyer also provides lobby type space to the galleries, which is considered to simplify the internal layout in the listed buildings.
- 10.37 The Boiler House is proposed for use as a café. The list description notes that there are no fittings of interest. The space would be unified with a level floor (which would also be used to run services). Currently the space has no natural lighting and so a glazed ridge is proposed and a picture window in the south wall. Concern has been expressed about these changes and exploration given to its use for gallery space, where lighting is not required or sought. The explanation around requirements for security, environmental performance relating to the storage and display of art, and public circulation has set out how swapping of uses between the Boiler House and Coal Stores would entail subdivision of the Boiler House for a lobby that would prejudice the appreciation of the volume of the building and its roof and make the resulting size and shape of exhibition space unviable and non-compliant with Government indemnity standards.

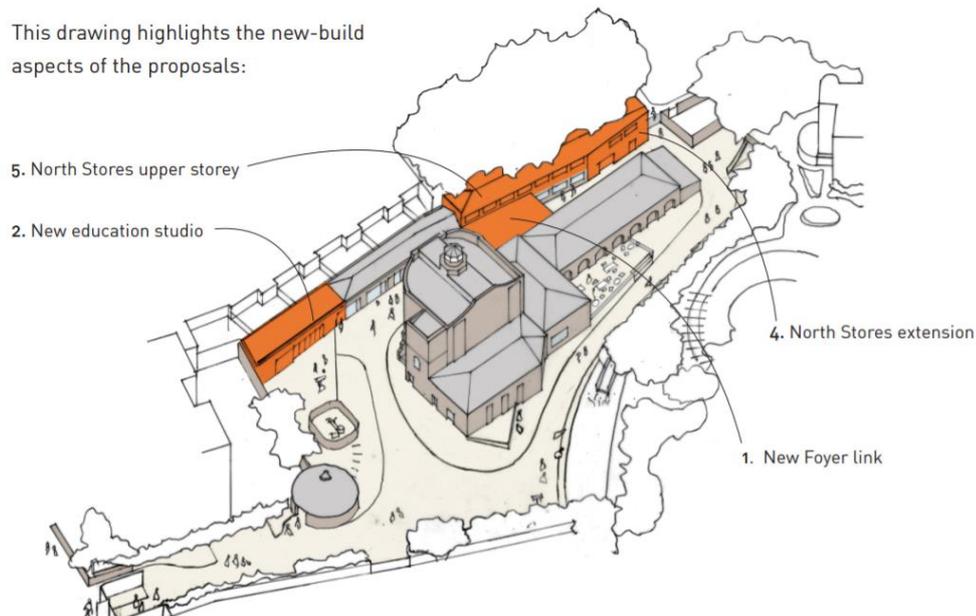
This drawing shows the relationship between the different parts of the new Centre for Illustration:



**Image 13: New Internal Uses at the Site**

- 10.38 It may have been the case that the Boiler House previously had a glazed ridge: the Pump House and Coal Stores have this and so it is not unprecedented on the site. The picture window would be a major intervention in the previously solid expression of the south elevation of the Boiler House. Revisions have secured a smaller size of window, which is relatively low and a crisp incision design approach which would read as a minimalist style of later intervention. The louvres that were inserted in the late 20<sup>th</sup> century would be removed and the brickwork restored. Although the louvres are representational of the industrial aesthetic of the building, they are recent insertions and the restored brickwork, which would be visible across the site, would also show the industrial form. Water escape louvres are being provided below the picture window for industrial operational reasons and they too, albeit closer up, would also show industrial forms.
- 10.39 The Coal Stores would be used for temporary exhibitions which require high standards of security and environmental performance. There is a subdivision of the space currently at the eastern end. This would be removed and a non-full height, non-full width subdivision would take place at the western end to provide a café kitchen. Plant would be provided in a new enclosure to the east and additional excavation would be undertaken at lower ground level. For security and environmental performance reasons the glazed ridge would be removed and windows boarded over. Although the walls would be lined in order to display works of art, the linings would not be full height, so the top of the walls would remain visible. As with other buildings, the insulation for the roof would be done on the roof side to allow the roof trusses to remain visible, and whilst there would be an increase in height of the roof this would be for insulation which is important. The linings would be reversible. The café would introduce services into the space and have a vent that would be visible and would terminate at roof level.
- 10.40 The North Stores would be used for education classrooms, offices and back of house such as offices and staff cycling facilities. A single storey extension would be added at the west end which also involves demolition of the existing west end of the North Stores, which

would cause harm to significance. At the east end the North Stores abut trees on the neighbouring site and the proposal is to demolish the eastern end after tree damage and water penetration and to rebuild at two storeys (see Image 14 below). The extensions would be in brick and have the same materiality as the retained North Stores. The offered justification for the demolition of the eastern end and rebuilding is poor condition and tree damage. The demolition at the western end is to facilitate the construction of an education suite, which is a key part of the House of Illustration's programme but this represents loss of a part of the North stores and would be harmful.



**Image 14: Proposed New Buildings in Orange**

- 10.41 In terms of setting, the differences in height and length of the North Stores would alter the appearance on the site and would give greater prominence across the site to views of the North Stores. The materiality and ancillary function would accord with the nature of the current building and a condition is recommended regarding an improved design of the education suite fenestration to accord better with the current design of the building (*Condition 3 Part A on the Listed Building Consent*)
- 10.42 The windmill base would be used for various educational and heritage interpretation purposes and few alterations are proposed. The full details of installations that relate to heritage interpretation displays internally should be provided in the Heritage Interpretation Strategy that will be secured in the S106 agreement. Such internal display items will also be provided via Condition 3 Part H on the Listed Building Consent.
- 10.43 The yard character of the site is important to the significance of the heritage assets. The entrance way would be re-laid in flat topped accessible cobbles and the provision of bike stands for visitors and a few parking spaces would not impede the open sense of the yard. The other later surface finishes would also be removed and laid with the flat topped cobbles. On the site of the foyer and towards the Myddelton Passage gate there are remaining original setts and a piece of surviving railway track. The track would be retained in situ, but the setts are not accessible. The setts would be lifted and re-laid on the site in areas where public access is not expected or required. There are also some loose setts on site where previously they have been lifted, and a condition should secure their retention and relaying, which would be a benefit (*Condition 3 Part K on the Listed Building Consent*).



**Image 15:** New Foyer Link



**Image 16:** Internal Foyer Space

- 10.44 An Air Source Heat Pump and enclosure would be provided on the south boundary of the site adjoining the Thames Water site to the south which is still operational. This would be a large enclosure as the plant required is large. However, it is located close to remaining operational areas, would be industrial in character, which has been the character of the site, and provides carbon benefits in the way that servicing is achieved on the site. The separation of the entrances on Amwell Street so that the remaining Thames Water operational site and the gallery site can have independent accesses would lead to additional gates and entrances. However, this would fit with the industrial character of the site and is therefore acceptable. A condition is advised regarding the final appearance and material for the ASHP enclosure (*Condition 23*).
- 10.45 A further landscape proposal is the creation of a piece of water/pond on the south side of the site in the approximate location of part of the original Outer Pond. Introduction of water on a site that once was characterised by large ponds would be beneficial in terms of a remembrance of the former appearance.
- 10.46 The landscaping plan includes proposals to grow self-clinging climbers such as ivy and Virginia creeper to the listed buildings. Self-clinging plants to the listed buildings where there are none currently (in the 20<sup>th</sup> century the Boiler House had a period of having plants on it) could become problematic in maintenance and appearance terms and a condition is recommended to control this in the future (*Condition 13 parts i and j*).
- 10.47 The entrance way from Myddelton Passage adjoins a viewing platform which marks the end of the New River walk route which follows the New River from its beginnings in Hertfordshire through north London to the New River Head. The platform is higher than the ground in front of it and is designed to give a view out over the wider New River site, as well as the historic buildings on the application site. The viewing platform is proposed to be incorporated into this site, see paragraph 10.27 above.
- 10.48 The 2013 Planning Brief for the site detailed a permissive path to go through the site between Myddelton Passage and Amwell Street. A foyer is being proposed for the northern element of open yard, so the application proposes the permissive path across the south of the site to the south of the Coal Stores and Boiler House going past the viewing platform where there is a height difference. The proposal is therefore a sloped path. This entails banking either side of the path which is an alteration to the levels and changes the hard landscaped yard condition into a soft landscaped area either side of the path. Attempts following negotiations have been made to reduce the height of the sloped path, to

incorporate it better into the site and its relationship with the neighbouring Nautilus gardens but it remains a significant change on the south of the site which alters the setting of the listed buildings, losing the hard landscaped character of the yard.

- 10.49 Also proposed on the south side of the Coal Stores is a café terrace. This is depicted on HOI 165 Rev H and Image 13 below. It would be accessed from the Boiler House and the Coal Stores kitchen. Because of the level changes to the interior of the Boiler House, the historic doorway opening would no longer align with the floor level and the proposal is to extend and heighten the existing opening higher up on the external wall and to provide double doors. The current arched head of the doorway is formed of historic brickwork and there is an historic style solid timber door and overhead. This would be lost and an uncharacteristic fully glazed double doorset inserted. This would be harmful to the historic fabric and to the appearance of the Boiler House.



**Image 17: New Pathway South of Boiler House & Coal Stores**

- 10.50 The terrace would obscure part of the south elevation of the Coal Stores and the flank wall of the Boiler House and harmfully alter the levels and setting on the south side. The balustrading would be cluttering to the expression of the south elevation. It would however, be a platform (and would provide cover for a water attenuation tank) and so it is anticipated that the structure could be removed in the future.
- 10.51 Historic England gives guidance on the setting of heritage assets and has a 5 step assessment process. Looking at this, the listed buildings and their settings are affected by the application proposals. The open yards and the robust character and ensemble of the industrial buildings contribute to their significance and allow the appreciation of them and the site for their water purposes. The proposed development on the south side of the site and in the rebuilding of the North Stores and with a foyer would harmfully impact on the ability to appreciate the significance of the buildings. The foyer has been designed with glass sides for transparency and the stores would have materiality to match. The terrace has been reduced in size from that originally proposed and the banking of the path has been reduced and this has allowed some minimisation of harm.

## Planning History

- 10.52 The full relevant planning history of the site is outlined from section 7 above. There is an appeal history at the site with instances of both dismissed and approved applications by the planning inspectorate. Previous planning decisions are material considerations.
- 10.53 The most recently approved application at the site was granted on the 13th May 2015 by the LPA and was a submission by the Heritage of London Trust for 'studio space [B1] in the north Workshop range, Flexible cafe, education, meeting, heritage display, studio [sui generis] in the Listed east Boiler House and Coal Store range, and change of use of the Wind Pump base to heritage display.' This permission was not implemented.
- 10.54 The last appeal at the site was a hearing in 2015 that involved two schemes with one being approved and one being dismissed. The dismissed appeal involved the conversion of part of the existing buildings, known as the former Boiler House, from storage to provide one three-bedroom residential dwelling. Ultimately this appeal was dismissed as there was insufficient public benefit from a residual use in the Engine House to justify the harmful alterations necessary for the conversion. Furthermore, it was concluded 'that conversion to housing would not be its [Engine House] optimum viable use'. The approved appeal related to a 'Change of use of North Stores to provide for a new residential studio unit (use class C3) and 114m2 of B1 (Office)/D1 (Community space)'. This appeal was successful as 'the proposal would cause less than substantial harm to heritage items within and in the vicinity of the site, which would be outweighed by the public benefits arising out of the scheme'.
- 10.55 In 2014 a joint hearing appeal allowed the conversion of first floor of the former Engine House and Windmill base to B1/D1 use, together with creation of gated pedestrian access from Amwell Street with potential linkage to the gardens beyond to the east, and alterations to north stores building comprising enlargement of existing opening and installation of timber doors to provide secure cycle parking. This scheme was permitted as the perceived harm to the heritage asset was outweighed by public benefit given the proposed uses. The LPA was opposed to this scheme due to the harmful interventions to the listed buildings to facilitate the alternative use.
- 10.56 At the same hearing as above, a scheme was dismissed that related to 'the conversion of part of the existing buildings [Boiler House & Coal Stores] from storage to residential together with rebuilding the lean-to structure and minor external alterations to form 4 residential units and 2 B1/D1 units, together with the conversion of the former Windmill base to B1/D1 with new pedestrian access from Amwell Street and Myddleton Passage and hard/soft landscaping.' This scheme was dismissed as the alterations required to the listed building to facilitate the residential conversion, including the creation of a first floor and the opening up of 7 arches for windows, were not outweighed by public benefit.
- 10.57 It is notable from the appeal decisions that the acceptability of new uses at the site predominately revolves around harm to heritage assets weighed against public benefits and the overall optimal viable use of the site. This issue is addressed further in the Planning Balance section below from paragraph 10.169 below.

## Conclusion

- 10.58 In line with Sections 16(2) and 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 listed building, its setting and any of its features of special architectural or historic interest. Under S72(1) special attention has been paid to the desirability of preserving or enhancing the character or appearance of the New River Conservation Area.

- 10.59 The NPPF says that great weight should be given to the conservation of designated heritage assets and that clear and convincing justification be required for any harm or loss to significance.
- 10.60 The proposals would fail to preserve the special architectural or historic interest of the listed building and their setting and fail to preserve or enhance the character or appearance of the conservation area.
- 10.61 It is considered that there is, in the terms of the NPPF, less than substantial harm caused to the significance of the designated heritage assets. Within the Engine House, a number of interventions are disturbing historic fabric, circulation is being taken through the remaining original Engine House, alterations affect the spatial character and appearance, and modern services are being introduced. The foyer building and the café terrace are reducing the openness of the yards around the building with landscaping changes to the yards on the south side. There is demolition and rebuilding of parts of the North Stores and external alterations to historic fabric of the Boiler House. There is some harm to the setting of the listed buildings. The Framework says that less than substantial harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.62 The optimum viable use for a heritage asset and how it is taken into account in planning decisions is described in the NPPG. Part of the guidance says that it is important that any use is viable, not just for the owner, but also for the future conservation of the asset. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset. In terms of public benefits, they could be anything that delivers economic, social or environmental objectives as described in the NPPF and they should flow from the proposed development.
- 10.63 The heritage benefits of the proposal include reducing the risks to the buildings given that they have been empty for some time. Maintenance tends to come from having buildings in economic use and this would be important in the longer term, but the buildings are robust and have survived well given that they have not been in operational use. Nonetheless, economic use of buildings is of benefit for their maintenance and long term sustainability, as is noted in paragraph 3 of 'Making Changes to Heritage Assets' quoted above. Securing the optimum viable use of a heritage asset in support of its long term conservation could be an example of a heritage benefit as outlined in Planning Practice Guidance.
- 10.64 Less than substantial harm to a heritage asset needs to be weighed against public benefits and the wider planning balance. The optimum viable use for the site is also a factor, particularly as the site has been vacant for over 30 years with a succession of approved schemes that have not been implemented as well as a number of refused schemes that have subsequently been dismissed at appeal. The gallery and exhibition use proposed involve public access to visit the exhibitions, but also the buildings and wider site. The need for large spaces for a café and temporary exhibition space also works with those buildings' large volumes. The application meets the long held aspirations for the site that are outlined in the Brief and there are further public benefits that are addressed later in this report from paragraph 10.169 below. The overall conclusion being that the public benefits of the proposed use outweigh the less than substantial harm that is being caused to the heritage assets and the optimal viable use is being secured for the site as an art gallery under use class F1. Consequently, the application meets the tests outlined at paragraph 202 of the NPPF (2021). The proposal is also considered to accord with London Plan policies HC1, Islington Policies DM2.3 and emerging Policy DH2 and it is recommended for approval.

## **Neighbour Amenity**

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

### **Overlooking / Privacy**

- 10.66 The north façade of the Engine House includes windows at first and second floor level that currently face north towards the properties at River Street Mews. The mews properties have rear facing windows and terraces that face south towards the development site with a separation distance between the north face of the Engine House and the rear elevation of the Rive Street Mews properties being around 12.7m. Currently, the second floor level windows to the Engine House cannot be viewed out of as there is no internal floor surface to these windows at this level but the first floor level windows do afford views towards River Street Mews that could constitute an overlooking/privacy issue. Furthermore, a new second floor level is being introduced into the Engine House and therefore, once installed, it may be possible to view out of the higher level windows of the Engine House towards the River Street Mews properties.
- 10.67 The intended use of the Engine House is as an art gallery for the display of illustrative art. The gallery space requires the light levels to be controlled and the art itself must be hung on a new surface. Due to these requirements, it is proposed to install a new separate internal wall surface that will obscure the windows and allow the art work to be hung on a suitable surface. Consequently, no overlooking will be possible from the upper level Engine House windows as they will be obscured by the new internal wall surface.
- 10.68 The application proposes to install a raised terrace area with associated raised access from the Boiler House café. The raised terrace is not in a location that would allow overlooking to residential premises and in this regard the application is also acceptable. Furthermore, the first floor extension to the North Stores does not include windows facing north or west and so no overlooking or privacy concerns are raised from the upwards extension in this area of the site.

### **Overbearing / Sense of Enclosure / Outlook**

- 10.69 It is proposed for the North Stores to be extended via a single storey extension towards the west for the educational studio. The extension will add 7.5m of length to the North Stores. The western extension will involve the partial demolition of the existing structure and part of the pitched roof structure is being removed to accommodate the flat roofed section of the educational studio. The new section of the building extends all the way to the western boundary of the site, a car park area for Charles Allen House. The northern boundary of the site which the extension borders is the rear of properties along River Street Mews and it is understood that this party wall would be rebuilt as part of the development works. The existing party wall between the residential premises at River Street Mews and the application site is 3.9m and the new structure will be 3.4m in height with a flat roof. Consequently, the extension will not be overbearing for surrounding residents nor cause negative sense of enclosure impacts as the relevant party wall is actually being reduced in height. The western extensional involves the partial removal of the existing pitched roof

and its replacement with a flat roof and as a result there may be some outlook benefits for neighbouring residents as a result of the development in this area.

- 10.70 The eastern section of the North Stores will be extended to the east by 9.7m and a second storey will be constructed to provide office floorspace. The existing eastern North Stores structure is not in a structurally sound condition and the four trees in this location have damaged the existing floor. Therefore, this entire section of the North Stores will be demolished and reconstructed. The second storey extension is to the area of the North Stores that borders garages to the north, with the four TPO trees being located between the two structures. The total height of the new structure will be 7.4m with a triple pitched roof (Images 14 and 18). The existing structure being 4.6m in height at this location. Due to the location of the second storey extension and its proximity to the properties at River Street Mews, there is the potential for a sense of enclosure to be introduced and outlook issues for these residents. However, due to the overall height increase of the North Stores (2.8m) and its eastern location away from the mews it is concluded that there will not be adverse impacts for the existing residents in this location. The main aspect of the mews properties are orientated south with the extension being to the east. 1 River Street Mews may lose some outlook when looking east from their roof terrace and first floor rear window but the overall impact on these viewpoints are concluded to be negligible and would not be considered an unacceptable impact.

#### Daylight and Sunlight

- 10.71 The only property that may be impacted by light reductions as a result of the development is 1 River Street Mews that is located closest to the second storey extension. However, the extended mass of the North Stores is situated outside of the 45-degree line when measured from the rear facing windows to this property (Image 18) and consequently no further investigation is required in relation to light reduction impacts. No adverse concerns are raised by overshadowing due to the height increase and location of the second storey extension being located sufficiently away from residential premises with only a modest increase in height when compared to the exiting situation.



**Image 18:** North Stores Extension

## Noise and Disturbance

- 10.72 The application proposes to introduce a new use in an area which has been predominantly sitting vacant for some time. Thames Water have retained some operational areas but it is understood that their operations at the site require infrequent maintenance visits to the site. Therefore, the existing soundscape in the area is relatively low, especially for a central London location. Introducing a new use at the site will inevitably lead to increase in noise through additional activity at the site. There are a number of residential premises in close proximity to the site, particularly to the north where the rear of properties to River Street Mews back onto the application site and share a party wall.
- 10.73 The North Stores is being partially reconstructed and extended via a second storey to the eastern section and the ground floor is being extended further to the west to accommodate the educational studio. To the north of this building are the rear terrace/gardens areas to the properties along River Street Mews and it is proposed for their respective party walls to be reconstructed to form the new northern flank wall of the north stores. Objections have been raised by these residents over potential noise impacts from the new uses in the North Stores (educational studio and toilet facilities) and the potential for adverse noise implications for these residents. This issue was raised with the Environmental Protection Officer and the proposed uses in this area did not give rise to noise concerns. Noise travel through the newly reconstructed party wall will not be perceptible to any notable degree and therefore the amenity of neighbouring residents will not be affected by the new uses in the North Stores. A condition was advised (*Condition 7*) for the educational studio skylights to be fixed shut to ensure there will be no noise travel towards residential premises through these openings.
- 10.74 The educational studio includes an outdoor classroom area immediately to its south. The outdoor space measures 104.4sqm and its northern boundary is only 5m from the party wall between the application site and the aforementioned residential premises. The outdoor space is 15m from the rear of Charles Allen House (residential) with no significant built form between the two uses. Concern is raised due to the proximity of this area to residential premises although an outdoor education space is not considered to be high noise generating and such a use would not be for prolonged periods of time nor during all times of the year and will probably be used seasonally. Objectors to the application have also raised issue with potential noise pollution from this area and it is noted by Officer's that there are wider plans for the use of the adjoining educational studio that may not be classed as educational (paragraph 10.13 and 10.17). To ensure the use of the outdoor educational space does not impact the amenities of surrounding occupiers at unsociable hours a condition has been recommended that limits the use of this space to no later than 6pm (*Condition 8*).
- 10.75 An air source heat pump is proposed to be installed towards the south of the site on the land that adjoins to the Thames Water facility. This area is not in close proximity to residential premises and so the impacts on surrounding occupiers will be low. A further plant room is proposed to the east of the coal stores and will require a new basement level. There are no flues or louvered panels to the reconstructed plant room with timber access doors being installed on the north side. To ensure noise from plant does not adversely impact neighbouring occupiers, a condition has been advised that limits the noise created from plant equipment and that it has to operate 5dB below background noise levels (*Condition 4*).
- 10.76 The application seeks permission for use of the site for private events and it is understood that such events will make use of certain areas of the site after the main art gallery has closed. It should be noted that the previously proposed use for filming has since been removed from the proposals. The areas stipulated for private events include the Quentin Blake Gallery in the Engine House and the Boiler House café including the outdoor terrace

area. With the potential for such activities to occur at unsociable hours, until 10:30pm, details of these events are required and adequate mitigation measures included with the planning consent to ensure that there will not be any unacceptable impacts on the amenities of neighbouring occupiers.

- 10.77 Firstly, an Operational Management Plan condition (*Condition 5*) is recommended so the full details of such events and their management can be appropriately secured. Secondly, an overall limit on these events is also recommended (*Condition 6*) to control the frequency of late night events. With attendees leaving the site before 11pm it is considered that there would not be an unacceptable impacts to neighbouring occupiers. Finally, an overall hours of use condition is advised that would limit the events to cease at 10:30pm with all guests to be offsite by 11pm. The outdoor terrace area, or any other outdoor area should also not be used after 10pm (*Condition 6*). A noise report has been submitted in support of the application and an update document was provided to address additional points that were raised by the Environmental Protection Officer. The original report and supplementary supporting document have been accepted by the Environmental Protection Officer and the overall noise implications from the development are concluded to be acceptable subject to the conditions recommended above.

#### Construction Impacts

- 10.78 Given the close proximity of the residential premises to River Street Mews and Charles Allen House, primarily the partial reconstruction of the North Stores including party wall works, it is considered that the proposed development would generate a degree of impacts to neighbouring amenity during the construction phase of development. Consequently, a Construction Management Plan (CMP) is advised to be secured via Condition 30 and this should follow the guidance of Islington's Code of Practice for Construction Sites.
- 10.79 Outside planning legislation there are further controls applicable to construction including Environmental Health legislation and regulations that would further protect the amenities of the neighbouring occupiers during the construction period.

#### Light Pollution

- 10.80 Paragraph 185 of the NPPF requires developments to limit the impact of light pollution from artificial light on local amenity, dark landscapes and nature conservation.
- 10.81 The application has been submitted with a brief external lighting statement. The assessment proposes that the site is classified as E4 for "High district brightness areas (Town city centre with high levels of night-time activity)". The Environmental Protection Officer has advised that, due to the backland nature of the site, it would be more appropriate to classify the site as E3 for "Medium district brightness areas (Small town centres or urban locations)". The exact location of the lighting and fittings has not been finalized and therefore a condition was advised that related to minimising impacts for nearby receptors. However, no lighting details have been provided and it would not be appropriate to condition further details due to the potential conflict with the listed status of the buildings. Consequently, no lighting is agreed as part of the current application and a further Full Planning and Listed Building application will be required for the lighting to be installed at the site. An informative is advised outlining this situation.
- 10.82 A representation received has raised concerns over light spill from the new foyer building which is in close proximity to residential developments along New River Mews. The linking foyer building will contain two rooflights that are close to the first floor extension to the North Stores and sufficiently far away from residential premises as to not represent a light spill issue for neighbouring residents. Light from the glass walls of the foyer will also be screened from the River Street Mews by the ground floor built form of the north stores.

## Conclusion

- 10.83 Overall, the impacts on neighbouring residents due to the new use at the site and as a result of the required building works is concluded to be acceptable and in accordance with DM2.1 of Islington's Development Management Policies as well as Policy D6 of the London Plan 2021 subject to conditions of consent and planning obligations.

## Transport

- 10.84 The NPPF para 108 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.
- 10.85 Chapter 10 of the London Plan relates to highways and transportation. London Plan policy T4 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. A 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 the same policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, would be required to address adverse transport impacts that are identified.
- 10.86 Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200sqm, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Policy DM8.5 relates to car parking and for non-residential developments car parking will only be permitted where it is essential for the operational requirements of the use. Normal staff parking is not considered to be essential and will not be permitted. Wheelchair-accessible car parking is required to be provided in accordance with best practice standards. Policy DM8.4 Part C requires cycle parking to be provided in accordance with Appendix 6 of the DMP. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible.
- 10.87 The Planning Brief reaffirms the Policy position in relation to transport, servicing and parking at the key site. It is outlined that development proposals at the site should be car free but that this excludes the requirement for wheelchair accessible parking. Proposals should also consider the need for on-site servicing, deliveries and refuse collection. Finally, cycle parking should be provided to promote sustainable travel and any potential conflict between vehicles and pedestrians/cycles should be minimised.

## Cycle / Car Parking

- 10.88 The initial design put forward by the applicant included 10 Sheffield cycle rails that would accommodate cycle parking for 20 bicycles. This provision was deemed to be unsatisfactory and an increased quantum of cycle parking was sought. The applicant has provided an updated Transport Statement to justify the provision of cycle parking and initially 10 extra spaces were offered as this would comfortably meet (in the applicant's opinion) the expected number of visits in an hour that are projected to arrive by cycle. However, the methodology used for the trip generation via cycles, using census data for office development in the area, was not accepted as accurate and the Highways Team did not remove their objection to the cycle parking provision.
- 10.89 To overcome the Highway objection a row of 8 cycle stands have been included on the site in close proximity to the Amwell Street entrance that can accommodate 16 cycles.

Furthermore, 4 staff cycle stands have been included in the North Stores as well as end of trip facilities such as lockers and a changing room. The overall provision of cycle parking is therefore 46 visitor spaces with 4 secure staff spaces. Furthermore, 3 of the visitor spaces are 2m in width that would allow accessible cycle to be secured at each of the cycle parking locations. In addition, 5 Sheffield cycle stands for 10 cycles have recently been installed outside Charles Allen House in close proximity to the Amwell Street entrance. On the basis that 50 cycle parking spaces are being provided as part of the application, the Highways Officer removed their objection.

- 10.90 Disabled/mobility car parking bays are proposed that will include electric charging points. Three spaces are proposed however the justification behind this provision was not fully accepted by the Highways Officer based on the new information provided in the Transport Note. The Transport Note highlights that the number of disabled/mobility bays at the site can be increased should occasional peaks require and this was accepted by the Highways Officer on the basis that a future Travel Plan is submitted that provides a mechanism to manage this arrangement. This will be secured within the S106 Agreement. Overall, the provision of disabled parking bays and cycle parking is concluded to be acceptable and in accordance with Policies DM8.4 and DM8.5.
- 10.91 To ensure the development and future use remains car free, with the exception of disabled bays, a condition is recommended (*Condition 26*) that removes the right for cars to park on site, for either visitors or staff as well as for future users to obtain an on street parking permit.

#### Delivery and Servicing

- 10.92 The delivery and servicing arrangements are outlined in the submitted Delivery and Servicing Plan. The development will be primarily serviced by the new access arrangements from Amwell Street with an intercom system in place and operated by a Site Management Team (SMT) to control vehicular access into the Site. Vehicles will be able to access the internal courtyard area from the Amwell Street access point and swept path analysis has been provided in the Transport Statement at Appendix E demonstrating how larger delivery type vehicles can access the required parts of the site as well as turn and exit the site to Amwell Street. This includes firefighting vehicles that can drive all the way to the new foyer link and south to the Boiler House. Access into the courtyard will be controlled by a set of gates onto Amwell Street which are set back sufficiently to allow a delivery vehicle to wait off-street without impeding the footway. The details of on-site servicing is consistent with Policy DM8.6.
- 10.93 The day-to-day operation of the site is anticipated to generate no more than 1-4 deliveries per day. This would be for the ancillary uses at the site including the café and workshop that require infrequent stocks of food, beverages and stationary equipment. The gallery exhibition space changes several times across the year and this generates around 2-6 collections / deliveries across a two-week period which equates to 1-2 deliveries per day for each changeover period. All such delivers and collections will be conducted via 3.5T or 4.6T panel vans or in certain circumstances a 7.5T box van.
- 10.94 Refuse will be collected from the Myddelton Passage as the refuse storage area is situated at ground floor level in the eastern extension of the North Stores that is in close proximity to Myddelton Passage. The waste storage area will provide 4 x 1,280L eurobins and 2 x 360L wheeled bins. The site is expected to be low waste generating with the main bulk of waste being generated by visitors. Residential waste collections already occur in this area and there are not considered to be any issues with the collection of commercial refuse from this location. Site management will ensure waste is accessible to the waste collection operatives, by ensuring the gated access from Myddleton Passage is open at the time of collection.

- 10.95 The final details of delivery and servicing, including intercom installation and refuse management and collection, shall be provided via a Delivery and Servicing Plan submission of detail condition. Such a condition has been recommended by the Highways Officer and has been included in the condition list at appendix A (*Condition 16*).

### Access

- 10.96 New access arrangements to the site are proposed from Amwell Street as well as to the adjoining Thames Water facility. A new separate access point is proposed to be installed to the Thames Water facility that is situated to the south of the current application site. The adjoining Thames Water site includes critical infrastructure for fresh water delivery in London. Thames Water can currently only access their site from the adjoining New River Head site but the new access arrangements will allow Thames Water to independently access their site without having to go through the application site.
- 10.97 It has been requested by Thames Water for a covenant to be included in the legal agreement that stipulates a time frame for the installation of the new access arrangements to their site from Amwell Street. This is to avoid a situation where this element of the application is not implemented in a timely fashion which could lead to sub-optimal access arrangements for Thames Water to access their critical infrastructure site that adjoins the application site to the south. A Head of Term is recommended that requires the applicant to submit full details of the Access Arrangements to the LPA, in consultation with Thames Water, within 6 months of the development being implemented. The s278 agreement should look to secure installation within 1 year of finalisation of the s278 (noting this is part of the s278 negotiation process with the Council's Highways Department).
- 10.98 The existing access point to go between the two sites is proposed to remain as Thames Water do require access to the New River Head site as certain pieces of their infrastructure are to remain on the main New River Head application site. It is advised for a covenant to be included in S106 agreement that allows Thames Water to retain access to the main site so they can access their infrastructure as and when required.
- 10.99 The new access arrangement restricts larger vehicles exiting the Thames Water site turning left and therefore vehicles will need to exit right onto Amwell Street towards Pentonville Road. This is due to there being an island to Amwell Street south of the access point. Thames Water have clarified that they are not opposed to this arrangement and would support the use of a condition or legal agreement to support the new access being undertaken with certainty.
- 10.100 The new access arrangements to Amwell Street will require a section 278 agreement under the Highways Act to be entered into between the local highway authority, the applicant and Thames Water. This requirement, including a bond/deposit to cover the costs of the works is recommended to be included in the S106 legal agreement and is listed in the Heads of Terms at Appendix 1 (Items 6 and 7). A Grampian condition was initially recommended by the Highways Officer for these works to be agreed prior to the development being implemented. However, assurances from Thames Water have been received and they are content with the proposals for access changes to the site and are comfortable with the final details being agreed post implementation of development. The letter dated 05/10/20 from Thames Water was reviewed by the Highways Officer and the initial recommendation for a Grampian condition has been removed.
- 10.101 The new access arrangements include a separate pedestrian access point and a vehicular access point to enter the site from Amwell Street being installed. The new pedestrian access way will form the permissive pedestrian route between Amwell Street and Myddelton Passage that is described above and is an expectation of the Planning Brief. The applicant is intending to limit the pathway to pedestrians only and will encourage

cyclists to dismount when going through the site. This strategy has been queried by the Highways Officer who thinks that it is unlikely to be achievable and that it would be more practical to formally allow cycling on the pathway. This approach would also be more in keeping with planning policies that support cycling and sustainable modes of transport.

- 10.102 The applicant is of the opinion that the route through the site should remain as a pedestrian link and that there are restrictions to formally allowing cycling. There is limited width to the pathway to the south of the coal stores and any design amendments to allow cycling will have negative consequences for the listed status of the building, such as signage. The New River Head is intended to be a place of stop and learn about the sites history and to appreciate the historic buildings. Formally allowing cycling on the pedestrian pathway would not be in keeping with the pace of the pedestrian link and would be at odds with the flows expected in this area, a setting for a listed building where heritage is to be appreciated.

It is suggested for a review mechanism to be included with the Full Travel Plan that is recommended as one of the Head of Terms for the S106 agreement. The review mechanism will be required to address the success of the pathway after six months of opening (the same trigger point for the submission of the full travel plan), providing monitoring data relating to cycles that have used the pathway during this initial period as well as any incidents that may have occurred. Should cycling on the pathway be highlighted as an issue in the initial period, cycling may have to be formally adopted on the basis of the information presented via the review mechanism in the Full Travel Plan. Initially the pathway will be for pedestrians only with cyclists being required to dismount. **Inclusive Design**

- 10.103 Locally, Local Plan policy DM8.1 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
- 10.104 The New London Plan policy GG1 states that development must support and promote the creation of a London where all Londoners can move around with ease and enjoy the opportunities that 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.
- 10.105 The Inclusive Design principles are set out in London Plan policy D5 which states that development proposals should achieve the highest standards of accessible and inclusive design.
- 10.106 Policy DM2.2 of the Islington Local Plan requires new development demonstrate that they provide for ease and versatility of use, deliver safe environments, produce places and space that are convenient and enjoyable to use for all and bring together the design and management of development from the outset and over its lifetime. The Council's Inclusive Design SPD provides further guidance on inappropriate design.
- 10.107 Paragraph 4.02.35 of the Brief states that 'Any proposals should be designed to provide a safe and inclusive environment. However, proposals to alter the existing buildings on the key site to provide inclusive access need to be carefully considered, so as to minimise any impact on historic fabric and/or the special significance of the designated heritage assets'.
- 10.108 Inclusive design principles have been incorporated into the site and level access is provided from the main entrance in the new foyer building that links the Boiler House and Coal Stores to the North Stores. Level access then continues through the café and onto the external terrace as well as into the ground floor of the Engine House and from the foyer

into the temporary exhibition gallery (Coal Stores). Within the Engine House a lift is being installed in the old chimney that will allow wheelchair users and/or those with mobility issues to access all three floors step-free. Furthermore, the public access route through the site that links Amwell Street with Myddelton Passage in front of the café terrace and Coal Stores is at a maximum gradient of 1:21 which is acceptable. The level increase is required due to the site topography that rises by around 1.1m from the courtyard to the South of the Coal Stores and the viewing platform.

- 10.109 To facilitate wheelchair users having unimpeded access across the site the pathways require adaptation as the current rough granite cobbles are not of a suitable specification for wheelchair users. Smooth granite sets with flush pointing has been proposed to the pathways between Amwell Street to the foyer and also to the south of the site to the public access pathway. The pathways will be at least 1800mm wide to enable two wheelchair users to pass each other. The proposed site plan shows where the historic cobbles are to remain and this is primarily around the Engine House in the centre of the site but also around part of the Windmill Base and next to the Thames Water bore hole where level access is not required. This strategy has been agreed with the Inclusive Design Officer as well as the Design and Conservation Officer as altering the historic granite cobbles in this way has heritage implications (see paragraph 10.43 above).
- 10.110 Safe drop off via taxis and vehicles can also be provided for wheelchair users, either onsite outside of the foyer or at the entrance to the site (Amwell Street) if this is suitable for the visitor. Access controls and an intercom will be included at the Amwell Street entrance to facilitate taxi drop-offs and also for those wishing to park in the disabled parking bays. The intercom would be channelled through the main office which will always have staff present.
- 10.111 Various points were raised by the Inclusive Design Officer that related to such items as the platform lift in the North Stores being repositioned, refuge spaces in the Engine House, evacuation chairs, toilet doors opening outwards and for the Windmill Base to include step free access. These issues have been addressed by the applicant and are shown on the associated plans. The lift dimensions have also been clarified and meet wheelchair accessible specifications. It is recommended for an inclusive design condition to be included with the planning consent to ensure the requisite features are installed (*Condition 17*).
- 10.112 Overall, the proposed redevelopment of the site has incorporated sufficient inclusive design principles for the new use and meets the requirements of the Development Plan in this regard. The inclusive design principles are also sympathetic to the heritage significance of the site with only minor harm being caused to the heritage asset that is outweighed by the public benefit of inclusive access in this instance.

## **Sustainability**

### **Biodiversity / Ecology**

- 10.113 London Plan policy G1 states that development proposals should incorporate appropriate elements of green infrastructure 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 building design and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage to increase the overall urban greening factor of sites.
- 10.114 Core Strategy policy CS15 and Local Plan policy DM6.5 state that the Council would 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 other biodiversity benefits.

- 10.115 The application proposes to include a small area of sedum green roof on the educational studio and on the ASHP building (new build elements and not heritage assets in themselves). The Sustainability Officer was consulted on this application and requested further justification as to why only these areas of the site were suitable for green roofs. It was highlighted by the applicant that the second storey of the North Stores is under tree foliage and it would be unlikely for a green roof to grow here, while the design of the roof needs to be pitched with slate due to the heritage setting considerations and other areas of the site are not suitable due to the statutory listed status of the buildings.
- 10.116 It has been stated that the educational studio cannot support wildflower planting as there is a height constraint due to the party wall being the northern wall of this structure with residential accommodation on the other side. A wildflower blanket may be possible subject to Building Control requirements. Wildflower planting is possible on the ASHP and this now forms part of the application. The Sustainability Officer has recommended conditions that relate to green roofs and for details of bird and bat boxes to be provided, Conditions 11 and 14 respectively. Finally, a landscaping condition was advised to ensure the species chosen maximise biodiversity, be beneficial to wildlife and complement the existing habitat.
- 10.117 Overall, the ecological enhancements across the site are concluded to be acceptable and every opportunity has been used to maximise biodiversity given the evident heritage constraints. Appropriate conditions have been recommended to ensure these enhancements are fully incorporated into the final scheme and to ensure compliance with the relevant policies of the Development Plan.

#### Energy Efficiency and Renewable Energy

- 10.118 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 152, 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.
- 10.119 The NPPF para 157 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.
- 10.120 London Plan policy GG6 seeks for 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.
- 10.121 London Plan 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 would 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.

10.122 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

10.123 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.

10.124 Policy SI 4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure

10.125 Core Strategy Policy CS10 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) CO<sub>2</sub> 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 CO<sub>2</sub> emissions should be offset through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock.

10.126 Local Plan Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council would 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.

10.127 The application has been submitted with an Energy Statement that outlines the energy strategy for the future use at the site. The statement has been reviewed by the Council's Energy Advise Team and the feedback is supportive of the strategy outlined although some further details have been requested with conditions being recommended.

### *Carbon Emissions*

10.128 The London Plan sets out a CO<sub>2</sub> reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. Based on SAP10 carbon factors, a saving of 61.8% is estimated, against a Part L 2013 baseline, which surpasses the London Plan target. For reference, based on SAP 2012 carbon factors, a 37.9% reduction is anticipated.) BRUKL outputs from the energy modelling were requested by the Energy Officer but due to the listed status of the existing buildings and that the proposed development included both new and historic buildings, BRUKL outputs

were not thought to be appropriate by the applicant's energy consultant. This justification and the alternative methodology used was accepted by the Energy Officer.

10.129 Islington Council policy requires onsite total CO<sub>2</sub> 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. Based on SAP10 carbon factors, a saving of 52.0% on total emissions is estimated which exceeds the Council target. (For reference, based on SAP 2012 carbon factors, a 28.9% reduction is anticipated.)

10.130 It was noted by the Energy Officer that the baseline used consists of an unimproved existing building for the relevant areas. For assessment against the Islington target, a baseline of an equivalent development complying with Part L 2013 should be used. The applicant has provided the carbon reduction figures in line with the Islington target but have highlighted that it would not be possible to improve the thermal performance of the building to this level without a detrimental effect on the character of the listed building. Given the site constraints of the listed building and its heritage status, this justification is accepted in this instance.

#### *Zero Carbon Policy*

10.131 In accordance with the Council's Zero Carbon Policy and Policy CS10 the council's Environmental Design SPD states 'after minimising CO<sub>2</sub> emissions onsite, developments are required to offset all remaining CO<sub>2</sub> emissions through a financial contribution'. This relates to both regulated and unregulated emissions. The Environmental Design SPD states that 'the calculation of the amount of CO<sub>2</sub> to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.' A carbon offset contribution is not mentioned in the energy statement but based on the residual emissions of 12 tonnes and the offset rate of £920 per tonne, an offset contribution of £11,040 could be expected. This figure is included in the Head of Terms that are listed at Appendix 1.

#### *BE LEAN – Reduce energy demand*

10.132 Council policy DM7.1 (A) states that '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.' DM7.5 Council policy states "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".

10.133 The proposed U-values for the new-build elements of the development are walls = 0.20, roof = 0.16, floors = 0.16 and windows = 1.50. An air permeability of 3m<sup>3</sup>/hr/m<sup>2</sup> is specified for the new-build areas. Ventilation is to be provided via a combination of natural ventilation in some areas, and mechanical ventilation with heat recovery in others. It is suggested that existing walls will be improved to a U-value of 0.8 via internal insulation. The specification of the insulation is intended to balance energy improvements and minimising the risk of any moisture issues within the building.

10.134 The Energy Officer did seek further information in relation to the U-values of the other retained building elements and the air permeability. However, as all retained building elements are listed this information was not available. Lighting controls including absence detection and daylight dimming are proposed. The development exceeds the GLA 15% energy efficiency target for non-residential development. The applicant confirms that the other retained building elements will be insulated to part L2B standards wherever possible.

10.135 In accordance with Environmental Design SPD 'applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed'. Dynamic thermal modelling in line with CIBSE TM52 has not yet been undertaken. The report is currently being compiled by the applicant's energy consultant with the full details being required via Condition 20.

10.136 Policy DM7.5 states that the 'use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control.' Some discussion of the cooling hierarchy has been provided in the Energy Statement. This covers areas such as thermal mass, natural ventilation, mechanical ventilation, glazed areas, g-values and minimising excessive solar gain, insulation and thermal mass. The Energy Statement also points out that active cooling is a requirement in certain areas such as the exhibition spaces, in order to maintain appropriate environmental conditions for the display of artwork. Thermal modelling results are required to inform the approach to the cooling hierarchy and active cooling. Once the details have been provided against Condition 20, additional comments will be sought from the Energy Officer in relation to cooling strategy that is proposed.

#### *Low Carbon Energy Supply (Be Clean)*

10.137 London Plan Policy SI 3 B states that:

*Major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system:*

*1) the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:*

*a) connect to local existing or planned heat networks*

*b) use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)*

*c) 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)*

*d) use ultra-low NOx gas boilers*

*2) CHP and ultra-low NOx gas boiler communal or district heating systems should be designed to ensure that they meet the requirements in Part B of Policy SI 1 Improving air quality*

*3) 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.*

10.138 Space heating and cooling will be provided via an air source heat pump system that is located towards the south of the site. Domestic hot water will be provided via point-of-use electric heaters. Policy DM7.3B states that all major developments within 500 metres of an existing or planned decentralised energy network are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible. The Energy Statement identifies that there are no existing or committed decentralised energy networks within 500m of the development site and therefore no connection will be made to a network. This is accepted.

- 10.139 Policy DM7.3A states that 'all major developments are required to be designed to be able to connect to a Decentralised Energy Network (DEN)'. The Council's Environmental Design Guide goes on: 'to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).' Furthermore, Policy DM7.3C states that '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.'
- 10.140 The Council's Environmental Design Guide promotes the future connection to DENs by requiring all schemes to incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).' GLA Guidance in this regard states that 'the site heat network should be supplied from a central energy centre where all energy generating equipment, such as CHP and boilers, is located.'
- 10.141 The energy statement indicates that the development will be future-proofed for connection to a DEN. This would be achieved through use of a low-temperature heating system, and a plan has been provided showing a potential route for any connection from the edge of site to the heat pump enclosure location. Potential space which could be made available for a connection within this area is also shown. This information is considered to be satisfactory and addresses the aforementioned policies in this regard.
- 10.142 Policy DM7.3D states that '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. The potential for a shared heat network has not been assessed but the Energy Officer does not see that there are any appropriate opportunities for a shared heat network in the area and therefore no further assessment is required at this stage. A covenant is advised in the legal agreement that relates to the development connecting to a local energy network if a viable opportunity arises in the future. Such a requirement is outlined in the Council's Planning Obligations SPD (2016).
- 10.143 In accordance with the London Plan hierarchy (see 10.134 above) where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised. 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.'
- 10.144 On-site CHP is not proposed and the overall floor area is less than 10,000sqm. Therefore, no further evaluation of CHP is required.

#### *Renewable Energy (Be Green)*

- 10.145 The Mayor's Sustainable Design and Construction SPD states that '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.' The Council's Environmental Design SPD (page 12) states: 'use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets.'

- 10.146 Air source heat pumps are proposed and represent a source of renewable energy on site. Solar PV are usually recommended in addition to such technologies as ASHPs but given the heritage status of the retained buildings on site this is not considered to be feasible in this instance.
- 10.147 Policy DM7.1 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.
- 10.148 A draft Green Performance Plan has been submitted, as well as an update to the Targets and Indicators section, showing numerical targets. The information provided so far is acceptable. A full Green Performance Plan has been included in the draft head of terms for the S106 agreement at Appendix 1.

#### *Sustainable Design Standards*

- 10.149 Policy DM7.4A states 'Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding'. 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.'
- 10.150 A BREEAM pre-assessment for the development is not possible as there is no comparable baseline against which a BREEAM assessment can be conducted. The development proposal is unique in that a historic water infrastructure facility is being converted to an art gallery and there is no comparable development type to make a BREEAM assessment against. Consequently, a condition is recommended that allows some flexibility and an equivalent assessment to BREEAM will be allowed, in agreement with the LPA, where the proposed building does not sufficiently align with particular BREEAM criteria. The details of these requirements are outline in full at Condition 18.

#### Sustainable Drainage

- 10.151 Core Strategy Policy CS10 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. Local Plan Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.
- 10.152 It is proposed for surface water to drain into the existing onsite surface water drain system at a restricted rate using onsite attenuation and a hydrobrake flow control. An attenuation tank is proposed under the café terrace area to the south of the Coal Stores. Drainage devices will be designed for the 1:100 year event plus 40% to allow for climate change.
- 10.153 The drainage details have been accepted by Thames Water who initially requested conditions for foul water and surface water drainage but on review of the updated Drainage Strategy document the request for conditions was removed. The drainage details have also been accepted by the Council's Sustainability Officer with a request of the details of the Drainage Strategy document to be secured via a compliance condition (*Condition 12*).

## **Trees**

- 10.154 Trees, shrubs and vegetation are protected by policy, specifically Policy DM6.5 which states that any loss of or damage to trees, or adverse effects on their growing conditions, will only be permitted where there are over-riding planning benefits, must be agreed with the council and suitably reprovided. Moreover, that the council will refuse permission or consent for the removal of protected trees (TPO trees, and trees within a conservation area) and for proposals that would have a detrimental impact on the health of protected trees.
- 10.155 The proposal includes development underneath the spread of four large plane trees to the north of the site which are outside of the red line site boundary. A Tree Survey has been submitted with the application that addresses the works required to these trees to accommodate the two storey section of the extended North Stores that will be constructed in this area of the site. Some low level branches to the four plane trees are required to be removed and the reconstructed North Stores will use a piled substructure designed to protect the tree roots in the north east area of the application site. The details of the works to these trees are outlined in the Tree Survey which has been reviewed by the Council's Arboricultural Officer. Condition 15 has been recommended to ensure the works to the trees are acceptable and do not cause lasting damage to the protected trees that are of amenity value to the area.
- 10.156 The details of the required tree works are accepted and the inclusion of Condition 15 will ensure the development complies with policy DM6.5.

## **Safety and security**

- 10.157 The proposed use includes travelling exhibitions being housed in the temporary exhibition gallery. Site safety for this space as well as the other areas of the site has been identified as important for the site functioning by the applicant. Thames Water have also raised security as an issue as they retain critical infrastructure on the site as well as on adjoining land to the south. Due to these security concerns, the permissive access route cannot be open for the hours desired by the LPA (Planning Brief) or local amenity groups and this is deemed to be acceptable.
- 10.158 The Crime Prevention Officer was consulted on the details of the application and no objections were raised. It was recommended that the pathway should have clear site lines where possible with no obstructions from large street furniture, high hedges or low hanging branches. It was also advised for landscaping to be maintained so that shrubs are no higher than one meter and tree canopies no lower than 2 meters above ground.
- 10.159 It was also advised for there to be a good uniformity of lighting across the site so that it would not create dark spaces and the lighting should work in collaboration with any CCTV present so that it does not distort images and that they are of good evidential value. Any new lighting should be bulkhead or column. Bollard lighting is to be avoided as it does not clearly highlight faces which, in turn, increases the fear of crime as well as the opportunity for it.
- 10.160 These requirements have been included in the landscaping and lighting conditions respectively.

## **Fire Safety**

- 10.161 London Plan Policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement which is an independent fire strategy produced by a suitably qualified assessor.

- 10.162 A Fire Statement has been provided and subsequently amended to correctly address Part B of London Plan Policy D12. The Fire Statement has been reviewed by the Council's Building Control Team and the details are considered to satisfy the requirements of Policy D12 listed above.

### **Planning obligations**

- 10.163 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.
- 10.164 The agreed heads of terms is included at Appendix 1 and includes items already discussed that relate to, public access through the site, community use agreements, heritage interpretation strategy, carbon off-setting payment and for the development to be car-free. There are further requirements that are applicable to the development that are outlined in Development Plan Policies as well as in the Council's Planning Obligation SPD (2016).
- 10.165 In accordance with policy CS13 part C, and the Planning Obligation SPD, the proposed development would be eligible to contribute towards construction employment and training should it not be possible to provide these placements as part of the redevelopment of the site. The development is required to provide 1 placement for every 1,000sqm (GEA) of commercial/employment floorspace and each placement requires a £5,000 contribution if it cannot be provided on-site. GEA figures have not been provided so this requirement can be calculated as part of the S106 agreement. (*Head of Term item 9*).
- 10.166 The development is eligible for an employment and training contribution for the operational side of the development which is calculated by the uplift in employees at the site (30) x proportion of Islington residents requiring training and support (6.7%) x cost of training/support per person (£2,500) = £5,025. This contribution will be secured within the legal agreement. The Planning Obligations SPD also requires the development to comply with the Code of Local Procurement and the Code of Construction Practice both of which will be secured in the legal agreement. (*Head of Term item 8*).
- 10.167 Further obligations have been included in the head of terms that relate to preparatory works to the highway and for legal costs of monitoring the S106 to be covered by the applicant.

### **Planning Balance**

- 10.168 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".
- 10.169 The proposed use of the site as an art gallery under Use Class F1 is accepted in principle and is considered to be an appropriate community/cultural use that is likely to be the optimum viable use of the site and listed buildings. Alternative schemes have been proposed in the past with some gaining consent and others being dismissed at appeal. Ultimately, as none of the approved permissions have been implemented (including a mixed use scheme with heritage interpretation elements via the Heritage of London Trust) it is notable that those uses were unlikely to be viable.

- 10.170 The Council has a long held aspiration for the site to come forward as a heritage centre so the history of the site and its contribution to London's growth can be appreciated. This has been outlined in three previously adopted planning briefs at the site with the last brief being the New River Head and Claremont Square Planning Brief (2013). The Brief stipulates various requirements for the future development of the site and on all counts the proposed development is considered to meet these requirements. While some are considered to be more thoroughly addressed than others, the overall benefit of the proposed use at the site significantly outweighs any perceived shortfalls against meeting the requirements of the Brief. The Planning Brief is a material planning consideration and is a factor in the overall planning balance.
- 10.171 The design section above has noted a number of harmful alterations to the listed buildings and the Design & Conservation Officer's analysis concludes that the proposals would fail to preserve the special architectural or historic interest of the listed buildings and their setting and also fails to preserve or enhance the character or appearance of the conservation area. The proposal would therefore lead to less than substantial harm to the heritage assets. The primary harmful alterations relate to the insertion of the stair and lift in the Engine House, the new window to the Boiler House, the raised café terrace to the south of the Coal Stores, the linking foyer that covers the northern courtyard and the alterations to the North Stores. All these factors cause harm but to differing degrees. In isolation these alterations could be accepted as there are clearly public benefits from such a use bringing the site back into operation. However, the cumulative impact of these alterations are causing a level of harm that could tip the planning balance negatively against the development with harm not being outweighed by public benefit, particularly as these listed buildings are considered to be at the high end of the Grade II listing (of particular significance).
- 10.172 The applicant has provided an Education and Community Benefit Statement that outlines a package of benefits that relate to the use of the education studio and wider social value initiatives that encourage both children and adult learning as well as providing free and/or discounted access to a range of activities at the site. The full details of this are outlined from section 10.9 of this report and the Statement is included at Appendix 3 below.
- 10.173 The package of benefits is considered to be comprehensive and will benefit various different cohorts of society from within the Borough. These include primary school aged children who will be allowed free access to the exhibition space as well as 12 x 1.5 hour workshops which will benefit over 360 primary school aged children in Islington. 25 Primary school teachers will also benefit from 'twilight' CPD (Continuing Professional Development) sessions per annum as well as free access to online curriculum resources. A similar package of benefits is also proposed for secondary school aged children alongside 90 free tickets for professional development workshops for Islington residents aged 16-23, two paid internship/traineeships/apprenticeships and two week-long work experience opportunities.
- 10.174 Further wider community benefits are offered via free access to various areas of the site between 10am and 5pm Tuesday to Sunday. These include the gardens and pathways, Engine House ground floor contemporary gallery, Boiler Room, Windmill Project Space and related heritage interpretation. Other benefits include 24 x £1 tickets for each monthly early years (under 4s) workshop, benefitting 144 under-fives and 144 parents in the borough. Discounted tickets for day centre attendees, care home residents and elderly local estate residents as well as looked after children and their carers are also offered. Furthermore, the learning studio will be made available for local amenity groups as meeting space and local cultural and community organizations will also be offered the opportunity to use space at the site where there are shared mutual objectives or for collaborative projects.

- 10.175 Further aspirations are highlighted in the Education and Community Benefit Statement as over the first 10 years of operation at the site the HOI are expected to grow in significance creating and developing connections with local groups and organisations. This includes Islington School's where there is an intention to sustain bespoke, term-long partnerships/residencies with 3 schools each year. While the majority of the Education and Community Benefit Statement is accepted as adding social value and being of public benefit, some areas need to be refined to ensure the proposals will be implemented and are enforceable. This includes shortening the timeframes for a few items as a 10 year 'intention' is unlikely to be realised. Consequently, the Education and Community Benefit Statement is considered to be in draft form at present and further negotiation over its final details will be secured via the Community Use Agreement that will be required in the S106 agreement (*Head of Term item 4*).
- 10.176 There are further public benefits of note from the proposals and these include the 30 employees who are expected to be employed at the site by 2024 which will have positive economic impacts both locally and for the wider London area. Furthermore, the impact of having a new cultural attraction in this area of the Borough, while hard to quantify, will have positive socioeconomic impacts on the community and local businesses due to the extra activity at the site that will be partially free to access for significant periods of the week (9:30am to 5:30pm, Tuesday – Sunday).
- 10.177 The above noted benefits are positive justifications for allowing some of the harmful alterations to the listed buildings on the site, which are also considered to not conserve or enhance the surrounding conservation area. However, these benefits alone would not justify the less than substantial harm the interventions are concluded to cause to the heritage assets. To that end, the test identified at paragraph 202 of the NPPF is relevant and particularly the reference to optimal viable use. As has already been noted, the site has been vacant for some time and no viable scheme has been implemented at the site despite various planning applications being approved in 2013 and 2014 either through appeal or by the LPA. These approved schemes included a mixed use scheme by the Heritage of London Trust (ref: P2014/3009/FUL) that included office floorspace as well as café, educational and heritage display floorspace. Other approved schemes included residential floorspace in the North Stores alongside office and/or community floorspace (P2014/2499/FUL) and a further application was approved in the Engine House and Windmill base for an office and community use (ref: P2013/0368/FUL).
- 10.178 The current application has undergone a number of revisions and extensive discussions have taken place to ensure the harm being caused to the listed status of the buildings is being minimised as far as possible. Revisions have been received to the new Engine House stairs, the foyer, the café terrace, to the Boiler House (café) window and the site topography to the south of the Coal Stores). While the amendments have lessened the harm being caused, in both isolation and cumulatively, they are still harmful additions that are not preserving the buildings' significance. However, should any of these elements be removed or amended further, the occupation of the site by the HOI would become unviable and the future success of the refurbished site would be put in jeopardy.
- 10.179 The NPPG provides guidance in relation to optimal viable use at paragraph 015 (rev date 23 07 2019). Here it is stated that 'In a small number of cases a heritage asset may be capable of active use in theory but be so important and sensitive to change that alterations to accommodate a viable use would lead to an unacceptable loss of significance.' However, paragraph 014 goes on to state that 'If there is only one viable use, that use is the optimum viable use. If there is a range of alternative economically viable uses, the optimum viable use is the one likely to cause the least harm to the significance of the asset, not just through necessary initial changes, but also as a result of subsequent wear and tear and likely future changes. The optimum viable use may not necessarily be the most economically viable one.'

- 10.180 The National Planning Practice Guidance (NPPG) suggests that the optimum viable use is the one that will cause least harm to significance. However, in some circumstances an active use may cause unacceptable harm to significance. Here it is important to take account of the planning history as it has been noted that there have been no viable schemes implemented despite there being approved applications in the sites relatively recent history. It would therefore be reasonable to accept that the proposed use by the HOI as an art gallery is the optimum viable use of the site, should the application be approved and subsequently implemented, given the fact that no other alternative uses have been implemented despite gaining planning consent. Harm to significance has been identified due to the necessary alterations to the listed buildings that would enable the proposed use to be viable for the intended user. It is therefore concluded that the harm to significance is acceptable in this instance given the overriding benefits of the site being brought back into use for community/cultural purposes.
- 10.181 The NPPG goes on to highlight that 'Harmful development may sometimes be justified in the interests of realising the optimum viable use of an asset, notwithstanding the loss of significance caused, and provided the harm is minimised'. This is applicable to the proposed development at the New River Head as the harmful alterations to heritage assets identified are necessary and justified as without the interventions outlined in the design section above, the optimum use would not be viable. Furthermore, the scheme has been amended through discussions, ensuring harm to the heritage assets has been minimised while still facilitating a development that would be commercially viable for the applicant.
- 10.182 The overall conclusion reached in the planning balance is that the harm identified to the significance of the listed buildings as well as to the character and appearance of the conservation area is outweighed by public benefits in this instance. Negotiations with the applicant over lessening heritage harm have been taken as far as possible and an acceptable compromise has been reached, lessening harm in various areas across the site. Any further alterations would make the scheme unviable for the applicant meaning they would not proceed with the development. In this regard the proposed scheme and its design is concluded to be the optimum viable use of the site. The public benefits from the scheme are numerous and have been addressed within this report. The application as a whole will facilitate a viable future use that accords with the Development Plan, the Planning Brief as well as the NPPF (2021) and national planning guidance. Consequently, the applications are recommended for approval subject to conditions and the satisfactory completion of a S106 legal agreement.

## **11. CONCLUSION**

- 11.1 It is recommended for the Planning Committee to grant planning and listed building consent for the development proposed subject to conditions and a S106 legal agreement being signed.

## 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.

1. Public access through the site shall be provided between the hours of 9:30am and 5:30pm Tuesday to Sunday. The opening hours shall be reviewed annually and/or should the primary operation hours of the use of the site extend beyond 10am to 5pm Tuesday to Sunday the opening hours shall be reviewed in consultation with local residents, the Local Planning Authority and Thames Water.

All reasonable endeavours shall be used to extend the hours during which public access through the site is provided from 8am Tuesday to Sunday, subsequently to 8pm daily (when this falls within daylight hours) or such other extended hours as may be reasonably practicable.

No later than six months from first occupation, and annually thereafter (whether or not the primary operation hours of the site extend beyond 10am to 5pm Tuesday to Sunday), the hours when the public access route is available shall be reviewed by Hol in consultation with local and other relevant stakeholders including Thames Water and the Metropolitan Police, and discussed in a meeting with London Borough of Islington and the Local Engagement Group or successor organisation.

Should extending the opening hours be considered reasonably practicable and agreed in writing by the London Borough of Islington (after Hol using all reasonable endeavours to extend them in accordance with this Deed), then from six weeks from date of the review meeting, the public access route shall be kept open for the maximum alternative extended hours considered reasonably practicable by London Borough of Islington. The impact and continuation of extended hours shall then be reviewed at a meeting six months later.

Hol shall not be required to extend the hours in the event that it has demonstrated to the reasonable satisfaction of London Borough of Islington that: the National Security Adviser has confirmed that Government Indemnity Standards cannot be achieved; adequate insurance cannot be achieved; it is contrary to advice from the Metropolitan Police; and/or if the cost of security exceeds available, surplus funds.

The requirement for reviews will not apply when the public access hours are extended to between 8am and 8pm each day.

2. Public hours of access to the Thames Water viewing platform shall be secured in agreement with Thames Water.
3. Thames Water is to retain access to its infrastructure facility and certain areas of the site namely
  - i) the ground floor Pump House;

- ii) a borehole to the west of the site; and
- iii) an access hatch in an area of the north stores.

Details of the agreement to be agreed between House of Illustration and Thames Water.

4. The applicant shall submit prior to works commencing on site an Updated Draft “Education and Community Use Agreement” The ECUA shall set out annual commitments to enhanced access to targeted Islington residents / school students / teachers/ with the aim of year on year improvements to the offer (including agreement to an annual reporting / review process). Additionally a 10 year aspiration for the HOI operations to grow and expand connections commitment within the draft version submitted within the application will need to be more ambitious in terms of its timescales. The following are to be secured annually within the updated (Final) Education and Community Use Agreement”:

- a. To host one cultural leader’s network meeting every other year as part of the HOI contributions towards the 11 by 11 Cultural Leaders programme;
- b. Commitment to establish and sustain, bespoke, term-long partnerships/ residencies with 3 Islington schools annually;

#### Primary Schools & Key Stage 3

- c. Free exhibition entry for all Islington primary state schools and home learners;
- d. Free ‘twilight’ CPD session for 25 Key Stage 1, 2 and 3 teachers (40 in year 1);
- e. 12 free 1.5 hour workshops, benefitting 360+ KS1, 2 and 3 state pupils;
- f. Free access to online curriculum resources.

#### Secondary Schools & Key Stage 5

- g. Free ‘twilight’ CPD session for 25 KS4 and 5 art and design teachers ;
- h. Free exhibition entry for all state KS4 and 5 art and design students (16+) ;
- i. Free half-hour talk for all visiting KS4 and 5 art and design classes with a member of the Centre’s curatorial and/or welcome team;
- j. Up to 90 free tickets for professional development workshop days for Islington residents aged 16-23;
- k. Centre staff participation in employability events and careers fair;
- l. At least two paid traineeships, internships or apprenticeships. Payment to be agreed in writing by the Council;
- m. At least two week-long work experience opportunities for Islington residents;
- n. Recruitment procurement to be conducted in consultation with the Islington iWork Service and the Youth Unemployment Service.

#### Communities

- o. Free access, 10am-5pm Tuesday to Sunday;
- p. 24 £1 tickets for each monthly early years (under 4s) workshop, benefitting 144 under-fives and 144 parents per annum;
- q. £3 weekday exhibition tickets for day centre attendees, care home residents and elderly local estates residents;
- r. £3 exhibition tickets for looked after children and their carers;
- s. Structured volunteering programme with 20 local people;
- t. Daytime access to a Changing Places toilet facility;

#### Collaboration and Governance

- u. Collaboration with local organisations and projects;
- v. Bookings for local community/arts groups;
- w. Participation by the Centre’s leadership;
- x. New Youth/Community Advisory Panel;

- y. Board representation by at least 2 local residents/workers/artists
5. The applicants shall submit an updated Heritage Interpretation Strategy for the site that shall include details of consultation and engagement with the local community and interest groups, including Thames Water in the further development of the heritage strategy for the site. The strategy shall include:
    - a. The final locations of heritage interpretation boards across the site that will provide information around the history of the site and its various buildings. It is the intention to include QR codes on these boards that would allow further details to be provided on a smart phone or tablet.
    - b. Further details of inclusion of augmented reality features with the QR codes that would allow historic, but now removed, features of the site to be displayed on smart phones or tablets that are overlaid on the site (timescales for introduction if not immediately achievable);
    - c. The windmill base to be used as a permanent heritage interpretation space with audio/visual applications offering an overview of the history of the New River and the New River Head featuring community voices;
    - d. Details of a Boiler House Café installation and specially commissioned art installations and locations in areas such as the stairwell, café and/or toilets that visualise lost structures and connect to key stories about the impact of the New River.
  6. A bond/deposit to cover costs of repairs to the footway and for repairs to the highway. This ensures funds are available for the repair and re-instatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council.
  7. Within 6 months of the development being implemented a S278 agreement shall be entered into with the Council and Thames Water to secure the details and costs for creating the new access design to Amwell Street. This shall require full details of the new access arrangements from Amwell Street to both the main site and the adjoining Thames Water site, in consultation with Thames Water, and include such supporting details as vehicle tracking information for the adjoining Thames Water infrastructure facility. The s278 agreement should look to secure the installation of the new Amwell Street Access point within 1 year of the agreement being finalised.
  8. Compliance with the Code of Employment and Training and a contribution of £5,025 towards employment and training initiatives.
  9. Facilitation, during the construction phase of the development, of the following number of work placements:

Each placement must last a minimum of 26 weeks.

The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £10,000

10. Compliance with the Code of Local Procurement.
11. Compliance with the Code of Construction Practice 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 works commencing.
12. 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 £11,040.
13. Submission of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development. Full travel plan to contain monitoring data pertaining to the use by cycles of the pedestrian pathway. The monitoring data shall be reviewed by the LPA with a view to potentially formally allowing cycling on the pathway.
14. The submission of a Green Performance Plan and compliance with the approved document.
15. 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.
16. Construction Training placements based on one placement for every 1,000sqm (GEA) of floorspace (or if it can be demonstrated that this is not possible, a £5000 contribution towards placements elsewhere).
17. Council's legal fees in preparing the Section 106 agreement and officer's fees for the preparation, monitoring and implementation of the Section 106 agreement.

If the Committee resolve to grant, resolution will include provision to provide flexibility to officers to negotiate and finalise s106 on behalf of the Committee.

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

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

## RECOMMENDATION B:

### List of Conditions:

1	<b>Implementation Period (Compliance)</b>  CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.  REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	<b>Approved plans list (Compliance)</b>  CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  HOI 050 Rev P, HOI 051 Rev J, HOI 060 Rev J, HOI 061 Rev G, HOI 070 Rev F, HOI 071 Rev M, HOI 072 Rev H, HOI 073 Rev F, HOI 074 Rev G, HOI 080 Rev H, HOI 081 Rev F, HOI 082 Rev G, HOI 083 Rev K, HOI 084 Rev F, HOI 085 Rev D, HOI 086 Rev B, HOI 090 Rev G, HOI 091 Rev K, HOI 092 Rev F, HOI 093 Rev B, HOI 094 Rev B, HOI 101 Rev A, HOI 102 Rev B, HOI 103 Rev A, HOI 104 Rev A, HOI 110 Rev D, HOI 111 Rev H, HOI 112 Rev D, HOI 113 Rev D, HOI 115 Rev F, HOI 116 Rev G, HOI 120 Rev E, HOI 121 Rev D, HOI 122 Rev D, HOI 125 Rev C, HOI 130 Rev F, HOI 131 Rev F, HOI 132 Rev E, HOI 133 Rev E, HOI 134 Rev E, HOI 135 Rev E, HOI 136 Rev E, HOI 137 Rev G, HOI 138 Rev G, HOI 139 Rev G, HOI 140 Rev E, HOI 141 Rev E, HOI 142 Rev D, HOI 143 Rev D, HOI 144 Rev H, HOI 145 Rev K, HOI 146 Rev B, HOI 147 Rev B, HOI 148 Rev B, HOI 150 Rev E, HOI 151 Rev E, HOI 152 Rev G, HOI 153 Rev J, HOI 155 Rev J, HOI 156 Rev F, HOI 157 Rev F, HOI 160 Rev B, HOI 161 Rev C, HOI 162 Rev A, HOI 163 Rev A, HOI 164 Rev A, HOI 165 Rev H, HOI 166 Rev B, HOI 170, HOI-EOC-SK0004-P4, 20-99-01 Rev C, Engine House Stair & Lift - Revised & Amplified 10/11/2021,  Design and Access Statement Dec 2020 Revised 26/11/2021, Education and Community Benefit Statement Rev V5, Heritage Interpretation Statement Rev V1, Delivery & Servicing Plan May 2021, Drainage Strategy Report Issue 03 Ref 20077 23/11/2021, Desk Study & Ground Investigation Report J20207 10/12/2020, Structural Method Statement Issue 02 Ref 20077 23/10/2020, Energy & Sustainability Statement 15/12/2020, Updates to Energy Statement Rev 2, External Lighting Statement Rev-B 15/12/2020, Archaeological Desk-Based Assessment 16/12/2020, Planting Schedule 2099 / EH / PP003, Ecological Appraisal Ref: eg20970-REV01 16/12/2020, Arboricultural Survey & Planning Integration Report 04/11/2020, Statement of Community Involvement December 2020, Noise Impact Assessment 18/12/2020, Stage 3 Acoustic Design Report Ref: HOI-RAM-XX-XX-RP-YA-00003 August 2021, Noise Planning Comments 25/10/2021, Heritage Statement Montagu Evans, Planning Statement May 2021, Transport Statement May 2021, Transport Note September 2021 210930, Travel Plan May 2021, Fire Statement Rev 07.  REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
3	<b>Materials (Details)</b>  MATERIALS (DETAILS): 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:

	<ul style="list-style-type: none"> <li>a) solid brickwork (including brick panels and mortar courses)</li> <li>b) render (including colour, texture and method of application);</li> <li>c) window treatment (including sections and reveals);</li> <li>d) roofing materials;</li> <li>e) balustrading treatment (including sections);</li> <li>f) any other materials to be used.</li> </ul> <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>
<b>4</b>	<b>Plant Noise (Compliance)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq Tr}</math> 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 <math>L_{AF90 Tbg}</math>. 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: In order to protect the amenities of surrounding occupiers.</p>
<b>5</b>	<b>Operational Management Plan (Details)</b>
	<p>An Operational Management Plan for the occasional event use of the Boiler House café and terrace and Engine House spaces shall be submitted and approved by the Local Planning Authority prior to commencement of the use hereby approved. The Plan shall include:</p> <ul style="list-style-type: none"> <li>a) hours of use;</li> <li>b) a full dispersal policy and procedure;</li> <li>c) a door policy;</li> <li>d) signs to request patrons to leave in a quiet manner and not to loiter in the surrounding streets;</li> <li>e) servicing and delivery times;</li> <li>f) bottling out and waste management noise;</li> <li>g) control and levels of noise from any amplified music within the spaces;</li> <li>h) control of any noise from any designated smoking areas;</li> <li>i) control of noise from the terrace area;</li> <li>j) close down policy with amplified music shut-off and increased lighting;</li> <li>k) security, including any additional proposed CCTV;</li> <li>l) any additional external or security lighting;</li> <li>m) capacity (of each use);</li> <li>n) private hire facilities/functions;</li> <li>o) management policy and management structure.</li> </ul> <p>REASON: In order to protect the amenities of surrounding occupiers.</p>
<b>6</b>	<b>Limit on Private Events &amp; Hours (Compliance)</b>
	<p>The Boiler House café and terrace and Engine House space shall be used for no more than 24 private hire events per calendar year and there shall not be more than 1 per week or 3 per month.</p>

	<p>The private events can only operate between the hours of 6pm and 10:30pm (with the exception of Mondays, which could operate between the hours of 9.30am and 10.30pm) with all guests being off the site by 11pm. The external café terrace cannot be used after 10pm.</p> <p>REASON: In order to protect the amenities of surrounding occupiers.</p>
<b>7</b>	<b>Skylights to Educational Studio (Compliance)</b>
	<p>CONDITION: The hereby approved sky lights to the Education Studio shall be kept closed at all times.</p> <p>REASON: In order to protect the amenities of surrounding occupiers.</p>
<b>8</b>	<b>Educational Studio &amp; External Classroom Hours of Use (Compliance)</b>
	<p>The Educational Studio shall not be used after 10pm on any day and the adjoining outdoor classroom area shall not operate outside the hours of:</p> <p>0800 to 1800 hours Monday to Friday and 0900 to 1800 hours Saturday and Sunday.</p> <p>REASON: In order to protect the amenities of surrounding occupiers.</p>
<b>9</b>	<b>Archaeology - Written Scheme of Investigation (Details)</b>
	<p>CONDITION: No demolition shall take place until a written scheme of historic building investigation (WSI) has been submitted to and approved by the local planning authority in writing. For buildings that are included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and</p> <ul style="list-style-type: none"> <li>A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works</li> <li>B. The programme for post-investigation assessment and subsequent analysis, publication &amp; dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI</li> </ul> <p>The written scheme of investigation will need to be prepared and implemented by a suitably professionally accredited heritage practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.</p> <p>REASON: In order to safeguard the archaeological interest on this site</p>
<b>10</b>	<b>Cycle Parking (Compliance)</b>
	<p>CONDITION: 50 cycle parking spaces shall be provided across the site, including 4 secure spaces for staff in the North Stores, and 46 visitor bicycle spaces (3 of which being suitable for accessible cycles). The spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>End of trip cycle parking facilities shall be provided in the North Stores. These shall include showering facilities in the 'Changing Places' space as well as lockers and clothes drying facilities and as shown on the approved plans.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>

<b>11</b>	<b>Green Roof (Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, green/brown roofs shall be maximised across the development. Details shall be submitted to and approved in writing to the Local Planning Authority prior to practical completion of the development hereby approved, demonstrating the following:</p> <ul style="list-style-type: none"> <li>a) how the extent of green roof has been maximised;</li> <li>b) details of the combined bio-solar / blue roof;</li> <li>c) that the green roofs are biodiversity based with extensive substrate base (depth 120 -150mm); and</li> <li>d) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</li> </ul> <p>The biodiversity roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to help boost biodiversity and minimise water run-off</p>
<b>12</b>	<b>Drainage Report (Compliance)</b>
	<p>The drainage strategy shall be installed and implemented in accordance with the details provided in the Drainage Strategy Report, Issue 03, dated 23/11/2021, prior to the first occupation and the development and maintained as such in perpetuity.</p> <p>REASON: To ensure the drainage strategy at the site is acceptable.</p>
<b>13</b>	<b>Landscaping (Details)</b>
	<p>CONDITION: The landscape strategy shall be implemented in accordance with the submitted Landscaping Proposals as shown on drawing number 20-99-01 Rev C unless otherwise agreed in writing with the Local Planning Authority.</p> <p>Further details of landscaping shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the hereby approved development.</p> <p>The additional information shall include the following details:</p> <ul style="list-style-type: none"> <li>a) soft landscaping features including details of proposed species;</li> <li>b) hard landscaping: including surface treatments, permeability of hard surfaces, kerbs, edges, ridge and flexible paving, unit paving, furniture, modular soil systems, steps and if applicable synthetic surfaces</li> <li>c) a plan showing gradients and step free access suitable for wheelchair users to the entrances of the buildings;</li> <li>d) details of how the landscaping would meet inclusive design principles;</li> <li>e) details as to how the landscaping design and materials would result in maximum passive on-site sustainable urban drainage (SUDS);</li> <li>f) any boundary treatment;</li> </ul>

	<p>g) any further biodiversity features or ecological enhancements;  h) any other landscaping features forming part of the scheme  i) details of any proposed climbing plants  j) a methodology and maintenance plan for the repair and maintenance of the listed buildings should any climbing plants be proposed.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first available planting season following the first occupation of the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>All landscaping should be maintained so that shrubs are no higher than one meter (with the exception of site boundary treatment) and tree canopies no lower than 2 meters above ground.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained and for security purposes.</p>
<b>14</b>	<b>Bird/Bat Boxes (Details)</b>
	<p>CONDITION: The location, type and number of bird/bat boxes that are to be installed at the site, based on advice from an ecologist and in accordance with best practice guidance, shall be submitted to and approved in writing by the Local Planning Authority prior to the development being occupied.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>15</b>	<b>Tree Protection (Details)</b>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage.</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.</li> <li>c. Details of construction within the RPA or that may impact on the retained trees.</li> <li>d. a full specification for the installation of boundary treatment works.</li> <li>e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</li> <li>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</li> </ol>

	<ul style="list-style-type: none"> <li>g. a specification for scaffolding and ground protection within tree protection zones.</li> <li>h. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires</li> <li>i. Boundary treatments within the RPA</li> <li>j. Detailed specification of canopy pruning to facilitate development works</li> <li>k. Methodology and detailed assessment of root pruning</li> <li>l. Reporting of inspection and supervision</li> </ul> <p>The following British Standards should be referred to: BS: 3998:2010 Tree work – Recommendations &amp; BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy DM 2.3 and DM 6.5, policies G1, G5 and G7 of the London Plan, policies G1 and G4 of the emerging Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990.</p>
<b>16</b>	<b>Delivery &amp; Servicing Plan (Details)</b>
	<p><b>DELIVERY &amp; SERVICING:</b> Prior to the development being occupied a Final Delivery &amp; Servicing Plan shall be submitted to an approved in writing by the Local Planning Authority.</p> <p>The plan shall confirm the delivery and servicing arrangements including refuse collections and storage, for the new use when in dull operation.</p> <p><b>REASON:</b> To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>17</b>	<b>Inclusive Design (Compliance)</b>
	<p><b>CONDITION:</b> All inclusive design measures identified within the application submission shall be installed and operational prior to the first occupation of the development hereby approved. The design of the disabled parking bays shall refer to Inclusive Design SPD (2014), allowing 1200 mm clear access zone between spaces.</p> <p>The inclusive design measures shall be retained as such in perpetuity.</p> <p><b>REASON:</b> In order to facilitate and promote inclusive and sustainable communities.</p>
<b>18</b>	<b>BREEAM (Details)</b>
	<p><b>CONDITION:</b> No occupation shall take place until a BREEAM assessment or equivalent assessment has been submitted indicating that all floorspace within the</p>

	<p>development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than “Excellent” or a relevant equivalent standard.</p> <p>Where the proposed building aligns with a particular BREEAM criterion, the minimum credits required to achieve a BREEAM excellent standard for that criterion will be targeted. Where the proposed building does not align with a particular BREEAM criterion an agreed performance standard shall be agreed with the LPA prior to commencement.</p> <p>The proposal shall also demonstrate how it 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>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>
<b>19</b>	<b>Use of Office Floorspace</b>
	<p>CONDITION: The ancillary office accommodation at first floor level in the North Stores hereby approved shall primarily be used by those employees associated with the primary function of the site – that being as a place for the display of works of art under use class F1(c). At no point shall more than 30% of this space be made available for external organisations to use or rent.</p> <p>REASON: To ensure that the approved office accommodation remains an ancillary function to the main use at the site.</p>
<b>20</b>	<b>Overheating Modelling</b>
	<p>Prior to the development being implemented a thermal dynamic modelling report shall be submitted to and approved in writing by the Local Planning Authority. The report shall be carried out in line with CIBSE TM52, or similar, providing full results that confirm the TM52 modelling for the relevant naturally ventilated spaces has been carried out, and that all spaces assessed meet the TM52 limits for thermal comfort.</p> <p>REASON: To ensure that the approved development meets the requisite standards for thermal modelling and for energy efficiency.</p>
<b>21</b>	<b>Hours of Use (Compliance)</b>
	<p>CONDITION: The primary use of the site (art gallery with ancillary functions) shall operate between the hours of 9am and 6pm.</p> <p>REASON: In order to protect the amenities of surrounding occupiers.</p>
<b>22</b>	<b>Refuse/Recycling Provided (Compliance)</b>
	<p>CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>23</b>	<b>ASHP (Details)</b>

	<p>CONDITION: Notwithstanding the approved drawings, detailed drawings of the final appearance and material of ASHP enclosure shall be submitted to and approved in writing by the Local Planning Authority prior to its construction.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets</p>
<b>24</b>	<b>Viewing Platform (Details)</b>
	<p>CONDITION: Notwithstanding the approved drawings, detailed drawings, including plans, elevations and sections of the viewing platform area shall be submitted to and approved in writing by the Local Planning Authority prior to its construction.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>
<b>25</b>	<b>Boundary Treatment and Gates (Details)</b>
	<p>CONDITION: Notwithstanding the approved drawings, detailed drawings, including plans, elevations and sections of the proposed boundary treatment and entrance gates to both Amwell Street and Myddelton Passage shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The details shall demonstrate how the boundary treatment and gates are in accordance with the historic buildings on site and the wider conservation area.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>
<b>26</b>	<b>Car Free Development (Compliance)</b>
	<p>CONDITION: All future occupiers of the site shall not be eligible to obtain an on street parking permit and future employee or visitor car parking is not allowed with the exception of disabled parking and for servicing.</p> <p>REASON: To ensure that the development is car free.</p>
<b>28</b>	<b>Restriction of Use (Compliance)</b>
	<p>CONDITION: The development hereby approved shall only be used for F1(b) – ‘Display of works of art (otherwise than for sale or hire)’ or F1(c) – ‘Museums’ uses and for no other purpose (including any other purpose within Class F1 of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the site to these specific uses only, in order to protect the amenities of surrounding occupiers and to protect the heritage asset from unsuitable uses, allowing the Council to retain control over the change of use of the site in the future.</p>
<b>29</b>	<b>Fire Statement (Compliance)</b>
	<p>CONDITION: The details and measures set out in the Fire Statement Rev 07 by BB7 dated 03/02/2022 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority. 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. The development shall be carried out in</p>

	<p>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>
30	<p><b>Construction and Environmental Management Plan (Details)</b></p>
	<p>CONDITION: No development shall take place until a Construction and Environmental Management Plan has been submitted to and approved in writing by the Local Planning Authority following consultation with Transport for London. The Construction and Environmental Management Plan shall set out the measures proposed to ensure demolition and construction would be undertaken in a manner which does not cause harm to the amenity of nearby occupiers, pedestrian or highway safety and shall include:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> <li>b) Advance notification of any access way, pavement, or road closures;</li> <li>c) Details regarding parking, deliveries and storage including details of the routing, loading, off-loading, parking and turning of delivery and construction vehicles and the accommodation of all site operatives', visitors' and construction vehicles during the construction period;</li> <li>d) Details regarding the planned demolition and construction vehicle routes and access to the site;</li> <li>e) Details regarding dust mitigation and measures to prevent the deposit of mud and debris on the public highway. No vehicles shall leave the site until their wheels, chassis and external bodywork have been effectively cleaned and washed free of earth, mud, clay, gravel, stones or any other similar substance;</li> <li>f) Details of waste storage within the site to prevent debris on the surrounding estate and the highway and a scheme for recycling/disposing of waste resulting from demolition and construction works;</li> <li>g) The proposed hours and days of work (with reference to the limitations of noisy work which shall not take place outside the hours of 08.00-18.00 Monday to Friday, 08.00-13.00 on Saturdays, and none on Sundays or Bank Holidays.)</li> <li>h) Details of any proposed external illumination and/or floodlighting during construction;</li> <li>i) Details of measures taken to prevent noise disturbance to surrounding residents;</li> <li>j) Information on access and security measures proposed to prevent security breaches at the existing entrances to the site, to prevent danger or harm to the neighbouring residents, and to avoid harm to neighbour amenity caused by site workers at the entrances to the site;</li> <li>k) Details addressing environmental and amenity impacts (including (but not limited to) noise, air quality, smoke and odour, vibration and TV reception);</li> <li>l) Details as to how safe and convenient vehicle access would be maintained for neighbouring sites at all times, including emergency service vehicles;</li> <li>m) Details as to how neighbour amenity impacts arising specifically from the proposed basement and foundations would be minimised;</li> <li>n) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure;</li> <li>o) Details of any further measures taken to limit and mitigate the impact of construction upon the operation of the highway and the amenity of the area;</li> <li>p) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration. An inventory of all Non-Road Mobile Machinery (NRMM) must be registered on the NRMM register</li> </ul>

<https://nrmm.london/usernrmm/register> prior to the commencement of use of any NRMM at the application site. All NRMM should meet as minimum the Stage IIIA emission criteria of Directive 97/68/EC and its subsequent amendments unless it can be demonstrated that Stage IIIA equipment is not available. All NRMM should be regularly serviced and service logs kept on site for inspection. Records should be kept on site which details proof of emission limits for all equipment.

The report shall assess the impacts during the preparation and construction phases of the development on Amwell Street, Myddelton Passage, Charles Allen House, Nautilus Building, River Street Mews and the surrounding roads, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads. The CEMP must refer to the new LBI Code of Practice for Construction Sites. The CEMP shall specify the hours of construction, vehicle movements are restricted to take place outside of the peak times of 8am-10am and 4pm and 6pm. It should also provide details on method of demolition, quiet periods and noise mitigation.

No demolition or development shall begin until provision has been made to accommodate all site operatives', visitors' and construction vehicles loading, offloading, parking and turning during the construction period in accordance with the approved details. The demolition and development shall thereafter be carried out in accordance with the details and measures approved in the Construction and Environmental Management Plan. 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.

REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.

## Informatives

<b>1</b>	<b>Planning Obligations Agreement</b>
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>Community Infrastructure Levy (CIL)</b>
	Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). These charges will be calculated in accordance with the London Borough of Islington CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at <a href="mailto:cil@islington.gov.uk">cil@islington.gov.uk</a> . The Council will then issue a Liability Notice setting out the amount of CIL payable on commencement of the development. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed and the development will not benefit from the 60-day payment window. Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil">www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</a> and the Islington Council website at <a href="http://www.islington.gov.uk/cilinfo">www.islington.gov.uk/cilinfo</a> . Guidance on the Community Infrastructure Levy can be found on the National Planning Practice Guidance website

	at <a href="http://planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/">http://planningguidance.planningportal.gov.uk/blog/guidance/communityinfrastructure-levy/</a>
<b>3</b>	<b>Thames Water</b>
	<p>A) The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p> <p>B) The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>.</p>
<b>4</b>	<b>No Advertising Consent</b>
	Some drawings provided depict advertisement sat the edges of the site. For the avoidance of doubt, no advert consent has been submitted and such items are not granted consent via the current application.
<b>5</b>	<b>No Lighting</b>
	No lighting details are approved under the current consent and a future Full Planning and Listed Building Consent Application will be required prior to any lighting being installed at the site.

## RECOMMENDATION C:

That listed building consent be GRANTED subject to the following conditions:

<b>1</b>	<b>Commencement</b>
	<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 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
<b>2</b>	<b>Final Appearance to Match (Compliance)</b>
	<p>CONDITION: All new works and works of making good to the retained fabric, whether internal or external, shall be finished to match the adjacent work with regard to the methods used and to colour, material, texture and profile.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>
<b>3</b>	<b>Materials (Details)</b>
	CONDITION: Detailed drawings or samples of materials as appropriate, in respect of the following, shall be submitted to and approved in writing by the local planning

	<p>authority before the relevant part of the works is begun, and the works shall not be carried out other than in accordance with the details so approved and shall thereafter be so maintained:</p> <ul style="list-style-type: none"> <li>a) Notwithstanding the approved drawings, detailed drawings of the design of the new windows to the North Stores</li> <li>b) Notwithstanding the approved drawings, detailed drawings of the design and materials of the foyer</li> <li>c) Notwithstanding the approved drawings, detailed drawings of the design and width of the doorway from the Boiler House to the terrace and the door shall be a painted timber door.</li> <li>d) Notwithstanding the approved drawings, detailed drawings of the gates and railings from Myddelton Passage to the site and from Amwell Street to the site and details of materials</li> <li>e) Detailed drawings of the terrace including any fixings to the listed buildings as well as balustrading and hand rails to the café terrace and samples of materials for the terrace</li> <li>f) Detailed drawings of the rooflights</li> <li>g) Sample of materials for the sloped path</li> <li>h) Detailed drawings of the heritage boards including their location and size</li> <li>i) Detailed drawings of the internal fitting out of the Windmill Base</li> <li>j) a sample of slate which shall be natural</li> <li>k) detailed drawings of the setts to be removed and their relaying together with the relaying of the loose setts currently stored on site.</li> <li>l) The new stair in the Engine House including method of fixing</li> <li>m) Methodology for the openings and removal in the Engine House for the stair and the lift</li> <li>n) All new external doors</li> <li>o) Window in the Boiler House</li> <li>p) Detailed drawings of the kitchen flue and its termination on the roof</li> </ul> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>
<b>4</b>	<b>Brickwork Samples (Details)</b>
	<p>CONDITION: Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site, and approved in writing by the local planning authority before the relevant parts of the approved works are commenced, and the sample panels shall be retained on site until the work is completed in accordance with the panel so approved.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the heritage assets.</p>

**Informatives:**

<b>1</b>	<b>Scope of Consent</b>
	<p>This consent relates solely to listed building matters. Should it become necessary to make alterations to the consented scheme in order to comply with other legislation, such as Building Regulations, a further consent may be required. Such a consent should be sought and obtained prior to the relevant works being undertaken.</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.

### **2. Development Plan**

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

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

##### **1 Planning London's Future - Good Growth**

**Policy SD4** Central Activity Zone

**Policy GG2** Making best use of land

**Policy GG3** Creating a healthy city

**Policy GG5** Growing a good economy

**Policy GG6** Increasing efficiency and resilience

##### **3 Design**

**Policy D3** Optimising site capacity through the design-led approach

**Policy D4** Delivery good design

**Policy D11** Safety, security and resilience to emergency

**Policy D12** Fire safety

**Policy D13** Agent of Change

**Policy D14** Noise

##### **6 Economy**

**Policy E1** Offices

**Policy E2** Providing suitable business space

**Policy E11** Skills and opportunities for all.

##### **7 Heritage and Culture**

**Policy HC1** Heritage conservation and growth

##### **9 Sustainable Infrastructure**

**Policy SI1** Improving air quality

**Policy SI2** Minimising greenhouse gas emissions

**Policy SI3** Energy Infrastructure

##### **10 Transport Policy**

**Policy T2** Healthy streets

**Policy T3** Transport capacity, connectivity and safeguarding

**Policy T7** Deliveries, servicing and construction

## B) Islington Core Strategy 2011

### Strategic Policies

- **Policy CS9** (Protecting and Enhancing Islington's Built and Historic Environment)
- **Policy CS10** (Sustainable Design)
- **Policy CS13** (Employment Spaces)

### Infrastructure and Implementation

- **Policy CS18** (Delivery and Infrastructure)

## C) Development Management Policies June 2013

### Design and Heritage

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

### Employment

- **DM5.1** New business floorspace

### Energy and Environmental Standards

- **DM7.1** Sustainable design and construction statements
- **DM7.2** Energy efficiency and carbon reduction in minor schemes
- **DM7.3** Decentralised energy networks
- **DM7.4** Sustainable design standards
- **DM7.5** Heating and cooling

### Health and open space

- **DM6.1** Healthy development
- **DM6.5** Landscaping, trees and biodiversity

### Transport

- **DM8.1** Movement hierarchy
- **DM8.2** Managing transport impacts
- **DM8.3** Public transport
- **DM8.4** Walking and cycling
- **DM8.5** Vehicle parking
- **DM8.6** Delivery and servicing for new developments

### Infrastructure & Implementation

- **DM9.1** Infrastructure
- **DM9.2** Planning obligations

## 3. Designations

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

- Central Activity Zone
- Local Landmarks: Engine and Pump House, New River Head
- Local view from Archway Road, Archway Bridge & Amwell Street
- Within 50m of a Conservation Area - Rosebery Avenue
- Article 4 Direction A1-A2
- Article 4 Direction B1(c) to C3
- Trees - LBI TPO (no.369)

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

The following SPGs and/or SPDs are relevant:

### Islington Local Development Plan

- Environmental Design
- Urban Design Guide
- Planning Obligations SPD

### London Plan

- Sustainable Design & Construction
- Planning for Equality and Diversity in London
- Accessible London: Achieving and Inclusive Environment

## APPENDIX 3: Education and Community Benefits Statement (V5)

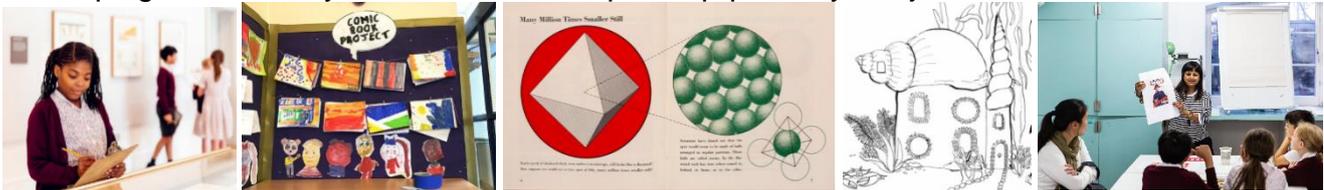
# Education and community benefit V5

## House of Illustration, New River Head

Illustration is fundamental to human communication, progress and understanding. It is an amazing tool for telling stories, for activism and for sharing ideas. House of Illustration has been running highly-respected learning and participation programmes since 2009. Now the Quentin Blake Centre, with its dedicated Learning Studio, Windmill Project Space, wider-range of display opportunities and connection to the public realm, will enable us to grow our reach while strengthening relationships within our local community. Operating from a unique heritage site will provide an immediate focal point, springboard and evidence-base, demonstrating the essential role of illustration in picturing heritage and imagining new futures.

*We do this work because we believe in it. Our vision is a world in which everyone feels confident to communicate, explore and examine their environment through visual imagery - a more curious, equal and compassionate world. Our previous site was just a mile away, our Director and new Head of Learning and Participation live on the Islington border, and we have carefully researched and consulted on the borough's needs to understand where we can have greatest impact. We care deeply about the future of Clerkenwell and Islington.*

**Schools** – Through workshop visits and bespoke in-school projects, we use illustration as a learning tool across the primary curriculum, from literacy to science, equipping pupils and teachers with vital visual communication tools. Subsidised and free opportunities target disadvantaged pupils, evidenced by eligibility for free school meals, pupil premium grant, and high levels of EAL and SEND. We want to build on this experience at New River Head, while also developing a secondary workstream that opens up pathways to jobs in illustration.



Left to right: schools visit; in-school residency; Inside the Atom from Marie Neurath: Picturing Science; in-school workshop output; workshop at Granary Square

**Community** – Illustration boosts wellbeing and empowers people to tell their stories. Our bespoke projects have a particular focus on families with young children and isolated older people. We reach those with the greatest need through collaboration with Islington organisations including All Change Arts, Lyrix Organix, Inspire, the Claremount Project, the Peel Institute, and by working with care homes and care leavers, and we co-design programmes with users.



Left to right: Arts4Dementia workshops; illustrated poems in care homes; early years workshop; project with Inspire young parents' group; Our Clerkenwell project with the Peel Institute and London Metropolitan Archives; BSL workshop at Granary Square

**Adult learning** - we host the UK's only residency programme for emerging illustrators and commission work that challenges perceptions and tackles themes relevant to diverse audiences (e.g. gentrification, political identity). We host professional development sessions, courses and masterclasses for practicing artists, students and keen hobbyists, growing diversity of participation through targeted marketing and tiered pricing. Talks and events highlight the histories of underrepresented artists and connect illustrators with audiences



*Left to right: Pathways Into Children's Publishing participant Zhi Ling; CultureEd Network; Urban Sketching at New River Head; Graduate Illustrator Sharpay Huan; Jhinuk Sarkar's Brown Girl not in the Ring; Illustrating People participant Harriet Matseart*

Our schools and community activities are underpinned by:

**Exhibitions** – The new Coal Stores Gallery will build on House of Illustration's acclaimed exhibitions programme at Granary Square, offering multiple entry-points for diverse audiences. Drawing on nationally and internationally significant public and private collections, we explore the socio-political role of graphic arts in our lives, with topics as wide-ranging as North Korean graphics, women comic-makers, the refugee crisis, anime and Ladybird books. In the Quentin Blake Gallery within the Engine House we will continue to share the work of our founder, one of the world's best loved and most prolific artists, whose archive is pledged to the new Centre. The Contemporary Gallery and display spaces in the Engine House, Windmill Project Space, Boiler Room Café and outdoor space will provide flexible opportunities for diverse emerging and established artists, including commissions and residencies.

**Heritage** – We are committed to revealing and sharing the heritage of the amazing heritage site in which the Centre is set, New River Head, drawing on historic and contemporary illustration and encouraging to respond creatively. Our programmes will consider New River Head from the 1600s to the present day, exploring its engineering, architectural, social, economic, political and cultural significance. We will pay particular attention to the individuals who shaped the New River, not only the engineers and financiers but the labourers, operational staff and watchmen. Key themes that have relevance for visitors today include: infrastructure and public health, architecture and place-making, landscape and environment, and culture and practice.

#### **How partners and participants describe us...**

*"The Peel has had the pleasure of working with House of Illustration over the past few months on a local mapping project. In that time, we have been really impressed with them as an organisation, especially their commitment to the local area, the care they take in respecting the Clerkenwell heritage and their willingness to actively engage with people from across the demographic spectrum in their work. It is no surprise that the project we are working on together has been so well-received by our members and other members of the community participating in it. Given that our remit at The Peel is 'Connecting Communities', we have seen first-hand how the way House of Illustration under Lindsey's leadership complements our work."* **Olu Alake, Director, Peel Institute**

*"The children were really engaged – they loved every part of the workshop. They created amazing posters and got the opportunity to use the knowledge they built up in class."* **Year 3 teacher, Moreland Primary School**

*"Hol is an exceptional and unique organisation. Their new building will be an important and significant new arts venue and a great asset to Islington, offering the local community high quality creative opportunities and a wonderful new place to visit. Hol has a strong track record in engaging communities who may face barriers to involvement in the arts, including families and isolated older people – both on site and in community and education settings. They deliver excellent projects which are accessible, engaging and fun; and which support people to develop new skills and confidence, and knowledge and appreciation of illustration."* **Suzanne Lee, Director, All Change Arts**

*“The Pathways journey has been life-changing for me. It has firmly set me on a new path and I now have the confidence to pursue children’s illustration as a career. Though challenging at times it has been a thoroughly positive experience for me... The course has allowed me to try many different materials, explore what I really like, and hone the traditional and digital techniques I want to use. From having generated so much illustration work I have a much better idea of how to start a project and take it through to completion. We’ve been exposed to a wealth of creative exercises which I will continue to use to come up with new ideas.”* **Anna Kotecha, illustrator and participant, Pathways Into Children’s Publishing**

## **Core offer for Islington learners and residents**

The Centre is due to open in autumn 2023. Recognising that it may take time to refine and build audiences for some activities, the deliverables below reflect our expectations for the Centre within two years of operation unless otherwise stated.

House of Illustration is a relatively young non-profit organisation and registered charity. It does not receive regular statutory funding and is therefore reliant on admissions and event income, and on fundraising, to underpin its public programmes. The £12m cost of the new Centre must also be fundraised, with 62% still to secure. The Centre’s projected expenditure for its first year of operation, including the activities below, is a necessarily conservative £1.4m, rising to £1.9m by 2027.

House of Illustration’s offer has been compared with that of another recent planning applicant, the National Youth Theatre. Please note that NYT is a charity specializing in training and participation for 14-25 year-olds, as reflected in its staff and resources; House of Illustration has a broader purpose that encompasses a specialism in supporting the primary curriculum, early years activities and impactful projects that foster wellbeing and communication within community settings, as well as a vocational offer. We are also a much younger charity, operating on half the turnover and, as yet, without regular Arts Council funding, albeit that we are ambitious about reach and impact. This is reflected in the shape, scale and proposed scaling of our offer.

### **1. Primary and Key Stage 3**

#### *Goals:*

- All Islington primary school teachers are using illustration tools to support curriculum learning and improve outcomes for all pupils
- All Islington children understand what an illustrator is and the range of careers in which illustration is used
- All Islington children learn about and respond creatively to New River Head’s unique heritage before their 11<sup>th</sup> birthday
- The borough’s most deprived pupils are accessing our programmes

#### *Outputs:*

- 1.1 **Free ‘twilight’ CPD session for 25 Key Stage 1, 2 and 3 teachers** (normally priced at £90 per teacher) at the start of the academic year, delivered by the Centre’s Learning and Participation team, to embed the skills and confidence to use illustration across the curriculum and promote forthcoming opportunities. In the first year we will extend this to at least 40 teachers to launch the offer.

- 1.2 **Free exhibition entry for all Islington primary state schools and home learners** (normally priced at £6 per child)
- 1.3 **12 free 1.5 hour workshops, benefitting 360+ KS1, 2 and 3 state pupils** (normally priced at £175 per class, including exhibition entry<sup>1</sup>). In discussion with LBI, these will be promoted to the schools with greatest need (e.g. those do not ordinarily undertake cultural visits or are under school improvement plans), then opened up to other state schools within the borough. Schools will choose from a menu of at least four topics (for example, Illustrating Science, Character Design, London's Industrial Heritage and a commonly studied text illustrated by Quentin Blake), tailored to different the Key Stages and SEND. All workshops will provide an overview of what illustration is and the range of ways in which it can feature in work and wider life. Workshops will be designed and delivered with professional illustrators, who share their work and career path, managed by the Centre's Learning and Participation team and supported by its volunteering programme.
- 1.4 **Free access to online curriculum resources** created by illustrators and the Centre's Learning and Participation team curriculum-linked, promoted in collaboration with LBI
- 1.5 *Within ten years of opening* we expect funding to have grown to a level where we can sustain **bespoke, term-long partnerships/residencies with 3 schools** each year

## 2. Secondary and KS5

### Goals:

- All Islington secondary art and design teachers are engaging students with illustration practice, supporting curriculum learning
- All Islington secondary pupils understand the wide range of careers in illustration and the different pathways available
- All Islington secondary art and design teachers, including PRU and SEND teachers, can confidently signpost appropriate further vocational opportunities

### Outputs:

- 2.1 **Free 'twilight' CPD session for 25 KS4 and 5 art and design teachers and careers leads** at the start of the academic year to discuss forthcoming exhibitions and potential curriculum links, widen awareness of careers using illustration and promote opportunities for engagement. In the first year we will extend this to at least 40 teachers to launch the offer.
- 2.2 **Free exhibition entry for all state KS4 and 5 art and design students<sup>2</sup> (14+)** (normally charged at £6 per ticket).
- 2.3 **Free half-hour talk for all visiting KS4 and 5 art and design classes** with a member of the Centre's curatorial and/or welcome team (trained in speaking with young people by our Learning and Participation team), introducing the exhibition and discussing pathways into careers using illustration to broaden horizons and challenge stereotypes about the industry. A free resource will be provided to extend learning and discussion in the classroom and signpost further opportunities.

<sup>1</sup> Pricing has been benchmarked against cultural organisations in the borough (e.g. Almeida Theatre, Little Angel, Estorick Collection) and other comparable galleries/museums (e.g. Postal Museum, Museum of Brands, Seven Stories). Further benchmarking and consultation with schools will be conducted prior to opening.

<sup>2</sup> We have requested data from LBI on the number of students studying for art and design qualifications in the borough.

- 2.4 Up to 90 free tickets for professional development workshop days for Islington residents aged 16-23** interested in pursuing a career in illustration or a related industry (normally charged at £15), promoted via emails and CPD events (as discussed above) with art, design and careers leads within Islington schools, APs and sixth form colleges
- 2.5 Centre staff participation in employability events and careers fairs** through the 100 Hours Activity Menu, and in discussion with LBI and Creative and Cultural Skills, up to an average of a half day per staff member per year (15 days). The staff team has experience across curatorial, learning, management, marketing/comms, fundraising, finance and visitor experience.
- 2.6 At least two paid traineeships, internships or apprenticeships** paid at London Living Wage and ring-fenced for priority groups/vulnerable and targeted cohorts via the Youth Employability Service. This is **expected to grow to three positions** *within ten years*.
- 2.7 Ongoing discussion with the Islington IWork service** in relation to recruitment across the Centre.
- 2.8 At least two week-long work experience opportunities** for Islington KS4, KS5 or other young people aged under 24 within service industries, targeted in discussion with the Youth Employability Service. This is **expected to grow to three placements** *within ten years*.
- 2.9 Aspiration to deliver the café, garden maintenance and/or some retail products in partnership with social enterprises who support people into work**

### **3. Communities**

#### *Goals:*

- The wellbeing of local residents is improved by access to public spaces that promote engagement with nature, heritage, art and people
- Artwork and gardens at the Centre have been co-designed with and represent local people, including those whose voices marginalised by society
- Islington families, of all backgrounds, know about the Centre and consider it to be an fun and welcoming to learn and spend leisure time
- Islington residents know about and visit New River Head to explore its fascinating heritage, with new local history groups becoming established

#### *Outputs, per annum:*

- 3.1 Free access, 10am-5pm Tuesday to Sunday**, to the gardens and pathways, Engine House ground floor contemporary gallery, Boiler Room, Windmill Project Space and related heritage interpretation, complemented by an engaging, accessibly priced café and shop
- 3.2 24 £1 tickets for each monthly early years (under 4s) workshop, benefitting 144 under fives and 144 parents**, targeted through Islington Children's Centres and the Islington Estates team (normally £10 per family)<sup>3</sup>. This represents approximately half of our total public early years offer.

<sup>3</sup> Benchmarked against other cultural early years offers (e.g. Wigmore Hall, Royal Opera House, LSO). We have retained a nominal price to help ensure pre-booking is followed up with attendance.

- 3.3 **£3 weekday exhibition tickets for Islington day centre attendees, care home residents and elderly local estates residents** (in discussion with the Islington Estates team) (normally £6/12 ) supported by a significant café discount negotiated with our catering provider
- 3.4 **£3 exhibition tickets for looked after children and their carers** (normally £6/12) supported by a significant café discount
- 3.5 **Structured volunteering programme with 20 local people**, enabling a diverse range of people, including older people and those with additional needs, to take part in community gardening, support learning and participation events, welcome people to the Centre and share the heritage of the site. *Within the next ten years we expect to grow this to 35 volunteers.*
- 3.6 **Daytime access to a Changing Places toilet** (the only one in the south of the borough)
- 3.7 *Within the next ten years, family-friendly community festival days* encompassing a range of creative activities onsite, at least half of which will be free to access. These will be promoted through children's centres and community groups to reach families with younger children (toddlers and primary school age) who would not normally include visual arts among their leisure choices. (Tickets for family workshops at Granary Square were £12.)
- 3.8 *Within ten years of opening* we expect funding to have grown to a level where we can confidently sustain **bespoke, eight-week partnerships/residencies in 3 community settings** each year, also, where feasible including activity on site, e.g. care homes, community centres and children's centres.

#### **4. Collaboration and Governance**

##### *Goal:*

- Local cultural and community organisations value the Quentin Blake Centre, use our spaces and feel we add value to collaborative projects
- The development of the Centre's future activities and facilities responds to local needs

##### *Outputs, per annum:*

- 5.1 **Collaboration with local organisations and projects** where there are mutual objectives. Examples of partnerships we would hope to sustain include Islington Word Festival, Cubitt Gallery Challenging Inequalities offer, Cally Festival and the Peel Institute.
- 5.2 **Bookings for local community/arts groups** in the Learning and Participation Studio (when not in use for the core programme or commercial hire), Windmill Project Space and Office Meetings space, with banded pricing dependent on turnover and benchmarked against local community centres
- 5.3 **Participation by the Centre's leadership** in LBI forums such as the Islington Cultural Leaders' Forum and Careers Lead Forum
- 5.4 **New Youth/Community Advisory Panel** made up of local community leaders, educators and project participants, with a Council representative invited to observe annually

## 5.5 Board representation by at least 2 local residents/workers/artists

### APPENDIX 1: Contribution to Islington 11x11 and 100 Hours World of Work

11x11	100 Hours World of Work	16-24 training and employment
1.1 CPD for KS 1, 2 and 3 teachers		
1.2 Free exhibition entry for primary state and home learners		
1.3 KS1, 2 and 3 workshops		
1.4 Curriculum resources		
2.1 CPD session for KS4 and 5 art and design teachers and careers leads		
2.2 Free exhibition entry for state KS4 and 5 art and design students		
2.3 Free half-hour talk for all visiting KS4 and 5 art and design classes		
		2.4 Professional development workshops
	2.5 Employability events and careers fairs	
		2.6 Traineeships, internships or apprenticeships
	2.8 Work experience	
3.2 Early years workshops		
	5.4 Youth/Community Advisory Panel	

### APPENDIX 2: Arts and community usages enabled by the capital project

#### Learning Studio

Dedicated accessible studio, designed specifically for participatory arts, with sector best practice standard facilities, including appropriate storage, sink and digital infrastructure, and adjacent outdoor play space, toilets, cloakroom and small office. There will be capacity for a class of schoolchildren or up to 25 adults, plus teachers and project leaders. The primary purpose of this space is to house learning and participation programme:

- Schools' visits/workshops – regular use, Tuesday to Friday during term-time (est. min 50% of these hours)
  - Workshops with community groups – approx. one half-day per fortnight
  - Family/early years events – approx. one half-day per month during term-time plus 2 weekends per annum
  - Adult learning – approx. two evenings per week plus 12 Saturdays and 6 weekdays per annum
- While the above uses will take priority (even if they exceed the estimated hours), outside of this use, the studio may be used for:

- Internal meetings
- Meeting and/or flexible workspace for any external organisation renting desks within our office
- Meetings, events and/or flexible workspace for local community/arts groups, with banded pricing dependent on turnover and benchmarked against local community centres
- Commercial events, meetings and/or flexible workspace, income from which will support Hol's community and arts programmes

#### Windmill Project Space

The Windmill Base is an atmospheric and inspiring space; the first and oldest building on the site. It will be open to visitors and we envisage that the offer will include:

- Displays and work in progress for larger-scale installations, especially where in dialogue with the Centre's heritage
- Permanent heritage interpretation, located inside and outside (see heritage interpretation statement)
- Small-scale talks and debates
- Small-scale workshops and storytelling for families
- Internal and external meetings on early weekday mornings

### Coal Store Gallery

A major ticketed gallery, compliant with Government Indemnity Standards, presenting exciting, rarely-seen work from important British and international collections.

### Quentin Blake Archive and Gallery (Engine House)

A ticketed gallery enabling visitors to experience, up close, works from the 40,000 strong archive of one of the UK's best-loved artists and most influential teachers.

### Free display spaces (Engine House, café, outdoors)

Display and installation opportunities will be woven throughout the site, showcasing emerging practice and interpreting the site's heritage, building on our exceptional track-record for championing under-represented artists.

### Gardens and Pond

New public gardens, co-created with local people, offering spaces for relaxation, volunteering and opportunities to explore and respond creatively to New River Head's amazing history.