

**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING SUB COMMITTEE B</b>		<b>AGENDA ITEM NO:</b>
<b>Date:</b>	18 <sup>TH</sup> April 2023	

Application number	P2022/3596/FUL
Application type	Full Planning Application
Ward	Bunhill
Conservation area	Moorfields Conservation Area
Development Plan Context	Core Strategy Key Area – Bunhill & Clerkenwell; Conservation Area – Moorfields Locally Listed Building Central Activity Zone (CAZ); Employment Priority Area (General); Finsbury Local Plan Area – Bunhill & Clerkenwell; Open Space Bunhill Fields Burial Ground; Article 4 Direction A1-A2 (Rest of Borough); Article 4 Direction B1(c) to C3; Within 100m of the Strategic Road Network (SRN); London Underground Zone of Interest; TfL Tunnel Land Ownership; Heathrow Safeguarding Area.
Licensing Implications	None
Site Address	186 City Road, London, EC1V 2NT
Proposal	Creation of new office floorspace (Use Class E(g)) including demolition and replacement of existing fourth, fifth and sixth floors together with the erection of a seventh storey extension, internal and external alterations, plant alongside other associated works.

Case Officer	Owen Griffiths
Applicant	C/O Agent
Agent	DP9 - Mrs Katharine Woods

**1. RECOMMENDATION**

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

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

2. SITE PLAN (site outlined in red)

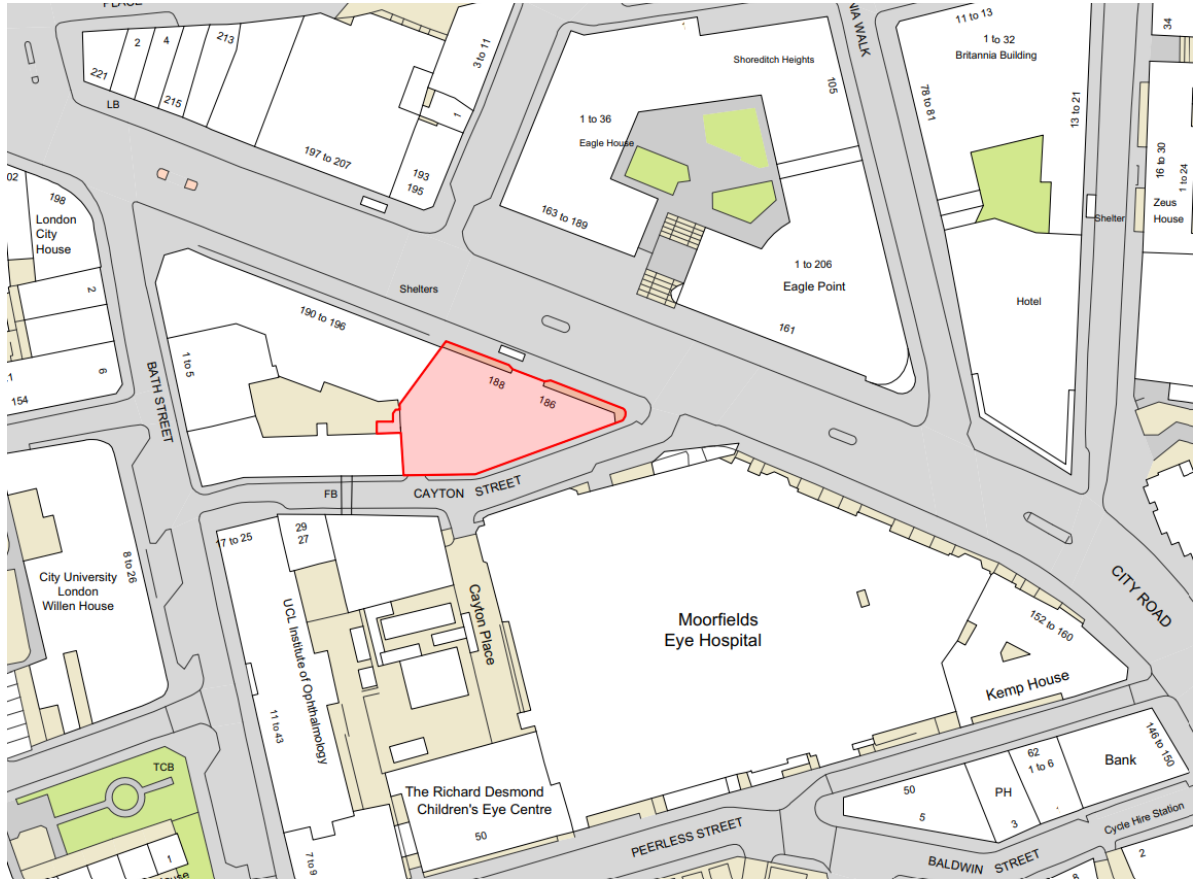


Image 1 – Site Location Plan

### 3. PHOTOS OF SITE/STREET



Image 2 - Aerial View of Site in Context

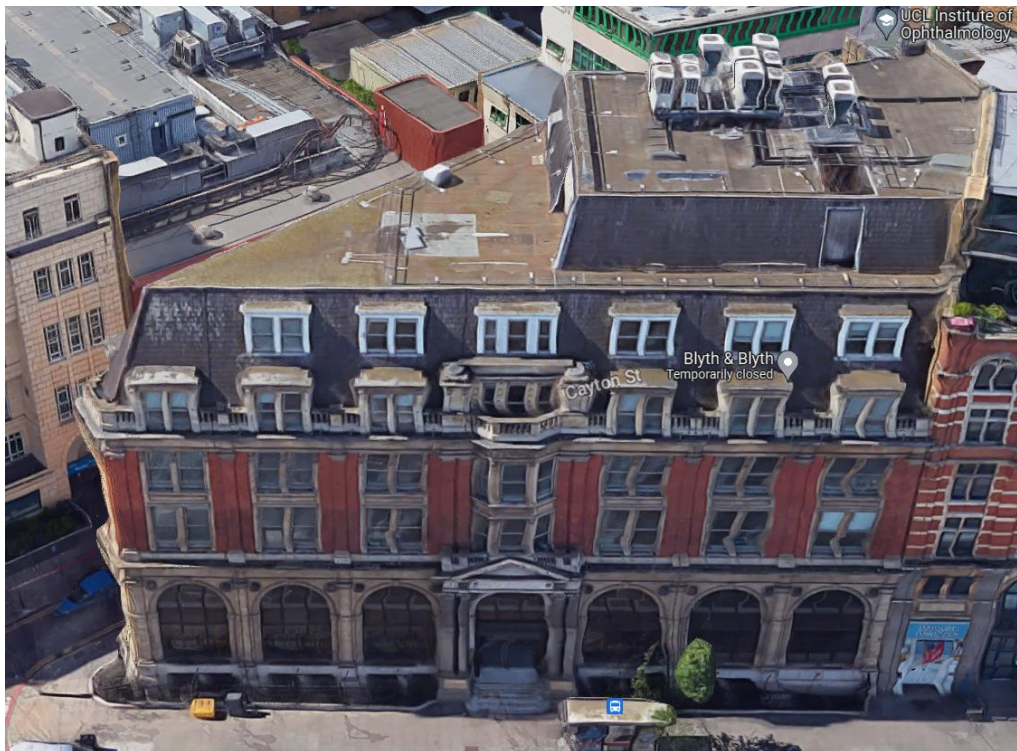


Image 3 - Aerial View of Site (City Road)



**Image 4 – Street Level View from City Road**



**Image 5 – Street Level View from City Road**

#### **4. SUMMARY**

- 4.1 The site is currently occupied by a 6 storey plus basement and plant room building which is in office use. The building is located within the Moorfields Conservation Area, The Central Activity Zone (CAZ), an Employment Priority Area (general) and the building is Locally Listed, Grade A. The site is located on the borough boundary with the other side of City Road being within the London Borough of Hackney.
- 4.2 Permission is sought for the demolition of the top two storeys plus plant room of the original building and for four new storeys of office accommodation to be constructed. The top floor (seventh) will be a pavilion type structure that is set back from the City Road and Cayton Street elevations to accommodate a roof terrace and there will be plant above at eighth floor level.
- 4.3 The development represents an increase in office floor area of 861sqm (GIA) and includes the infilling of the basement lightwells to provide extra office accommodation. Inclusive design measures have been incorporated into the building which will be refurbished internally to modern

office standards. New cycle parking arrangements with end of trip facilities are also included at ground and basement levels.

- 4.4 The refurbished building will be powered solely by electricity and includes high performance glazing and green roofs. Once complete the refurbished building will achieve a BREEAM score of 'Excellent' and a substantial financial carbon off-setting contribution is proposed.
- 4.5 The overall design of the development has been assessed over its quality, effect on heritage assets and effect on neighbouring amenity. It is concluded that the extended office floorspace has been appropriately designed and will therefore not harm heritage assets nor have any adverse amenity impacts for surrounding occupiers.
- 4.6 It is recommended for a S106 legal agreement to secure £49,700 towards carbon off-setting, £6,000 towards accessible parking/transport and for a S278 agreement between TfL and the applicant for on-street cycle parking. These contributions will ensure the development complies with the relevant sustainability and transport related policies.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is a six-storey office building on the south side of City Road. The site occupies the corner of City Road and Cayton Street and is adjoined to 190 City Road (City Approach), an 8-storey mixed use building with residential accommodation on the upper levels. To the rear of the site across Cayton Street is land used for medical purposes including Moorfields Eye Hospital at 162 City Road. Moorfields private eye hospital is adjoined to the site along Cayton Street. The building is also located within the Moorfields Conservation Area.
- 5.2 The Moorfields Conservation Area was designated in 1990. It primarily consists of an impressive collection of late Victorian and Edwardian buildings fronting the south side of City Road. The finest of these is the former Leysian Mission, but others have impressive ornament, decoration, and high-quality materials. As a group these buildings give this part of City Road a cohesive character of Edwardian and Victorian grandeur which at that time related to the scale of City Road.
- 5.3 The application building is Locally Listed (Grade A), dating from the late 19th Century (1894) and is entirely in Office Use. The building was originally constructed as the head offices for the Lipton Tea Company and suffered bomb damage during WWII which resulted in the three upper floors of the building being rebuilt. The current building comprises 5 floors plus a full mansard storey, a partial second storey mansard and an additional plant storey at sixth floor level.
- 5.4 The application site is within the Finsbury Local Plan Area Action Plan, a Core Strategy Key Area – Bunhill and Clerkenwell. The site is also within the Central Activities Zone (CAZ) and an Employment Priority Area (general) as well as being within a zone of interest for TfL tunnels. City Road is part of the TfL strategic highway network with TfL being the Highway Authority.
- 5.5 To the rear of the site is proposed Site Allocation G5 - North West corner of Cayton Street /Bath Street where there is potential for a tall building of up to 50m. The site allocation is part of the draft Islington Local Plan that is at an advanced. The draft Local Plan also proposes to extend the current City Fringe Opportunity Area from Baldwin Street to the south up to the corner of City Road and Bath Street which will include the application site. Currently the site and land used for medical purposes are not within the City Fringe Opportunity Area. Intensification and higher buildings are clustering to parts of City Road to the north particularly around the canal and its basin. On the opposite side of City Road in the London borough of Hackney are some notable tall buildings; 161 City Road (27 Storey), 145 City Road (40 Storey) and currently under construction is 225 City Road that will be 22 storeys in height.

5.6 The site is around 300m from Old Street Station that includes tube and rail services. There is also a bus stop immediately outside the main entrance to the building on City Road. The site has a high PTAL score of 6a, the second highest score possible.

## 6. PROPOSAL

6.1 It is proposed to demolish the top two mansard floors and plant level of the existing building and to construct four new storeys of office accommodation. The fourth and fifth storeys will be rebuilt with a single storey mansard level constructed above at 6th storey level. The new top floor (seventh) will be a pavilion style construction with external terrace areas and plant will be located at eighth floor level along with a partial green roof to the pavilion.

6.2 The proposal will significantly alter the roof levels and form of the existing building by adding additional height and mass. It is also proposed to infill the basement lightwell facing City Road with a glazed roof which will provide additional internal floor area.

6.3 The proposals include a full refurbishment of the existing building including the reinstatement of traditional fenestration and other alterations to the lower levels of the building. The proposed refurbishment will bring the building up to contemporary commercial and environmental standards. The core is to be repositioned helping to deliver modern open floorplates and high-end facilities accommodating increased occupational density.

### Amendments

6.4 The height of the development has been reduced by 0.7m to bring the overall height below the 30m tall building threshold. An updated Daylight / Sunlight report has also been provided to clarify certain issues that were present in the initial iteration of this report such as surrounding developments and floorplates to neighbouring residential units.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

Application Number	Development Description	Decision	Decision Date
P061210	Replacement of existing glass entrance doors on City Road and installation of new entrance doors to Cayton Street.	Approved	27/10/2006
P030402	Installation of new wheelchair stairlift to front of building	Approved	15/07/2003
991649	Change of use of floors 1-5 to B1 use and for educational and hospital purposes, D1 use.	Approved	16/09/1999
991224	Erection of four air conditioning condensers on the roof on Cayton Street side of the building.	Approved	09/08/1999
960017	Erection of air conditioning units and guard rails at roof level	Approved	28/06/1996
940523	Modification of planning permission reference 95/1093 dated 24th May, 1996, by the removal of conditions 4 and 5.	Approved	15/08/1994
911460	Continued (unrestricted) BI - office use on ground floor and basement (floorspace 1 385 sqm).	Approved	16/01/1992

## 8. CONSULTATION

### Public Consultation

- 8.1 In total, 404 letters were sent to the occupants of surrounding buildings including to Bath Street and City Approach which borders the site to the west. Properties in the London Borough of Hackney on the opposite side of City Road were also consulted including to Eagle Point, Eagle House and Westlands Place. Consultation letters were sent on the 11<sup>th</sup> November 2022. A site notice and press advert were displayed on the 17<sup>th</sup> November 2021. The public consultation of the application therefore expired on the 11<sup>th</sup> December 2022, however it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 A second round of consultation was undertaken from the 20<sup>th</sup> March 2023 due to the minor decrease in height of the overall development and as additional information had been provided such as an updated Daylight and Sunlight report. The second consultation period expired on the 3rd April 2023 with two additional comments received from TfL and Moorfields Eye Hospital.
- 8.3 The application has received 3 objections. The objections have raised the following issues with the development proposed (with the paragraphs in brackets indicating where in the report the respective points have been addressed):
- Heavy construction would result in a significant amount of disruption at street level, causing traffic in an already heavily congested area. Also has the potential to cause hazards for pedestrians including those visually impaired using the eye hospital. (*Paragraphs 10.43-10.45*)
  - Additional noise would impact how easily the visually impaired could navigate the immediate area due to heavier reliance on their hearing. (*Paragraphs 10.45*)
  - Particularly concerned by noise during construction process that will cause a disturbance while working from home. (*Paragraphs 10.43-10.45*)
  - Concerns with overlooking into property across the road at Eagle Point and daylight being affected by the seventh floor extension. (*Paragraphs 10.46-10.47*)
  - Would also like to understand the programme of the building works better to understand how this can affect noise levels during the weekends and evenings. (*Paragraphs 10.43-10.45*)
  - The new build will look directly into bedrooms, living space and kitchen at City Approach which would be an invasion of privacy you can imagine, this would be an invasion of our privacy. (*Paragraphs 10.46-10.47*)
  - The proposed construction will also block view and right to light. (*Paragraphs 10.50-10.61*)

### External Consultees

- 8.4 London Underground Infrastructure Protection: Though we have no objection in principle to the above planning application there are a number of potential constraints on the redevelopment of a site situated close to underground tunnels and infrastructure. Therefore, it will need to be demonstrated to the satisfaction of LUL engineers that:
- the development will not have any detrimental effect on our tunnels and structures either in the short or long term
  - the design must be such that the loading imposed on our tunnels or structures is not increased or removed
  - we offer no right of support to the development or land

Therefore, we request that the grant of planning permission be subject to condition.

- 8.5 TfL: The application is situated on A501 City Road, which forms part of the Transport for London Road Network (TLRN), TfL therefore offers the following comments:

- It is not considered that the proposal would result in a significant traffic capacity impact to the TLRN and local highway network as the proposal would be car free.
- Lack of on-site short-stay cycle parking provision is disappointing, TfL requests that some on-site secured short stay cycle parking facility shall be provided for visitors in line with London Plan cycle parking standards.
- An updated Delivery & Servicing Plan (DSP) shall be submitted for Council's approval prior to occupation. Servicing should be consolidated where possible with an increase of bikes servicing.
- A Construction Management Plan and Construction Logistics Plan (CLP) shall be submitted for Council's approval prior to commencement, in consultation with TfL.
- No skip/ construction materials shall be kept on the footway/ carriageway of City Road at any time
- TfL would not agree to relocate the existing bus stop shelter on City Road outside the site entrance on a permanent basis.

Second Consultation Response:

- 8.6 TfL considers that while the proposed provision of on-street cycle street would be principally acceptable, its ultimate design and locations will be determined in the S278 process which the applicant shall enter such agreement with TfL to deliver the cycle stand facilities on City Road. Therefore, TfL request that Islington Council to secure the applicant to enter into a s278 agreement under Highways Act 1980 to deliver the cycle stands either by s106/ planning condition.
- 8.7 Hackney Society: Removal of the existing addition results in some more coherent design but because it is substantially more massive has too large a proportion of new to old, to respect the host building. The result is insensitive which pays little regard to the precedents cited.
- 8.8 London Borough of Hackney: No objection.
- 8.9 Moorfields Eye Hospital Foundation Trust: Would like to raise initial concerns:
- Patient safety, our patient cohort suffers from impaired vision and age related mobility issues.
  - Noise, vibration, and dust
  - City Road Fire Assembly Point will be lost / compromised
  - More road vehicles creating blockages in Cayton Street affecting our patient transport drop off and pick up's and site access / egress
  - One of the site's proposed access/egress routes is diagonally opposite A&E department
  - Increase in external contractors on pavements blocking access to the site.
  - Potential for pavement limitations forcing people into the road
  - Right to light

Second Consultation Response:

- 8.10 Same concern points as above with additional questions raised:
- Would like to know the results of the new survey?;
  - What is the new height;
  - How many floors.
- 8.11 Islington Swift Group: The BREEAM Ecology & Land Use report makes many sensible recommendations for enhancement (pages 13-14, section 4). However, the Sustainability Statement report Ecology section (page 9, section 4.6) is unclear about what is included except a small green roof and roof terrace planters, and the Conclusion (page 11) refers to adoption of "key" recommendations of the ecologist only. Therefore, we request that a requirement to implement the ecologist's recommendations is included in the planning conditions. Swift boxes are included in the recommendations (paragraph 4.1.6.). We request that swift bricks or boxes are installed to enhance biodiversity in accordance with the Islington Biodiversity Action Plan, and new Local Plan.



## Internal Consultees

### 8.12 Conservation and Design Officer:

- This is a well-mannered and sensitively designed proposal that, while increasing the height of the historic building, has been demonstrated as not causing material harm to either the host or the sensitive Conservation Area setting.
- It will help ensure that this historic building is refurbished and extended in a manner that keeps it in productive life for future generations.
- There are no design objections.

8.13 Environmental Protection Officer: The application includes a noise assessment for new building services plant on the roof of the proposed building. The proposed plant is standard air handling units, condensers and extracts along with a standby generator. Conditions are advised relating to noise from plant and emergency generators. It is also advised that a full Construction Management Plan assessing the potential impacts and setting out clear mitigation and control measures following the guidance of Islington's CoPCS is required either by way of condition or S106 obligation.

8.14 Highways: Having reviewed the documents including the Draft Servicing Plan (DSP) and the Construction Management Plan, initial Highways comments are, 2.4.6 of the DSP mention possible 24/7 deliveries, this is not realistic. The building is on the corner of Cayton Street and City Road and the loading bays mentioned in Cayton Street are on the opposite side of the road to the building and directly outside the Moorfields Eye Hospital so this would not be acceptable and loading/unloading would need to be undertaken on City Road. TfL would need to be consulted with this application. An updated CMP will be produced once a contractor is in place.

*Officer Note: The applicant has responded to these points which are addressed in the Highway section below with no further observations received from the Highways department.*

8.15 Inclusive Design: Various points raised regarding transport, entrance and egress, circulation, public realm and sanitary facilities. The points raised have been addressed by the applicant and are addressed from paragraph 10.88 below.

8.16 Sustainability: The application considers emerging and adopted Islington Local Plan policies. The applicant presents a scheme that aims to reach sustainability requirements needed for a major application, whilst being a minor application. This ambitious approach is welcomed, despite the fact that some requirements are not met completely. Some areas require more information such as SUDS strategy. Appropriate numbers and placement of bird boxes should be provided, with advice from a suitably qualified ecologist. Integrated bird and bat boxes are preferable, such as swift bricks. London Plan Policy SI1 2 (a) requires all development to be air quality neutral. GLA guidance on Air Quality Neutral paragraph 2.3.1 states what is required. The use of a heat pump system suggests the development meets the Building Emissions Benchmark as per paragraph 3.1.1 of the guidance.

8.17 Building Control: The arrangement of the firefighting shaft ventilation arrangements (at each floor level) are not clearly shown on the drawings in the Fire statement. Is there provision for smoke release from the basement lobby? Services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft. Methods and construction materials are not specifically detailed.

8.18 Planning Policy: Building over 30m in height, including any plant, are classed as tall buildings and this area is not identified as suitable for a tall building. Therefore, the height needs to be reduced to comply with Policy BC9 and Draft Policy DH3.

*Officer Note: The overall building height has been reduced to below 30m and is therefore now policy compliant in this regard.*

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

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

- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
- To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.) and;
- As the development is within close proximity to a conservation area, the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1) Planning (Listed Buildings and Conservation Areas) Act 1990).
- The development is also in close proximity to statutory listed heritage assets and therefore the Council has a statutory duty to pay special regard to the desirability of preserving these listed building(s), their setting and any of their features of special architectural or historic interest (s16(2) and s66(1) Planning (Listed Buildings and Conservation Areas) Act 1990).

9.2 National Planning Policy Framework (NPPF): Paragraph 11 states: "at the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking. For decision-taking this means: approving development proposals that accord with the development plan without delay.

9.3 At paragraph 8 the NPPF states: "that sustainable development has an economic, social and environmental role".

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

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

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

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

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

9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to:

- (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

### **National Guidance**

- 9.9 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**

- 9.10 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**

- 9.11 The site has the following designations under the London Plan 2016, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:
- Moorfields Conservation Area
  - Locally Listed Building
  - Core Strategy Key Area – Bunhill & Clerkenwell;
  - Central Activity Zone (CAZ);
  - Employment Priority Area (General);
  - Finsbury Local Plan Area – Bunhill & Clerkenwell;
  - Article 4 Direction A1-A2 (Rest of Borough);
  - Article 4 Direction B1(c) to C3 (Town Centres);
  - Strategic Road Network (SRN);
  - London Underground Zone of Interest;
  - TfL Tunnel Land Ownership;
  - Heathrow Safeguarding Area.

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

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

### **Emerging Policies**

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

- 9.13 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021. The Council consulted on Main Modifications to the plan running from 24 June to 30 October 2022.

- 9.14 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).
- 9.15 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.16 Given the advanced stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that policies can be afforded moderate to significant weight depending on the significance of objections to main modifications. Emerging policies that are relevant to this application are set out below in Appendix 2.

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design and Conservation
- Neighbouring Amenity
- Sustainability
- Highways
- Inclusive Design
- Fire Safety

### Land Use

- 10.2 Policy CS13 (Part A) of the Islington Core Strategy encourages new employment floorspace and business floorspace that is located in the CAZ where access to public transport is greatest. New business floorspace should be flexible to meet future business needs and should provide a range of unit types including those suitable for SME's. Part B of CS13 relates to safeguarding existing employment floorspace.
- 10.3 Policy DM5.2 (Part A) of the Islington Development Management Policies states that proposals resulting in a loss or reduction of business floorspace will be refused and this is reiterated in Policy BC8 of the Finsbury Local Plan: 'no net loss of business floorspace will be permitted'.
- 10.4 Policy BC3 of the Finsbury Local Plan relates to the Old Street area in which the application site is located. Policy BC3 seeks to enhance the Old Street area by making it a distinctive, high quality, diverse and vibrant commercial destination within central London. The environmental quality of the roundabout will be transformed through coordinated public and private investment, with complementary improvements to neighbouring residential areas, including, inter alia, business uses, such as workspaces suitable for occupation by small and micro enterprises, and supporting uses.

- 10.5 The development proposes 861sqm (GIA) of additional Office (Use Class E(g)) floorspace across the building (4,442sqm existing to 5,303sqm proposed). The new office pavilion at seventh floor level will include 230sqm of additional floorspace with the new fourth, fifth and sixth floor providing approximately 600sqm per floor. An additional 142sqm of floorspace is also being realised at lower ground floor level due to the lightwell areas being infilled to provide additional internal floorspace. At seventh floor level an external roof terrace area will be created by virtue of the setback pavilion.
- 10.6 Finsbury Local Plan Policy BC8 Part B relates to Employment Priority Areas (General) and states that proposals should not be unfettered office use but, where appropriate, retail or leisure uses must be provided at ground floor alongside a proportion of non-office floorspace and/or business floorspace suitable for accommodation by micro and small enterprises by virtue of its size, design and/or management. Alternatively, affordable workspace can be provided for businesses whose needs are not met by the market. The existing building is in Class E use which includes retail and leisure uses and it would therefore be possible to introduce uses to the building, including at ground floor level, to comply with Policy BC8. A segregated small area (85sqm) of office floorspace is proposed at ground floor level that could be occupied by a small or micro enterprise in any of the Class E uses. It is therefore concluded that the development accords with Policy BC8 Part B (i and ii) and therefore affordable workspace is not required.
- 10.7 The development is proposing additional office floor space in an area suitable for such a use to be extended and intensified. The development does not represent a change of use away from office with only additional office floorspace proposed. The applicant has specifically applied for Class E(g) floorspace which includes 'Offices'. To protect the office use and to avoid any ambiguity in the future, a restrictive use condition (C5) is advised to ensure the use of the building remains in office use only with no change of use allowed within the E use classes without the prior consent from the Council. A further condition (C13) is recommended to remove permitted development allowances to change the use to residential without first obtaining planning consent. Overall, the development is considered to be acceptable in land use terms and is in compliance with policies CS13 of the Islington's Local Plan, DM5.2 Islington's Development Management Policies and Policies BC3 and BC8 of the Finsbury Local Plan.

### **Design and Conservation**

- 10.8 Paragraph 199 of the NPPF (2021) states that 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
- 10.9 London-wide planning policies relevant to design and conservation are set out in Chapter 7 of the London Plan, and the Mayor of London's Character and Context SPG is also relevant. At the local level, Policy CS9 of Islington's Core Strategy (CS) 2011 and Policy DM2.1 of Islington's Development Management Policies 2013 accord with the National Planning Policy Framework (NPPF) in seeking to sustain and enhance Islington's built environment. Taken together, they seek to ensure that proposed development responds positively to existing buildings, the streetscape and the wider context, including local architecture and character, surrounding heritage assets, and locally distinctive patterns of development.
- 10.10 Policy DM2.3 states that Islington's historic environment is an irreplaceable resource and the council will ensure that the borough's heritage assets are conserved and enhanced in a manner appropriate to their significance. The application site is within the Moorfields Conservation Area which primarily consists of an unusual and impressive collection of late Victorian and Edwardian commercial and institutional building fronting City Road.
- 10.11 The Conservation Area Design Guidance (CADG) for Moorfields states that 'Extensions and alterations to building should respect and enhance the original character of the buildings' (paragraph 31.7) and that 'New plant and tank rooms must be located to be invisible from the street. Increased accommodation may be possible by adding an extra floor, but normally this must be set back so as to be invisible from the street' (paragraph 31.8).

- 10.12 Planning permission is sought to completely alter the roof levels and form of the existing building via the construction of additional storeys which will add to the height and mass of the building. The proposals also include the full refurbishment of the building including the sensitive reinstatement of traditional fenestration and alterations to lower floors including the infilling of the lightwell to City Road.
- 10.13 It is important to note that the three existing upper floor levels are not original to the building. They were rebuilt and extended following bomb damage during WWII. The current building comprises 5 floors plus a full mansard storey, a partial second storey mansard, and various roof top plant protrusions. The proposal seeks to refurbish the building, bringing it up to contemporary commercial and environmental standards. It is also proposed to rebuild and therefore alter the 4th and 5th storeys, erect a single mansard above at 6th storey (to replace existing level 2 mansard), and to erect a new 7th storey as a recessed pavilion with associated roof terrace. An element of recessed plant is proposed both within and above the top of the pavilion floor.
- 10.14 The proposal is representative of a Category A refurbishment highlighting the historic fabric of the building of which 67% is retained. The core is to be repositioned helping to deliver modern open floorplates and high-end facilities accommodating increased occupational density.
- 10.15 The lower ground floor space is maximised including occupation of the existing lightwell area with a glazed roof introduced at street level. The scheme has been thoughtfully designed and is considered to be of a high architectural quality, including materiality. In principle it is considered acceptable from a design perspective.

#### Height, Bulk and Mass

- 10.16 The proposed development consists of the demolition and replacement of the post-war double mansard and plant extension above the original 1894 facades of 186-188 City Road with a new 5th and 6th floor, a single storey mansard, and a recessed pavilion element to the top. Some plant is proposed at the new roof top level above the pavilion floor and external amenity space with provision for green roofs and soft landscaping is provided alongside the pavilion structure. The scheme was amended during the pre-application phase to reduce the impact of the pavilion on views from street level and to ensure that no element of plant is visible from any street level vantage point. These requirements have been successfully achieved.



**Image 6** – Existing City Road Elevation Including Basement Level



**Image 7 – Proposed City Road Elevation**

- 10.17 The massing is also considered acceptable following the reduction to the pavilion given it is no longer visible above the (front) City Road elevation when viewed from large parts of City Road. The pavilion level extension will however be slightly visible when viewed from a short section of City Road looking west along the tertiary street of Cayton Street. Any roof level extension which is visible from street level would be contrary to guidance outlined at paragraph 31.8 of the Conservation Area Design Guide (CADG). Given this is an ancillary façade with limited visibility, combined with the high quality of the proposed architecture, a small portion of the pavilion extension being visible from this angle is considered to be acceptable.
- 10.18 The height of the existing building rises to a maximum of 26m to City Road. The height of the building initially proposed was 30.8m from City Road to the top of the plant. As this height took the building to over 30m it would be classed as a tall building which is not appropriate in this area. The applicant has subsequently amended the height to bring it below 30m. The maximum height of the building proposed in the amended design is 29.95m which has been achieved by reducing the floor to ceiling height in the new upper floors and by reducing the overall height of plant.

#### Elevational Treatment

- 10.19 The proposal involves the rebuilding of the 4th to 6th floors as a contemporary addition with a suitable materials palette sympathetic to the existing 1890's architecture. A physically and visually recessed pavilion floor is added at roof level.
- 10.20 As well as fully refurbishing the building to contemporary standards, the changes will create a newly paired ensemble between the 5th and 6th floors in a contemporary language that echo's the language and rhythm of the host building as well as the fenestration patterning of the immediately adjacent heritage building at 190-196 City Road (City Approach).
- 10.21 The proposed 4th to 6th storeys are consistent in materiality with the lower floors and successfully maintain the hierarchy of the central bay and single mansard of the original façade. The designs display a sensitive use of stonework and matching red brick. Contemporary details of these upper levels, including materiality, cornice and fenestration, are also consistent with the existing lower storeys.
- 10.22 Above the mansard, the setback seventh storey has been designed to minimise visibility in views from City Road. This has been achieved through various means, including modification to the massing of the main extension, a push and pull of parapet heights, and the introduction of rooftop plantings. Considering these steps and the adjacent extension of 190-196 City Road, the proposed facade in anodised aluminium proposed is considered subservient and coherent.

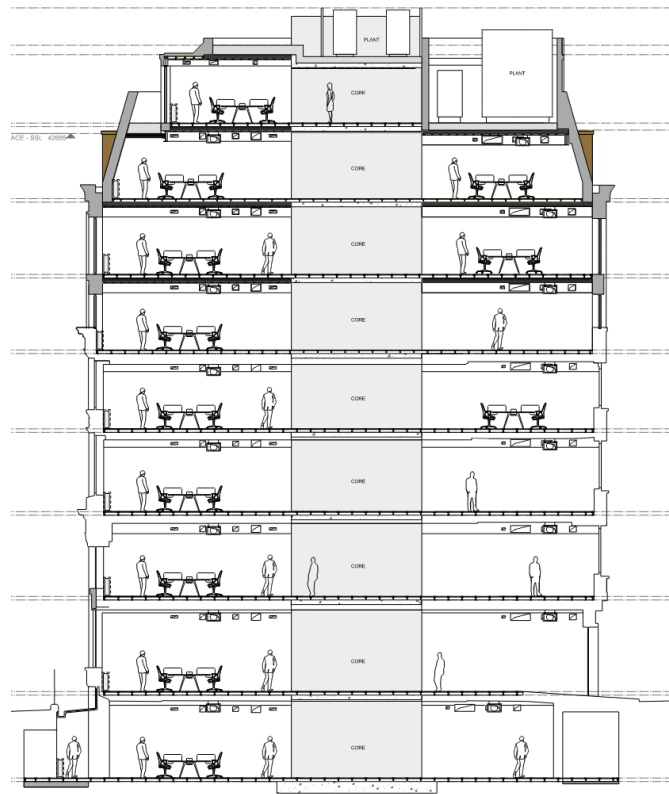
- 10.23 The architectural approach to this pavilion floor is also suitably well-ordered and recessive. It has been well set back from the primary City Road edge to be largely invisible from much of the public realm. It is visible to the secondary Cayton Street edge but in a manner that does not threaten or disrupt the dominance and legibility of the host building.
- 10.24 Changes to the base of the building are also considered to be positive with the reintroduction of stone mullions closely adhering to the pattern and proportions of the original detailing. The narrow void to the basement is proposed to be covered by a glazed 'floor', broken up with mullions that adhere to the pattern of the windows above. This too is considered an acceptable intervention.
- 10.25 In terms of the proposed materials, they include a traditional red brick to match the colour, texture, and size of original facade below with anodised aluminium proposed for window mullions, and limestone used for window surrounds and cornices. The proposed sixth storey mansard is to be dressed in a grey slate with the setback seventh floor in a pale lightweight metal. The original facades to the lower floors are to be refurbished and or renewed including to the more utilitarian façade to the Cayton Street edge. The elevational treatments to the primary City Road facades and the Cayton Street return are considered to be of a high architectural quality and are therefore supported.

### Impact on Heritage Assets

- 10.26 The application site is a Locally Listed building (Grade A) prominently located within the Moorfields Conservation area. The building experienced bomb damage during WWII resulting in significant changes to the upper floors which are of a significantly different design to the original. However, the lower floors retain much of their original historic architectural characteristics and qualities.
- 10.27 Changes to the upper floors, including additional height and roof form, are proposed. These are sensitively designed so as not to detract from the historical qualities and characteristics of the building. In terms of the setting of the Moorfields Conservation Area, the existing roof form is disparate and disjointed. The proposal will create a coherent treatment to the roof level that, in principle, will not harm the setting or qualities of the conservation area. The proportions and detailing of the mansard level and the recessed pavilion are considered successful.
- 10.28 The proposed plant, including its size and siting, is not visible from the street and associated public realm including from within the Moorfields Conservation Area in accordance with the CADG. This element is also considered acceptable.
- 10.29 The full refurbishment of this building, including the proposed embedded energy and sustainability efficiencies, and its reuse for commercial purposes, will benefit the building itself, ensuing its ongoing productiveness and maintenance, and contributing to the qualities including vitality of the conservation area.
- 10.30 The CADG for Moorfields contains principles aimed at the preservation and protection of the multiple heritage assets that comprise the special quality of the conservation area. Of particular note is the 'unusual and impressive collection of late Victorian and Edwardian commercial and institutional buildings fronting City Road', of which 186 City Road is one.
- 10.31 Paragraph 3.18 of the CADG welcomes refurbishment but cautions against removal or simplification of decorative details. It advises that new plant and tank rooms 'must be located to be invisible from the street'. It advises that normally new roof extensions should also be set back so as to be invisible from the street.
- 10.32 Where redevelopment is acceptable, paragraph 31.10 states that 'a high standard of design will be expected which reflects the scale and character of the area'. Paragraph 31.11 states that 'On City Road redevelopment must respect and reinforce the grand but dignified character of the buildings which face the street. The prevailing sheer height to parapet level of 4 or 5 storeys, plus basement, should be maintained but not exceeded. Behind parapet level an additional setback storey may be acceptable'.



10.33 The redeveloped building would be 8 storeys (above ground) in total with the original parapet being retained at fourth floor level and a new parapet at 6th floor level. Two additional storeys will then be constructed above, one mansard level and one recessed pavilion. As can be seen in Image 7 above, the primary massing of the building (to mansard level) will align with the neighbouring building to the west at 190-196 City Road and be at the same level as the existing plant room (Image 6). Given this surrounding context and due to the adequacy of the overall design, the additional storeys above the original parapet level are acceptable in this instance and there is not considered to be harm the conservation area despite the transgression from paragraph 31.11 of the CADG. The CADG goes on to advise that materials should be mainly brick or stone, avoiding large areas of glass or curtain walling. To this effect, the proposals adhere closely to the principles within the Conservation Area guidance.



**Image 8 – Proposed Section**

10.34 The architectural approach and detailing are of a suitably high quality. The approach to the design demonstrates considerable care and attention to materiality, proportionality, and detailing, resulting in contemporary extensions and alterations, together with reinstatement of historic features, that do not undermine the legibility or uniqueness of the host, but contribute to its qualities and characteristics, and help give the building a new 'lease of life'.

10.35 In accordance with Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal is not considered to cause harm to the character nor the appearance of the conservation area as the overall design and architectural quality of the development is of a suitably high standard for the surrounding heritage asset.

10.36 It is concluded that the proposed extension and refurbishment of the building is of a high standard of design and represents an improvement over the existing situation. Given the existing context of the roofspace, that was largely demolished and rebuilt after WWII, the proposed alterations and extensions are deemed to be acceptable with no harm caused to the host building or surrounding heritage asset. Consequently, in design and heritage terms, the development is in accordance with Policies CS8, CS9, DM2.1 and DM2.3.

## Neighbouring Amenity

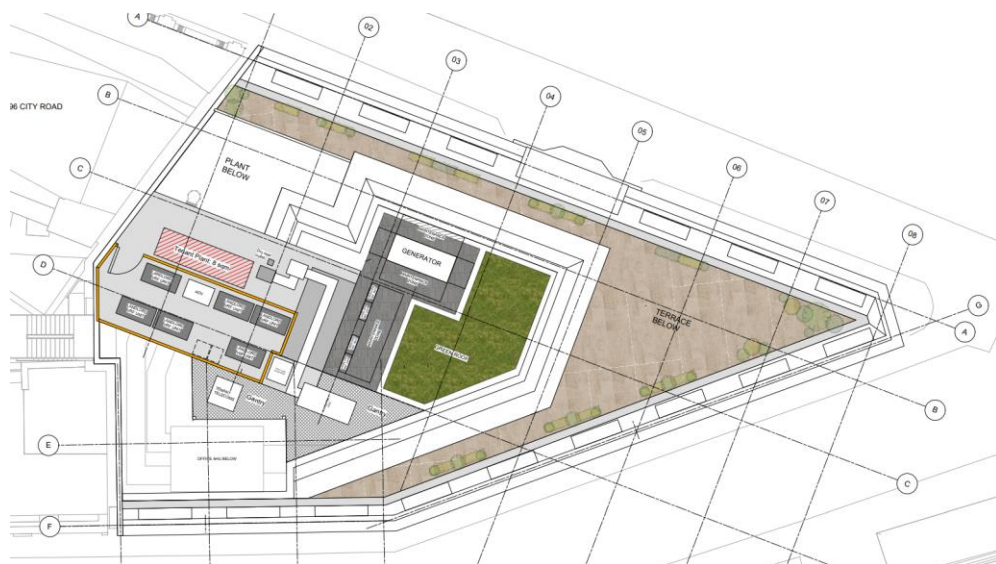
- 10.37 The National Planning Policy Framework identifies as a core planning principle that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings. The Development Plan contains policies that seek to appropriately safeguard the amenities of residential occupiers when considering new development.
- 10.38 London Plan Policy D14 requires developments to avoid significant adverse noise impacts on health and quality of life. Development Management Policies DM2.1 and DM6.1 which require all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Policy DM2.1 (part Ax) states that, for a development proposal to be acceptable it is required to provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.39 Draft Local Plan Policy PLAN1 states that all development must ensure a good level of amenity must be provided, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, overdominance, sense of enclosure and outlook.

## Noise

- 10.40 The application includes the installation of plant machinery at seventh floor level and at eight floor level above the pavilion. The plant machinery will include a large Air Handling Unit (AHU), emergency generator, condensers, extracts and a further space is indicated for future tenant plant and telecoms, see images 8 to 10. Any future telecoms work would be subject to ICNIRP requirements.



**Image 9 – Proposed Seventh Floorplan**



**Image 10** – Proposed Roof Floorplan

- 10.41 The application has been submitted with a Noise Impact Assessment that has evaluated the impact of noise from plant equipment on surrounding occupiers. The report has been reviewed by the Council's Environmental Protections Officer and a noise limiting condition (C6) is advised to ensure the plant equipment does not exceed Islington's standards for plant noise emissions. A further condition (C7) has been advised in relation to the proposed emergency generator as the periodical testing of this machinery can cause amenity issues for surrounding occupiers in terms of noise and air pollution. A further informative (I2) has been recommended to provide the applicant with further guidance in relation to the requirements of such machinery.
- 10.42 The application includes a new roof terrace at 7th floor level for the proposed office use. To ensure the terrace area is used during reasonable office hours only, Condition 8 is recommended to limit the hours of operation of the terrace to between 8am and 7pm Monday to Friday only. This will ensure the roof terrace is only used in accordance with the proposed use and at hours that will not impact surrounding residential amenity.
- 10.43 Noise from construction has been raised as an issue in representations and further information has been requested in relation to the schedule of works. The application has been submitted with a Construction Management Plan (CMP) which is a generic document that lacks site specific detail and does not reference Islington's Code of Practice for Construction Sites (CoPCS). There is likely to be considerable disruption from the demolition and subsequent building of the additional floors. The site is constrained by surrounding buildings, including the Moorfields Eye Hospital, and is on a red route where loading is restricted. A condition is therefore recommended requiring a full Construction & Environmental Management Plan (Condition 4) that will assess potential impacts from the construction, setting out clear mitigation and control measures following the guidance of Islington's CoPCS. A Construction Logistics Plan Condition has also been requested by TfL and this is also recommended to be required by condition (C15).
- 10.44 Outside planning legislations there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.
- 10.45 Concerns have also been raised by the Moorfields Eye Hospital Foundation Trust that primarily relate to construction impacts and how these may affect the safe operation of the hospital. The concerns raised will be addressed in the CEMP that will be required prior to construction under Condition 4 and specific wording (Part P) has been included in this condition to ensure the construction works have due consideration for the hospital its safe operation. As part of the future approval of details application for this condition, it will be possible for the LPA to consult with the Moorfields Eyes Hospital Foundation Trust to ensure they are in agreement to the CEMP details prior to its approval under Condition 4.

### Overlooking / Privacy

- 10.46 The development includes a new roof terrace area at seventh floor level which is accessed via the pavilion extension. The terrace area is set back from the City Road and Cayton Street elevations with the respective setback areas being for maintenance only (Image 9). This will ensure there will not be an overlooking issue for the neighbouring residential block at 190 City Road that borders the site to the west. The non-original two storey roof extension to this address at 6th and 7th floor levels includes windows and terraces that are in close proximity to the proposed development at 196 City Road. Due to the orientation of the proposed extension and the neighbouring residential units, there will not be any overlooking from the proposed development towards these existing residential premises.
- 10.47 Representations have been received raising objection in relation to overlooking towards both City Approach and Eagle Wharf on the opposite side of the City Road in the London Borough of Hackney. As discussed above, there is not considered to be any overlooking or privacy impacts towards City Approach due to the detailed design of the development and the orientation of windows and terraces both at the development site and the neighbouring building. Supporting paragraph 2.14 of DM2.1 clarifies that there should be a minimum distance of 18m between habitable rooms but that overlooking across a public highway does not constitute an unacceptable loss of privacy. Consequently, there is also not considered to be an impact on the Eagle Wharf properties or any other property on the opposite side of City Road as views across a highway are generally not considered to constitute overlooking or loss of privacy. Furthermore, City Road is around 30m wide and the potential overlooking from the new office floorspace and terrace is comparable to the existing overlooking that is currently possible from both the floorspace at the development site as well as from the residential dwellings at City Approach.

### Outlook / Sense of Enclosure

- 10.48 The additional massing to 186 City Road does not raise adverse concerns in relation outlook and sense of enclosure given the size of the extensions, their positioning and the surrounding built form context. The neighboring residential building at 190-196 City Road includes flats with views to the north over City Road or south towards the west end of Cayton Street. Therefore, the increased height at 186 City Road will not impact these residents. Other residential premises to the block between Bath Street and Cayton Street/City Road are sufficiently set back from the site as to not be impacted by loss of outlook or sense of enclosure.
- 10.49 The overall height of the building is being increased with the new mansard level matching the height of a recently constructed two storey extension to the neighbouring building at 190 City Road. The proposed mansard level is also at the same height as the existing plant level. The pavilion extension is then sufficiently setback from the front elevation as to ensure the extensions to the building will not negatively impact outlook or have adverse sense of enclosure impacts for other surrounding occupiers.

### Daylight/Sunlight

- 10.50 When assessing the daylight and sunlight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. The application has been submitted with a Daylight and Sunlight assessment dated February 2023. The report has been updated to correctly reflect that it has been considered with reference to the recently updated 2022 BRE guidance and to include the roof extension to City Approach with updated floorplan information for this building.
- 10.51 The assessments were carried out with reference to the 2022 BRE guidelines which are accepted as the relevant and most recent guidance in relation to assessments of light. The supporting text to policy DM2.1 identifies that the BRE 'provides guidance on site layout planning to achieve good sun lighting and day lighting'. Where these guidelines are exceeded then sunlighting and/or daylighting may be adversely affected. The BRE Guidelines provide numerical guidelines and the document emphasizes that advice given is not mandatory and the guide should not be seen as an instrument of planning policy, these (numerical guidelines) are to be interpreted flexibly since natural lighting is only one of many factors in site layout design.

## *Daylight*

- 10.52 The BRE Guidelines (2022) stipulate that... “the diffuse daylighting of the existing building may be adversely affected if either:
- the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.
  - the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution).
- 10.53 Paragraph 2.2.7 of the BRE Guidelines it states: ‘If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.’
- 10.54 Paragraph 2.2.10 the BRE Guidelines state: “Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important. The no sky line divides points on the working plane which can and cannot see the sky. Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside’. The BRE Guidelines at Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location.
- 10.55 The submitted Daylight and Sunlight report has assessed impacts from the proposed development on surrounding premises with a results table provided at Appendix 04. Rooms and windows at Eagle House, 1-5 Bath Street , 190 City Road and Moorfields Eye Hospital have all been assessed for VSC and NSL reductions.
- 10.56 For all the residential premises that are surrounding the site there are no instances of transgressions beyond BRE guidance figures. The highest residential reduction is a first-floor bedroom at 1-5 Bath Street that will see a 12.8% NSL loss.
- 10.57 There are noted reductions to Moorfields Eye Hospital beyond 20% but as this is a non-residential healthcare building the slight losses of light beyond BRE guidance figures are considered acceptable. There are 6 instances of VSC reduction beyond 20% (20.2% to 24%) but in all these cases the respective impacted rooms do not have NSL losses beyond 20%. There is one 5sqm room that will see a 54.4% decrease in NSL with the single window that serves this room seeing a 12% loss in VSC. The size and NSL contour lines of this room can be seen on page 79 Daylight Sunlight Report. This one instance of transgressions significantly beyond the BRE guidance figures is considered to be acceptable given the overall level of compliance, the use of the building and the size of the impacted room.

## *Sunlight*

- 10.58 The BRE Guidelines (2022) states at paragraph 3.2.11 ‘If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:
- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours between 21 September and 21 March and;
  - Receives less than 0.8 times its former sunlight hours during either period and;

- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours

- 10.59 Paragraph 3.1.6 relates to orientation and states that 'A south-facing window will, receive most sunlight, while a north-facing one will only receive it on a handful of occasions (early morning and late evening in summer). East and west-facing windows will receive sunlight only at certain times of the day. A dwelling with no main window wall within 90 degrees of due south is likely to be perceived as insufficiently sunlit.'
- 10.60 At paragraph 3.2.3 of the guidelines 'it is suggested that all main living rooms of dwellings, and conservatories, should be checked if they have a window facing within 90 degrees of due south. Kitchens and bedrooms are less important, although care should be taken not to block too much sun'.
- 10.61 The results tables within the Daylight and Sunlight Report demonstrate that no window will see reductions to below 25% of annual probable sunlight hours. Where there are existing windows with annual probable sunlight hours already below 25% these windows will not see any further reductions with the exception of 1-5 Bath Street (F01, R1 – W4) that will have a 7.1% annual reduction (14 to 13) which is within BRE guidance figures. It can therefore be concluded that in relation to sunlight there will not be any adverse impacts for surrounding occupiers.

### Conclusion on Amenity

- 10.62 Overall, the development proposed is concluded to not result in unacceptable adverse effects on the amenities of surrounding occupiers in terms of noise, privacy, having an overbearing effect, loss of outlook or sunlight/daylight reductions. A comprehensive Daylight and Sunlight Report has been submitted in support of the application that satisfactorily demonstrates that there will not be any adverse loss of light implications for surrounding occupiers. Where necessary, conditions have been included to control any potential effects that have been identified to ensure no negative effects to neighbouring amenity will be realised such as construction impacts, controlling plant noise and hours of use of the terrace area. The development is therefore considered to comply with the relevant London Plan (2021), Islington Core Strategy (2011), Finsbury Local Plan (2011) and Islington's Development Management Policies (2013).

### Sustainability

- 10.63 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.
- 10.64 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.
- 10.65 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity.

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

### BREEAM

- 10.67 The refurbishment of the building and its extension has achieved a pre-assessment BREEAM UK Non-Domestic Refurbishment and Fit-out rating of 'Excellent' which is compliant with adopted and emerging policy minimum acceptable requirement. A condition (C9) is recommended to ensure the final fit out of the redevelopment achieves this score.

### Minimising Green House Gas Emissions

- 10.68 A detailed energy assessment has been submitted in support of the application which demonstrates how emissions will be reduced in accordance with the energy hierarchy, modelling on-site carbon reductions against both Part L 2013 and 2021. A fabric first approach has been taken for the extension floors. A Co2 saving of 30.8% is proposed with 7.9% at the Be Lean stage. The applicant is proposing a carbon-offsetting payment in lieu of £49,700. Given that the extension to the existing building is a minor planning application, as the area of new floorspace is below 1,000sqm, the carbon reductions proposed are deemed acceptable. This amount will need to be secured by way of a legal agreement under Section 106 between the applicant and the Council. A draft head of terms is listed at Appendix 1.

### Energy Infrastructure

- 10.69 Policy DM7.3 relates to Decentralised Energy Networks and requires all major developments to be designed to be able to connect to a Decentralised Energy Network (DEN). Minor new-build developments should be designed to be able to connect wherever reasonably possible. The proposed scheme will be electric only and the applicant has explored connection to heat networks but this was considered to not be feasible. It was also established that connection to the Bunhill energy network, which is gas-fired, would be a less sustainable approach than the electric only model put forward and therefore no provision for a future connection to a local network has been proposed in the basement.

### Heat Risk

- 10.70 The Greater London Authority's (GLA) Energy Planning Guidance, published in June 2022, states that 'It is important to identify potential overheating risk, particularly in residential accommodation, early in the design process, and then incorporate suitable passive measures within the building envelope and services design to mitigate overheating and reduce cooling demand, in line with London Plan Policy SI 4.
- 10.71 A memorandum Overheating Risk Management document was provided by the application due to the Sustainability Officer's comments. The Development has been designed to reduce the amount of heat entering the building in summer through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure. The new glazing proposed will be specified as high performance glazing (with a g-value of less than 0.30) to minimise any solar gain entering the building. Heat generation will be minimised internally through energy efficient design such as fully insulated pipework to reduce heat losses and highly efficient LED lighting (> 95 lm/W, with 100lm/W in main occupied areas) to reduce internal heat gains.
- 10.72 Heat within the building will be managed through exposed internal thermal mass and high ceilings. The extended upper floor areas of the building will be of lightweight construction to reduce the structural loads. However, high performance glazing will be incorporated to reduce the risk of overheating in these floors. Due to the existing building walls being constructed from brick, the opportunities to utilise exposed thermal mass are limited. The ceiling heights for the existing building are large at over 3.1m which will mitigate overheating risk in these areas.

## Water Management and SUDS

- 10.73 Water efficiency has been considered in the Sustainability Statement but very few details on sustainable drainage are provided. The applicant has confirmed that water attenuation will be provided in the form of blue roofs and blue/green roofs, for gradual release into the combined sewer. Where there are planters, rainwater reuse could be considered but the benefit would be minimal. Given the lack of detail provided at this stage, a SUDS condition (C10) is advised to ensure the development will incorporate sufficient water Management measures.

## Biodiversity

- 10.74 A green roof is proposed to the upper part of the seventh-floor extension above the pavilion. The green roof should include an extensive substrate of 80-150mm and a cross section will be required to illustrate this as well as confirmation that the roof is biodiversity-based with seed mix focussed on wildflower planting with no more than 25% sedum. Condition 11 is advised for these details to be provided post consent to ensure the green roof maximises its biodiversity benefits.
- 10.75 It was noted by the Sustainability Officer that a lack of details has been provided concerning opportunities to attract new species to a site, including the incorporation of artificial nest boxes/bricks within developments to provide nesting and roosting opportunities for birds, including species under threat such as swifts, house martins, swallows and house sparrows, and where appropriate, bats. Appropriate numbers and placement of boxes should be provided with guidance from a suitably qualified ecologist. Condition 12 is advised to ensure these ecological benefits are incorporated into the development with the full details provided and approved post consent.

## Air Quality

- 10.76 London Plan Policy SI1 2 (a) requires all development to be air quality neutral. GLA guidance on Air Quality Neutral paragraph 2.3.1 states that for minor applications a full air quality assessment is not required. It is stated in the submitted Energy Strategy that the development proposed is all-electric, which is a low carbon intensive solution by using grid-supplied electricity which avoids adverse impacts on air quality. Furthermore, the electricity grid is expected to continue being decarbonised which will bring further nationwide air quality improvements in the future.
- 10.77 The Energy Statement goes on to clarify that the development will be designed to have no negative impact on air quality, through the incorporation of plant equipment which will contribute to minimum emissions. The exclusion of plant with direct NOx emissions such as boilers and the incorporation of non-combustion plant as the air source heat pumps aim to reduce the impact of the Development to the surrounding environment.

## Circular Economy

- 10.78 Certain circular economy points have been highlighted in the submitted Sustainability Statement. Emerging Policy S10 Part E requires for minor new build developments to provide an Adaptive Design Strategy as part of a Sustainable Design and Construction Statement. As this policy requirement has yet to be adopted, an Adaptive Design Strategy is not required in this instance.

## Transport & Highways

- 10.79 The NPPF paragraph 110 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.
- 10.80 Chapter 10 of the London Plan (2021) sets out transport policies, with policy T4 (assessing and mitigating transport impacts) outlines that development proposals should consider the cumulative impacts on public transport and the road network capacity including walking and cycling, as well as associated effects on public health. Further, development proposals should not increase road danger.



- 10.81 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Policy T3 of the emerging Local Plan states that all new development will be car free.
- 10.82 The site is on a TfL controlled red route that connects Angel to the north with Old Street to the south. TfL have been consulted as part of the application and noted that the proposal would not result in a significant traffic capacity impact to the TLRN and local highway network as the proposal would be car free. A number of conditions have been requested to ensure the construction works and servicing of the building will not impact the safe operation of the TLRN.
- 10.83 The application has been submitted with a Delivery and Servicing Plan that outlines the servicing strategy for the building. The existing on street servicing arrangement would be retained, using on street loading bays on Cayton Street and City Road. The refuse store is located at ground floor level to Cayton Street. As part of the buildings refurbishment the refuse storage arrangements will be improved with internal bin stores being relocated to be accessed directly from Cayton Street. TfL have requested for an updated Delivery & Servicing Plan (DSP) to be submitted for the Council's approval prior to occupation (C14). Due to the busy nature of the surrounding highway network, TfL have strongly advised for servicing to be consolidated where possible with an increase of bikes servicing. TfL have also requested a Construction Management Plan as well as a Construction Logistics Plan to be conditioned as part of the planning consent (CMP is C4 and CLP is C15).
- 10.84 The Council's Highways team queried servicing to Cayton Street as the waiting area for vehicles is on the opposite side of the street to the site and adjacent to Moorfields Eye Hospital. Cayton Street is a narrow side road where servicing to both the hospital and the existing building at 186 City Road takes place. The applicant has identified a strategy where overnight servicing will take place from City Road to avoid any disturbance to the hospital and its patients. However, this has the potential to disturb residents who reside along City Road. An updated DSP under C14 will expand on this strategy in more detail post consent and will be agreed with input from LBI Highways and TfL prior to its approval. Wording has been added to this condition to provide details of the overnight servicing arrangements to ensure surrounding residents will not be impacted. Highways also requested for a CEMP condition (C4) to be included for review prior to the development being implemented.
- 10.85 The development will be car free with no onsite parking provision and no disabled parking provision is proposed as part of the application. The submitted Highways Statement has identified certain disabled parking provision in the surrounding area. Islington's Planning Obligations SPD (2016) states that a £2,000 per space charge for any shortfall in on-site disabled parking provision can be captured with the commuted sum being used by the Council to install on-street disabled spaces in the area or for other related accessible transport provision. The contribution is based on the uplift in employees at the site which is 68 (paragraph 4.4.5 of the Transport Statement). 1 Space should then be provided for every 33 employees (Policy T3(G) of the emerging Local Plan & page 39 of SPD) which in this instance equates to 3 spaces. A contribution of £6,000 is included in the Head of Terms at Appendix 1.
- 10.86 Cycle Parking is proposed in the refurbished basement area of the building with 73 spaces in total proposed. These consist of 3 accessible bike spaces (1 enlarged) and 4 foldable bike lockers at ground level, 4 Sheffield stand spaces and 50 rack spaces (a mixture of two tier stands and vertical racks) in the basement and a further 8 foldable bike lockers in the basement. End of trip facilities including showers and lockers are also located in the basement that is accessed via a cycle lift from the rear Cayton Street entrance to the building. Islington's current cycle parking standards requires 1 space to be provided for every 80sqm of Office floorspace which equates to 67 spaces in this instance. Draft Policy T2 (Appendix 4) and London Plan Policy T5 (Table 10.2) requires 1 space for every 75sqm of floor area which equates to 71 spaces. Therefore, the provision of 73 spaces, which accommodates the whole building rather than just the extension to the building, is considered to be satisfactory. Condition 16 is advised to ensure the cycle parking arrangements are installed in accordance with the plans and prior to the building's occupation.

10.87 The provision of short stay visitor cycle parking was queried with the applicant as no spaces had been allocated or designed for visitors to the building. 8 Visitor Spaces are now proposed to City Road and a further four foldable bike lockers have been included in the ground floor reception area. The Transport Statement identifies that 11 such spaces should be provided to accord with London Plan and emerging Local Plan standards and therefore the provision of 12 extra short stay spaces is deemed to be acceptable as this accommodates the whole building rather than the uplift in floor area. TfL have accepted the principle of on street spaces but have noted the ultimate design and locations should be determined via a S278 Highways agreement between the application and the Highways Authority, which is TfL in this instance, to deliver the cycle stand facilities on City Road. The provisional indicated area is also outside of the red line boundary and therefore a S278 agreement will be required to install cycle spaces in the surrounding public realm. TfL have request for Islington Council to require the applicant to enter into a s278 agreement under Highways Act 1980 to deliver the cycle stands either by S106/ planning condition (C17). The Inclusive Design Officer has requested for one of the visitor spaces to be an accessible space and this requirement has been included with Condition 17.

### **Inclusive Design**

10.88 Policy D5 of the London Plan 2021 requires all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies 2013, which requires all development to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime. Policy DH1 (part C) of the emerging Local Plan outlines that all developments must be designed to be inclusive, which should ensure 'ease of use' and versatility.

10.89 The proposal would see modern accessibility and inclusive design features being included with the building's refurbishment. Level access to the building from City Road is not possible due to the raised upper ground floor entrance to the building. Pre-application discussions were held and the feasibility of a platform lift being installed to City Road was discussed but due to the design of the building and given other constraints such as the bus stop to City Road outside the main entrance, a platform or stair lift was not deemed to be possible in this instance. Alternatively, level access to the building is provided from Cayton Street to the rear. The Cayton Street access point has been improved from its initial design and the internal corridor with ramp widened. While level access to the non-primary entrance to the building is usually not supported, in this instance, given the site constraints, this arrangement is considered to be acceptable.

10.90 The Inclusive Design Officer has been consulted as part of the application and a number of finer details have been highlighted which the applicant has responded to in the Islington Design Comments Response document. Certain issues shall be included as part of compliance Conditions 18 to ensure appropriate inclusive design measures are included in the final development. Subject to compliance with Condition 18, the proposal is considered to be in accordance with Policy D5 of the London Plan (2021) and policy DM2.2 of the Islington Development Management Policies (2013).

### **Fire Safety**

10.91 The application has been submitted with a Fire Strategy that has been reviewed by the Building Control Team at LBI. Certain points were highlighted and it was noted that the firefighting shaft ventilation arrangements are not shown on the plans, it is unknown if there is provision for smoke release from the basement lobby, method and construction materials are not specifically detailed and it is not clear if refuge points for persons with a disability are proposed as this is required under building regulations. It was also noted that services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft.

10.92 Given the issues highlighted by the Building Control Team, it is recommended for C19 to be included as part of the planning consent so these issues can be correctly addressed post consent and prior to the relevant part of the development proceeding. C19 therefore requires an updated Fire Strategy to be submitted that addresses these points.

10.93 Policy D5 of the London Plan requires a minimum of at least one lift per core to be a suitably sized fire safety lift so that all people can evacuate in the event of a fire. The proposal includes 2 lifts to the main core of the building, one of which is indicated as being a firefighting lift which complies with London Plan Policy D5.

## **11. SUMMARY AND CONCLUSION**

11.1 The overall design of the extensions and refurbishment of the buildings is acceptable and represents a high standard of design that is supported, in accordance with DM2.1. Furthermore, it is concluded that the development will not detrimentally impact the locally listed building nor the surrounding Moorfields Conservation Area and that the development accords with the heritage conservation principles of DM2.3.

11.2 The development will not unacceptably impact the amenities of surrounding residents and conditions are advised to ensure disturbance from the construction phase of the development is minimised as much as possible. In relation to delivery/servicing and highways related impacts the development is also concluded to be acceptable.

11.3 The refurbished building will achieve a BREEAM score of 'Excellent' and includes various sustainable design features such as a green roof and high-performance glazing. Further sustainability benefits have been secured via condition such as SUDS and bird boxes.

11.4 The development includes a significant amount of cycle parking beyond local standards for the additional floor space proposed. End of trip facilities, accessible cycle spaces and visitor spaces are also proposed. The refurbishment of the building will also bring the building up to modern standards in relation to accessibility and inclusive design.

11.5 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the National Planning Policy, the London Plan, the Islington Core Strategy, Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

## **12. CONCLUSION**

12.1 It is recommended that planning permission be granted subject to conditions and legal obligations as set out in Appendix 1 – Recommendations.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a deed of planning obligation made under Section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development/Head of Service – Development Management or in their absence, the Deputy Head of Service. The following heads of terms are recommended as secured by a Section 106 agreement:

- Carbon Off-Setting - £49,700
- Disabled Parking - £6,000

That should the Section 106 agreement Deed of Planning Obligation not be completed within 8 weeks/16 weeks (for EIA development) from the date when the application was made valid, the Service Director, Planning and Development/Head of Service – Development Management or in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning grounds.

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 Committee Report.

### RECOMMENDATION B

That planning permission be granted subject to conditions listed below

#### List of Conditions:

<b>1</b>	<b>Implementation Period</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).
<b>2</b>	<b>Approved plans list</b>
	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:  00101 Rev B, 00102 Rev B, 03200 Rev D, 03201 Rev B, 03202 Rev B, 03203 Rev B, 03204 Rev B, 03205 Rev B, 03206 Rev B, 03207 Rev C, 03208 Rev C, 03299 Rev B, 04201 Rev D, 04202 Rev D, 04203 Rev C, 04204 Rev C, 05201 Rev C, 05202 Rev C, 05203 Rev C, 82204 Rev A, 61503, BREEAM Ecology and Land Use Assessment Ref SCL001 27/09/2022, Outline Construction Management Plan September 2022, Cover Letter Ref: KW/DP6205 dated 05/10/2023, Draft Delivery & Servicing Plan September 2022 V1.0, Design & Access Statement 29/09/2022 Rev A, Sustainability - Energy Strategy Report 04/10/2022, Environmental Noise Survey and Plant Noise Assessment Report 29/09/2022, Fire Statement 28 September 2022, Heritage Townscape and Visual Impact Assessment September 2022, Operational Waste Management Strategy September 2022 V1.0, Sustainability Statement 04/10/2022, Transport Statement September 2022 V1.0, Travel Plan September 2022 V1.0, Islington Design Comment Response 11/01/2023 Rev A, Daylight & Sunlight Report 16/02/2023, 186 City Road Area Schedule, Consultant Advise Notice (memorandum Overheating Risk Management) 21/03/2023.

	<p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<p><b>3</b></p>	<p><b>MATERIALS (DETAILS):</b></p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <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>
<p><b>4</b></p>	<p><b>Construction &amp; Environmental Management Plan</b></p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The CEMP should refer to Islington's Code of Practice for Construction Sites (2018) and include details and arrangements regarding:</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, including positions and hours of lighting;</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;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 will be maintained for all existing vehicle traffic at all times, including emergency service vehicles;</li> <li>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</li> </ul>

	<p>n) 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.</p> <p>o) Details of measures taken to minimise the impacts of the construction process on air quality, including NRMM registration.</p> <p>p) Consideration for the continued safe operation of the Moorfields Eye Hospital and its patients who will be accessing site, including fire assembly points.</p> <p>The report shall assess the impacts during the preparation/demolition, excavation and construction phases of the development on 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 report should contain detailed information on the minimizing of noise, demolition methods and best practice measures in line with Islington's Code of Practice for Construction Sites (2018).</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>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.</p>
<b>5</b>	<b>RESTRICTED USE (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the provision of the Town and Country Planning (Amendment) (England) Regulations 2020, the new floorspace hereby approved shall be used only for the purposes of Part (g)(i) (office) of Use Class E and not for any other purpose listed within Use Class E of the Town and Country Planning (Amendment) (England) Regulations 2020.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in the interests of the use of the building and the amenity of the adjoining neighbours.</p>
<b>6</b>	<b>Plant Noise Limit (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+A1:2019.</p> <p>REASON: To protect the amenities of surrounding occupiers including those within the building.</p>
<b>7</b>	<b>Emergency Plant &amp; Equipment (DETAILS)</b>
	<p>CONDITION: The following measures shall be implemented to minimise the impact of the emergency plant and equipment:</p> <ol style="list-style-type: none"> <li>1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.</li> <li>2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour.</li> <li>3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test.</li> <li>4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level</li> </ol>

	<p>(LA90). The rating level to be determined as per the guidance provided in BS 4142:2014+A1:2019.</p> <p>5. A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To protect the amenities of surrounding occupiers including those within the building.</p>
<b>8</b>	<b>Hours of Use – Roof Terrace (COMPLIANCE)</b>
	<p>CONDITION: The new roof terrace at seventh floor level, as shown on plan number 03207 Rev C hereby approved, shall not operate outside the hours of:</p> <p>0800 to 1900 hours Monday to Friday only and not at all on Saturdays, Sundays and bank holidays.</p> <p>Reason: To protect the amenities of surrounding occupiers.</p>
<b>9</b>	<b>BREEAM Excellent (COMPLIANCE)</b>
	<p>CONDITION: The development shall achieve a BREEAM (2014 Non-domestic Refurbishment and Fit-out) rating of no less than 'Excellent' in accordance with the submitted Sustainability Statement dated 4<sup>th</sup> October 2022.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
<b>10</b>	<b>Sustainable Urban Drainage (SUDS) (DETAILS)</b>
	<p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and demonstrate how the scheme will aim to achieve a greenfield run off rate (8L/sec/ha) and at minimum achieve a post development run off rate of 50L/ha/sec. The details shall demonstrate how the site will manage surface water in excess of the design event and shall set out a clear management plan for the system. The drainage system shall be installed/operational prior to the first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</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> <p>a) how the extent of green/brown roof has been maximised;</p> <p>b) that the green/brown roofs are biodiversity based with extensive substrate base (depth 120 - 150mm); and</p>

	<p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum).</p> <p>The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency. 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>Bird Boxes (DETAILS)</b>
	<p>CONDITION: Prior to the commencement of the hereby approved development, details of appropriate bird/bat box locations shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information and investigation by a suitably qualified ecologist of the most suitable locations for bird and/or bat boxes. The approved details shall be implemented in full and retained thereafter.</p> <p>REASON: To provide suitable nesting locations in accordance with the Council's biodiversity objectives.</p>
<b>13</b>	<b>PD Removed Class E to Residential (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and reenacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without obtaining the express planning permission from the Local Planning Authority.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office and commercial floorspace in this location.</p>
<b>14</b>	<b>Delivery &amp; Servicing Plan (DSP) (DETAILS)</b>
	<p>DELIVERY &amp; SERVICING: A Delivery and Servicing Plan (DSP) detailing servicing arrangements including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority, in consultation with TfL, prior to the first occupation of the development hereby approved. The DSP shall specifically address how Delivery and Servicing will not impact the operation of Moorfields Eye hospital and where any overnight servicing is proposed from City Road, this will need to address how surrounding residents will not be impacted. Due to the busy nature of the surrounding highway network, TfL strongly advises that servicing shall be consolidated where possible with an increase of bikes servicing. The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free flow of traffic.</p>
<b>15</b>	<b>Construction Logistics Plan (DETAILS)</b>
	<p>CONDITION: No construction works shall take place unless and until a Demolition and Construction Management Plan (DCMP) have been submitted to and approved in writing by the Local Planning Authority (in consultation with Transport for London and the London Borough of Hackney). The report shall assess the impacts during the demolition and construction phases of the development on surrounding streets, along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The</p>



	<p>DCMP must refer to the new LBI Code of Practice for Construction Sites. The DCMP shall specify how long construction vehicles will be on site and the expected number of construction vehicles trips if the vehicles are proposed to be on site after 6pm. The development shall be carried out strictly in accordance with the approved DCMP throughout the demolition and construction periods.</p> <p>REASON: In order to protect surrounding residential amenity and the surrounding transport network.</p>
<b>16</b>	<b>Cycle Parking (COMPLIANCE)</b>
	<p>CYCLE PARKING: The bicycle storage areas at ground and first floor, as shown on approved plan numbers 03200 Rev D and 03299 Rev B, shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>The cycle lift car shall be designed in accordance with LCDS chapter 8.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>17</b>	<b>S278 Highways agreement (COMPLIANCE)</b>
	<p>CONDITION: The development shall not be occupied until visitor cycle parking (including 1 accessible space) has been provided on the pavement to City Road pursuant to an agreement with the local highway authority (TfL) under Section 278 of the Highways Act 1980.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>18</b>	<b>Inclusive Design (COMPLIANCE)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, the following inclusive design measures shall be included in the final design of the building:</p> <ul style="list-style-type: none"> <li>• Appropriate signage/wayfinding to be included to the level access entrance to Cayton Street.</li> <li>• The Cayton Street entrance shall include glass and door materials with limited reflexivity and an audio/video entry phone system.</li> <li>• RHS/LHS support handles shall be installed to the accessible bathrooms alternating between floors.</li> <li>• Accessible shower / wet room in basement shall be 2.4 x 2.5m to accord with Inclusive Design SPD page 20.</li> <li>• All floor finishes shall be specified to appropriate slip resistance values.</li> <li>• Clear signage shall be installed to indicate route to the reception area from all entrances and clear signage/wayfinding shall be installed leading to the step-free entrance from the main entrance.</li> <li>• Turning spaces shall not be impeded by the furniture or any other obstruction.</li> <li>• A minimum 1800mm of unobstructed pedestrian space shall be retained between the building and any tree pits.</li> <li>• Ramped/step-free access shall be provided to the cycle entrance and cycle storage area.</li> </ul> <p>REASON: To ensure the development is adequately inclusive for those with mobility difficulties.</p>
<b>19</b>	<b>London Underground Infrastructure Protection (DETAILS)</b>
	<p>CONDITION: The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p>

	<ul style="list-style-type: none"> <li>• provide details on all structures including temporary and permanent works</li> <li>• accommodate the location of the existing London Underground structures and tunnels</li> <li>• provide ground movement assessment due to temporary or permanent changes in loading which may affect the London Underground structures and tunnels.</li> <li>• and mitigate the effects of noise and vibration arising from the adjoining operations within the railway structures and tunnels.</li> </ul> <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
<b>20</b>	<b>Fire Statement (DETAILS)</b>
	<p>CONDITION: An updated Fire Statement shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing. The updated Fire Statement shall address, and show on plans:</p> <ul style="list-style-type: none"> <li>• the firefighting shaft ventilation arrangements;</li> <li>• smoke release from the basement lobby arrangements;</li> <li>• Specific details of construction materials and their construction methods;</li> <li>• suitable refuge points for persons with a disability to comply with building regulations;</li> <li>• The services/riser shafts relevant to operation of firefighting shaft should only be located within/accessed from the firefighting shaft.</li> </ul> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>

### List of Informative

<b>1</b>	<b>TFL Advise</b>
	<p>INFORMATIVE: The footway should not be blocked during development, all vehicles associated with the constriction must adhere to permitted locations for parking/stopping and any works that may affect local bus routes will need to be agreed with TfL prior to commencement.</p>
<b>2</b>	<b>Emergency Diesel Generators</b>
	<p>INFORMATIVE: Emergency diesel generators are installed as backup power for emergency life-saving purposes such as fire safety for residents in tall buildings, vital computer suites or emergency lighting. These generators are usually run monthly as part of their maintenance regime. When maintenance runs are initiated there is usually a large plume of black smoke emitted. Therefore, it is essential that these flues are situated at height and well away from air intakes, balconies, roof terraces and openable windows. When installing an emergency generator Islington will require the applicant to justify its purpose and complete a HMIP Technical Guidance TGND D1 "Guidelines on discharge stack heights for polluting emissions" calculation to ensure that the flue will not cause an amenity problem in adjacent areas. Islington will permit the maximum capacity of any emergency generator fuel tank to be able to run for 12 hours, with consideration of up to 24 hours for life critical systems.</p>

<b>3</b>	<b>Community Infrastructure Levy (CIL)</b>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at <a href="http://www.planningportal.gov.uk/cil">www.planningportal.gov.uk/cil</a>, and the Islington Council website at <a href="http://www.islington.gov.uk/cil">www.islington.gov.uk/cil</a>. CIL guidance is available.</p>
<b>4</b>	<b>Legal Agreement</b>
	<p>INFORMATIVE: You are advised that this permission has been granted subject to the completion of a director level agreement to secure agreed planning obligations.</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 2019 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

### **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 2011 - Spatial Development Strategy for Greater London**

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

**Policy GG2** Making best use of land

**Policy GG5** Growing a good economy

##### **2. Spatial Development Patterns**

**Policy SD4** The Central Activities Zone

**Policy SD5** Offices, other strategic functions and residential development in the CAZ

##### **3. Design**

**Policy D1** London's form, character and capacity for growth

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

**Policy D4** Delivery good design

**Policy D5** Inclusive design

**Policy D12** Fire safety

**Policy D13** Agent of Change

**Policy D14** Noise

##### **6. Economy**

**Policy E1** Offices

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

**Policy HC1** Heritage conservation and growth

##### **8. Green Infrastructure and Natural Environment Policy**

**G6** Biodiversity and access to nature

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

**Policy SI1** Improving air quality

**Policy SI2** Minimising greenhouse gas emissions

**Policy SI7** Reducing waste and supporting the circular economy Policy

**Policy SI13** Sustainable drainage

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

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

**Policy T5** Cycling

**Policy T6** Car parking

**Policy T6.2** Office parking

**Policy T7** Deliveries, servicing and construction

## B) Islington Core Strategy 2011

### Spatial Strategy

- Policy CS8 Enhancing Islington's Character

### Strategic Policies

- **Policy CS9** Protecting and Enhancing Islington's Built and Historic Environment
- **Policy CS10** Sustainable Design
- **Policy CS11** Waste
- **Policy CS13** Employment Space

## 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
- **DM5.2** Loss of existing business floorspace
- **DM5.4** Size and affordability of workspace

### Health and open space

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

### Energy and Environmental Standards

- **DM7.1** Sustainable design and construction statements
- **DM7.4** Sustainable design standards
- **DM7.5** Heating and cooling

### Infrastructure

- **DM9.2** Planning obligations

### Transport

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

## D) Finsbury Local Plan 2013 Area Action Plan for Bunhill & Clerkenwell

**Policy BC3** Old Street

**Policy BC8** Achieving a balanced mix of uses

**Policy BC9** Tall buildings and contextual considerations for building heights

## E) DRAFT Islington Local Plan

### 4. Inclusive Economy

**Policy B2** New business floorspace

### 5. Green Infrastructure

Policy G4 Biodiversity, landscape design and trees

Policy G5 Green roofs and vertical greening

### 6. Sustainable Design

**Policy S1** Delivering Sustainable Design

**Policy S2** Sustainable Design and Construction

**Policy S3** Sustainable Design Standards

**Policy S4** Minimising greenhouse gas emissions

**Policy S5** Energy Infrastructure

**Policy S6** Managing heat risk

**Policy S7** Improving Air Quality

**Policy S9** Integrated Water Management and Sustainable Drainage  
**Policy S10** Circular Economy and Adaptive Design

7. Public Realm and Transport

**Policy T2** Sustainable Transport Choices

**Policy T3** Car-free development

**Policy T5** Delivery, servicing and construction

8. Design and Heritage

**Policy DH1** Fostering innovation while protecting heritage

**Policy DH2** Heritage assets

**Policy DH3** Building heights

**Policy DH5** Agent-of-change, noise and vibration

**F) DRAFT Bunhill and Clerkenwell Area Action Plan**

2. Area wide policies

**Policy BC1** Prioritising office use

3. Area Spatial Strategies

**Policy BC3** City Fringe Opportunity

**3. Designations**

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

- Core Strategy Key Area – Bunhill & Clerkenwell;
- Conservation Area – Moorfields
- Locally Listed Building
- Central Activity Zone (CAZ);
- Employment Priority Area (General);
- Finsbury Local Plan Area – Bunhill & Clerkenwell;
- Open Space Bunhill Fields Burial Ground;
- Article 4 Direction A1-A2 (Rest of Borough);
- Article 4 Direction B1(c) to C3;
- Within 100m of the Strategic Road Network (SRN);
- London Underground Zone of Interest;
- TfL Tunnel Land Ownership;
- Heathrow Safeguarding Area.

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

The following SPGs and/or SPDs are relevant:

<u>Islington Local Development Plan</u>	<u>London Plan</u>
- Environmental Design	- Sustainable Design & Construction
- Urban Design Guide	- Planning for Equality and Diversity in London
- Moorfields CADG	