

PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE A		AGENDA ITEM
Date:	11 th July 2023	

Application number	P2023/0630/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	N/A
Conservation area	Clerkenwell Green
Development Plan Context	Central Activities Zone Core Strategy Key Area (Bunhill & Clerkenwell) Conservation Area (Clerkenwell Green) Employment Priority Areas (General) Finsbury Local Plan Area (Bunhill & Clerkenwell) Local Views LV4 (Local view from Archway Road) Local Views LV5 (Local view from Archway Bridge) Article 4 Direction (A1-A2 / Rest of Borough) Locally Listed Building (19c or Earlier)
Licensing Implications	N/A
Site Address	Aylesbury House, 17c, 17-18 Aylesbury Street, EC1R 0DB
Proposal	Proposed redevelopment of 17-18 Aylesbury Street, comprising extensions at fourth and fifth floor, (following partial demolition of second, third, fourth and fifth floors) rear extensions at third floor and internal and external refurbishments, to provide 65.5sq.m of additional Class E(g)(i) office floorspace in addition to ground floor shopfront replacement at 17c Aylesbury Street and associated alterations.

Case Officer	Jake Shiels
Applicant	C/o Agent
Agent	Savills (UK) Ltd - Ms Saffron Frost

1. RECOMENDATION

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

- subject to the conditions set out in Appendix 1.

2. SITE PLAN (site highlighted in red)



Image 1: Site Plan

3. PHOTOS OF SITE



Image 2: Aerial view



Image 3: Front elevation



Image 4: View east from the corner of Sekforde Street and Clerkenwell Green



Image 5: Aerial view of western car park

4. SUMMARY

- 4.1 The proposal seeks planning permission for the redevelopment of the host building, comprising extensions at fourth and fifth floor, (following partial demolition of second, third, fourth and fifth floors) rear extensions at third floor and internal and external refurbishments, to provide additional Class E(g)(i) office floorspace in addition to ground floor shopfront replacement at 17c Aylesbury Street and associated alterations.
- 4.2 The proposal would result in removal and demolition of parts of the building. The proposed replacement and new extensions would extend over the existing footprint of the building.
- 4.3 The proposal would also seek to replace the existing shopfront along with fenestration replacements to the ground floor of 17-18 including new metal framed double glazed doors and windows and new render to existing fascia.
- 4.4 The proposal also includes a number of internal alterations to deal with the constraints of the existing building - to provide suitable independent access to and around the building, including sanitary provisions and to meet Building Control Regulations.
- 4.5 The office use (Class E(g)) of the site is suitable within the site location. The proposal is considered to be acceptable, and would provide improved, accessible and additional office space within the Central Activities Zone and Employment Priority Area.
- 4.6 The proposed redevelopment of the building is not considered to result in demonstrable harm to neighbour amenity nor introduce a quantum of floorspace that would adversely impact the public highway in line with policy DM2.1 of the Development Management Policies 2013.
- 4.7 The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character nor appearance of the Conservation Area, nor adversely impact on neighbour amenity. The proposal accords with policies DM2.1 and DM2.3 of the Development Management Policies 2013, policies CS8 and CS9 of the Core Strategy 2011, policies BC4, BC7 and also BC8 of the Finsbury Local Plan (2013) and the Clerkenwell Green Conservation Area Design Guidelines (2002) as well as the NPPF (2021).
- 4.8 The application is referred to the Planning Sub-committee due to the public interest in the application and the number of objections received during the application process.

5. SITE AND SURROUNDING

- 5.1 The application site is located on the south side of Aylesbury Street and adjacent to Jerusalem Passage to the east. The southern entrance to Sekforde Street is to the north with Clerkenwell Green to the west. The site consists of two internally connected buildings - 17c and 17-18, together these are known as Aylesbury House. It is a part four storey, part six storey brick built building, comprising 1161sq.m of commercial and business space (Class E).
- 5.2 No. 17C as detailed within the planning statement was constructed in the late 1900s and comprises four storeys plus basement. It sits on a regular rectangular plot and comprises a butterfly roof. No. 17-18 is said to be constructed circa the 1930s and comprises six storeys plus basement. The plot is stepped at the rear as is the rear building line. The top two floors are later additions. Both properties are currently in office (Class E (g) (i)) use.

- 5.3 The host building is locally listed and the site is within the Clerkenwell Green Conservation Area. The host building is subject to several constraints including the Central Activities Zone (CAZ), Employment Priority Areas (General), Finsbury Local Plan Area - Bunhill & Clerkenwell, Archaeological Priority Areas – Clerkenwell, Islington Core Strategy Key Area - Bunhill & Clerkenwell, Local Views - Local view from Archway Road and from Archway Bridge and Heathrow Safeguarding Area.
- 5.4 The site is adjacent to a number of listed buildings, including 8, 11 and 12 Jerusalem Passage (Grade II) to the eastern boundary of the site, 49-50 and 52 St Johns Square (Grade II) to the rear of the site.
- 5.5 The application building is bound by a number of mixed use buildings within a dense urban location. 17B Aylesbury Street to the east, on the corner with Jerusalem Passage, is currently in restaurant use (Class E(b)) at lower ground and ground floors, whilst the upper floors (1st-3rd) have recently been granted planning permission to be converted to a self-contained residential unit (Class C3) from restaurant under planning reference (P2020/0327/FUL). 1 Clerkenwell Green to the west, is in use as an office (Class E (g) (i)) at basement and ground floor level with 4 residential units on the upper floors (Class C3). To the south and south-east, the site is bound by properties fronting St John's Square and Jerusalem Passage respectively, including 50-52 St John's Square and 8-12 Jerusalem Passage. These buildings are in a mix of uses primarily commercial uses (including office, retail and restaurant at lower floors, with upper floors in residential use (Class C3)).

6. PROPOSAL (in Detail)

- 6.1 The application seeks planning permission for the redevelopment of 17-18 Aylesbury Street, comprising extensions at fourth and fifth floor, (following partial demolition of second, third, fourth and fifth floors) rear extensions at third floor and internal and external refurbishments, to provide 65.5sq.m of additional Class E(g) (i) office floorspace in addition to ground floor shopfront alterations at 17c Aylesbury Street and associated alterations.
- 6.2 The proposal would result in the removal of the existing clerestory windows, roof, and parapets on second floor, removal of fourth and fifth floor non-original extensions and removal of existing plant and associated structures at roof level which were added post 1947 (pg.33 of design and access statement).
- 6.3 The proposed replacement and new extensions would be over the existing footprint of the building. At 2nd floor, the west flank to the rear of the building would be extended in width by 2.5m and an extension beyond the rear elevation by 5.37m. The 2nd floor would also be cut back to the rear by 1.9m. At 3rd floor, 4th floor and 5th floor, the west flank to the rear of the building would be extended in width by 2.5m and an extension beyond the rear elevation by 2.75m. At 5th floor there would be increases to the massing over the existing footprint, with the deepest part of the building being increased by approximately 0.6m and to either part of this flank by approximately 0.4m. The roof area to the frontage would be increased in width by 3.7m and tapers further to the rear and east flank by 2.86m. The roof area to the North West corner would come forward by approximately 1.4m.
- 6.4 The proposed roof of the 5th floor would be lower from the Apex of the existing roof by approximately 0.7m but would be approximately 0.6m taller than the existing flat roof which is the predominant scale.

Existing	Proposed	GIA Uplift
1,162.2m ²	1226.8m ²	65.5m ²

Table 1: GIA Uplift

Existing	Retained	Demolished
1,162.2m ²	1,029m ²	132m ²

Table 2: Existing/Demolished GIA split

- 6.5 The proposed development to the rear and sides on the 2nd, 3rd and 4th floor will be brickwork to match the existing. On the rear of the 5th floor, it will be a dark composite stone. To the front, the 4th and 5th floor replacement facades will be in a light composite stone. Windows and doors included for the new rear extensions and replacement extensions would consist of metal framed double glazing with a vertical emphasis portrayed at 4th and 5th floor levels.
- 6.6 The proposal would also seek to replace the existing shopfront at 17C and will incorporate traditional timber shopfront, with stallriser and timber doors. More contemporary window and fenestration replacements are proposed to the ground floor of 17-18 including new metal framed double glazed doors and windows and new render to existing fascia.
- 6.7 The proposal also includes a number of internal alterations to deal with the constraints of the existing building - to provide suitable independent access to and around the building, including sanitary provisions and to meet Building Control Regulations. The proposal also seeks to make the proposal more inclusive, with the front entrance being designed to include ramped access to the building, replacing the previous stepped access. All of the WCs in the building will be unisex and an accessible WC will be located on the ground floor, as per the existing WC provision.

Amendments during the application

- 6.8 During the application process an amendment to the scheme was submitted, including:
- Reduction in the depth of the rear extension at 3rd, 4th and 5th floor level adjacent to 1 Clerkenwell Green by 3.2m.
 - Daylight and sunlight assessment, proposed plans and associated documents update to reflect alteration.

7. RELEVANT HISTORY:

18/19 Aylesbury Street

- 7.1 **901502:** Use of premises for Business Use (Class B1 of the Town and Country Planning (Use Classes) Order 1987). **Approved with conditions** on 15/01/1991.

18 Aylesbury Street

- 7.2 **961361:** Minor alterations to roof profile. **Approved with conditions** on 17/10/1996.
- 7.3 **930646:** Formation of new entrance door in front elevation. **Approved with conditions** on 07/06/1993.

Aylesbury House, 17c & 18, Aylesbury Street

- 7.4 **P2022/1527/FUL:** Redevelopment of 17-18 Aylesbury Street, comprising extensions at fourth and fifth floor, (following partial demolition of second, third, fourth and fifth floors) rear extensions at second and third floor and internal refurbishments, to provide additional Class E(g)(i) office floorspace with improvements to the ground floor shopfront at 17c Aylesbury Street. **Refused** on 24/06/2022 for the following reason:

REASON: Due to scale, bulk and massing of the proposed extension to the rear and at roof level, the proposal would result in harm to the host building and the setting of the heritage assets which is not outweighed by sufficient public benefits. In addition, the proposal has failed to demonstrate that the proposal would not have a detrimental impact on the adjacent designated open space (OS 152 St James Park) and the local views (LV4 and LV5). Therefore the proposal is contrary to policies D1, D4 and HC1 of London Plan (2021) CS7, CS8 and CS9 of Islington Core Strategy (2011) DM2.1, DM2.3, DM2.4 and DM6.3 of Development Management Policies (2013) and BC7 of Finsbury Local Plan (2013) and is unacceptable in design terms.

REASON: The application has failed to demonstrate that the proposed extensions would not have a detrimental impact on the amenity of neighbouring residential and the use of commercial units, in terms of loss of daylight/sunlight and a sense of enclosure. Therefore the proposal is contrary to policies DM2.1Ax of Development Management Policies (2013) and the requirements of the BRE Guidelines document titled Site layout planning for daylight and sunlight: A guide to good practice (2022).

- 7.5 P010930: New shopfront and external alterations to rear elevation. **Approved with conditions** on 10/10/2001.

Pre-application

- 7.6 Q2021/0312/MIN: Pre-application for a single storey roof extension at roof level, and enlargement of existing third and fifth floor (roof level) to rear elevation and to front elevation at fourth and fifth floor (roof level) to provide additional office (Class E) floorspace (at no's 17-18 Aylesbury Street), including the provision of external amenity space and alterations to shopfront and to rear elevation and internal refurbishment throughout and other associated alterations. Single storey extension at roof level (at no. 17C Aylesbury Street). **Completed** on 13/05/2021.

- 7.7 Officers response:

In land use terms the principle of providing additional office accommodation to an existing office building is welcomed, and would accord with the Council's land use policies in this regard

The changes to the Use Class Order on the 1st September 2020, has resulted in existing buildings or land formerly in A1, A2, A3 or B1 use have automatically transitioned to Class E on 1 September 2020. Therefore, given the host building was formerly B1a use, the change of use of the additional floorspace to former A1, A2 or A3 uses would not require planning permission after this date. Therefore, unless the applicant is agreeable to a condition restricting the permitted development, the assessment of any proposal would consider the impact of all of these uses permitted under revised Use Class changes. You are advised to specify the proposed uses within Class E and confirm whether you are agreeable to a condition restricting permitted changes as this may result in objections from local residents for other uses which you are not intending on using.

In design terms the proposal is considered to result in harm to the visual appearance and historic character of the host building and setting of the conservation area and nearby listed buildings, due to its bulk, massing and general design. Whilst it is acknowledged that this harm would be less than substantial there are insufficient public benefits that outweigh this harm, and the proposal is considered unacceptable in design terms.

Whilst limited information has been submitted within this pre-application, the proposal should ensure that it demonstrates it would not have a detrimental impact in regards to amenity of neighbouring properties, in terms the loss of daylight/sunlight, outlook, noise and privacy. Any application would be expected to be submitted with a Daylight/Sunlight Report demonstrating that it would meet BRE guidelines, and that the outlook and privacy of the occupiers of the adjacent properties would not significantly harmed. A noise report should be submitted in support of the application to ensure an increase in noise from the plant equipment and use of the roof terraces are not detrimentally impacted.

The proposed development should demonstrate how they provide accessible accommodation, have acceptable fire safety measures, and adequate cycle and waste storage.

Overall, given the significant design concerns the Council does not encourage the submission of a planning application for this proposal.

CONSULTATION

Public Consultation

- 7.8 Letters were sent to occupants of **201** adjoining and nearby properties on Aylesbury Street, Clerkenwell Close, Clerkenwell Green, Clerkenwell Road, Jerusalem Passage and St John's Square on 13/03/2023.
- 7.9 A total of **8** objections were received from the public with regard to the application. The issues raised are summarised below:
- Increase in office space would harm the character of the Conservation Area (*paras 9.27-9.46*)
 - Loss of privacy from new office windows proposed to the rear of the building (*paras 9.49-9.54*)
 - Extension will have an oppressive and overbearing impact on neighbouring property (*paras 9.55-9.62*)
 - Proposed redevelopment would materially impact the natural light into habitable spaces (*paras 9.63-9.80*)
 - Areas of non-compliance with BRE guidance in particular to property on Jerusalem Passage (*paras 9.67-9.69*)
 - Existing levels of low light to neighbouring properties does not mean any further diminution of light is acceptable (*9.67-9.69*)
 - Loss of light to basement and ground floor areas of adjacent commercial property (*para 9.71*)
 - Query on modelling of bathroom window upon neighbouring extension, impacts and site visit (*paras 9.76-9.80*)
 - Privacy blades or other methods to protect privacy from new windows should be considered
 - Adverse noise impacts from plant area moved to the rear of the building (*paras 9.81-9.82*)
 - Noise assessment has the noise levels from the plant at an acceptable level but this may be an underestimate. Request for further noise dampening or insulation to protect neighbours (*para 9.82*)
 - Disruption to properties during construction period and noise pollution (*para 9.83*)
 - Impact on construction traffic upon Clerkenwell Green which has recently been improved (*para 9.83*).

Internal Consultees

- 7.10 **Acoustics Officer:** No objection subject to conditions for plant noise level compliance.
- 7.11 **Design and Conservation Officer:** Recommendation – Approve subject to conditions. Full comments included within assessment.

8. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES

- 8.1 Islington Council (Planning Sub Committee), 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).
- 8.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.
- 8.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 8.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 8.5 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.
- 8.6 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.
- 8.7 Members of the Planning Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 8.8 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 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.
- 8.9 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 that are considered relevant to this application are listed at Appendix 2 to this report.

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

Emerging Policies

Draft Islington Local Plan 2019

8.11 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation and subsequent submission to the Secretary of State for Independent Examination. From 5 September 2019 to 18 October 2019, the Council consulted on the Regulation 19 draft of the new Local Plan. Submission took place on 12 February 2020. As part of the examination consultation on pre-hearing modifications took place between 19 March and 9 May 2021. 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.

8.12 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).

Given the advanced stage of the draft plan and the conformity of the emerging policies with the Framework it is considered that the policies can be afforded moderate to significant weight depending on the significance of objections to main modifications.

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

Policy SP1 Bunhill and Clerkenwell
Policy B1 Delivering business floorspace
Policy B2 New business floorspace
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy S4 Minimising greenhouse gas emissions
Policy T3 Car Free Development Parking
Policy T2 Sustainable Transport Choices
Policy T5 Delivery, Servicing and Construction
Policy ST2 Waste

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use
- Design
- Impact on the amenity of neighbouring residents
- Accessibility
- Highways
- Sustainability.

Land Use

- 9.2 The application site is located within the Islington Core Strategy (2011) Bunhill and Clerkenwell Key Area, the Central Activities Zone, the Finsbury Local Plan Area, and the Clerkenwell Green Conservation Area. The proposal seeks to extend the existing office (Class E) with additional office floorspace.
- 9.3 Policy CS7 of the Core Strategy is concerned with Bunhill and Clerkenwell and states, inter alia, that:
- 9.4 *A. Employment development within Bunhill and Clerkenwell will contribute to a diverse local economy which supports and complements the central London economy...Creative industries and Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged. Accommodation for small enterprises will be particularly encouraged'*
- 9.5 Policy CS13 of the Core Strategy sets out how the Council will provide and enhance employment space throughout the Borough. New business floorspace will be encouraged in the CAZ and town centres, where access to public transport is greatest. New business space will be required to be flexible to meet future business needs and will be required to provide a range of unit types and sizes, including those suitable for SMEs. Development should provide jobs and training opportunities, including through a proportion of small, micro and/or affordable workspace or affordable retail space.
- 9.6 Policy 4.3 of the London Plan states that '*Within the Central Activities Zone...increases in office floorspace...should provide for a mix of uses including housing, unless such a mix would demonstrably conflict with other policies within this plan*'.
- 9.7 Policy BC8 of the Finsbury Local Plan is concerned with achieving a balanced mix of uses and states, inter alia, that:
- 'A. Within the Employment Priority Areas (General and Offices) designated on the Policies Map and shown on Figure 16:*
- ii. Proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.*
- 9.8 *B. Within the Employment Priority Area (General) designated on the Policies Map and shown on Figure 16, the employment floorspace component of a development or change of use proposal should not be unfettered commercial office (B1(a)) uses, but, **where appropriate**, must also include retail or leisure uses at ground floor, alongside:*
- A proportion of non-B1(a) business or business related floorspace (e.g. light industrial workshops, galleries and exhibition space), and/or Office (B1(a)) or retail (A1) floorspace that may be suitable for accommodation by micro and small enterprises by virtue of its design, size or management, and/or*
- Affordable workspace, to be managed for the benefit of occupants whose needs are not met by the market.*
- I. New business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation; and should provide full separation of business and residential floorspace where forming part of a mixed use residential development.'*

9.9 Policy DM5.1 is concerned with New Business Floorspace and states, inter alia, that:

'A. Within Town Centres and Employment Growth Areas the council will encourage the intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units. Within these locations proposals for the redevelopment or Change of Use of existing business floorspace are required to incorporate: i) the maximum amount of business floorspace reasonably possible on the site, whilst complying with other relevant planning considerations, and ii) a mix of complementary uses, including active frontages where appropriate.

9.10 *F. New business floorspace must be designed to:*

i) allow for future flexibility for a range of uses, including future subdivision and / or amalgamation for a range of business accommodation, particularly for small businesses...'

9.11 In land use terms, the principle of providing additional business floorspace within an existing office building is considered to be acceptable in land use terms.

9.12 During the course of the application, the applicant was reminded that whilst retail or leisure uses at ground floor, alongside office can be accommodated, this is only where appropriate. The proposal results in a very small uplift of office space, and the proposal plans show an open Class E use within the basement and ground floor. The existing lawful use of the building is Office (Class E) in its entirety.

9.13 If the basement and ground floor (roughly 435sqm of floorspace together) were to be used for flexible office/retail and/or café purposes there is a potential net loss of office floorspace at the site which is contrary to emerging Strategic and Development Management Policies (SDMP) Policy B3 and Bunhill and Clerkenwell Area Action Plan (BCAAP) Policy BC1 (parts A and B). These policies seek to protect existing business floorspace and support additional office floorspace in the CAZ and AAP area, and do not allow a net loss of office floorspace without the submission of marketing evidence demonstrating that there is no demand for the existing use. In light of this, the applicant has agreed to a condition that the redevelopment and refurbished area shall be used only for office.

9.14 Overall, no objection is raised in regard to the principle of the use given the site is within the Central Activities Zone (CAZ). A condition will be placed upon the permission to ensure the development provides Class E(g) floorspace and for no other purpose (including any other use within Class E) of the Schedule to the Town and Country Planning (Amendment)(England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. This condition is proposed to be implemented to enable the Local Planning Authority to retain control over the development, in order to protect the supply of office floorspace in this Employment Area and Central Activities Zone location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met.

Design and Conservation

Policy

9.15 The National Planning Policy Framework (NPPF) confirms that the Government attaches great importance to the design of the built environment, and notes that good design is a key aspect of sustainable development and should create better places in which to live and work and helps make development acceptable to communities. Paragraph 134 of the NPPF (2021) states that

in determining applications, significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.

- 9.16 Core Strategy Policy CS8 states that the scale of development will need to reflect the character of the area. The businesses and shops which provide the mixed use character of Islington will be maintained through employment, retail and design policies.
- 9.17 Core Strategy Policy CS9 states that the Islington's heritage assets and historic environment will be conserved and enhanced whether they are designated or not. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.
- 9.18 Development Management Policies DM2.1 requires all forms of development to be of high quality, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics.
- 9.19 Development Management Policies DM2.3 states that non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process
- 9.20 for any development proposal which may impact on their significance. The council will encourage the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

Site Significance

- 9.21 The site is in the Clerkenwell Green Conservation Area and in the policy area called 'Historic Clerkenwell' in the Finsbury Local Plan. The area is designated for its special character and appearance and its importance to Islington and London as a whole. The area has the longest history of any part of the Borough and its significance is derived in this history, the unique pattern of development of the area, its architectural development over time and its great variety of uses including specialist manufacturing, workshops, wholesaling and retailing activities. Aylesbury Street is a narrow street leading between the historic St John Street and Clerkenwell Green itself.
- 9.22 17C Aylesbury Street is a late 19th century building and is locally listed along with its neighbour (not part of the site). It has four storeys with a shop front at ground floor. It originally had a butterfly roof but this has been compromised by the addition of an extended stair core for roof access.
- 9.23 17-18 is a commercial building dating from the 1930s. The original four storey façade on Aylesbury Street is generally intact and attractive, with a flat parapet in keeping with other buildings on the street and in the area. A large roof extension has been previously added creating a fifth and sixth storey. The sixth storey has a reduced floorplate but has been poorly designed with large prominently protruding dormers which considerably detract from the appearance of the building in views from the church grounds and Aylesbury Street. The rear of the existing roof extension is visible above the rooflines of 49, 50 and 52 St John's Square when viewed from the south and detracts somewhat from their setting.

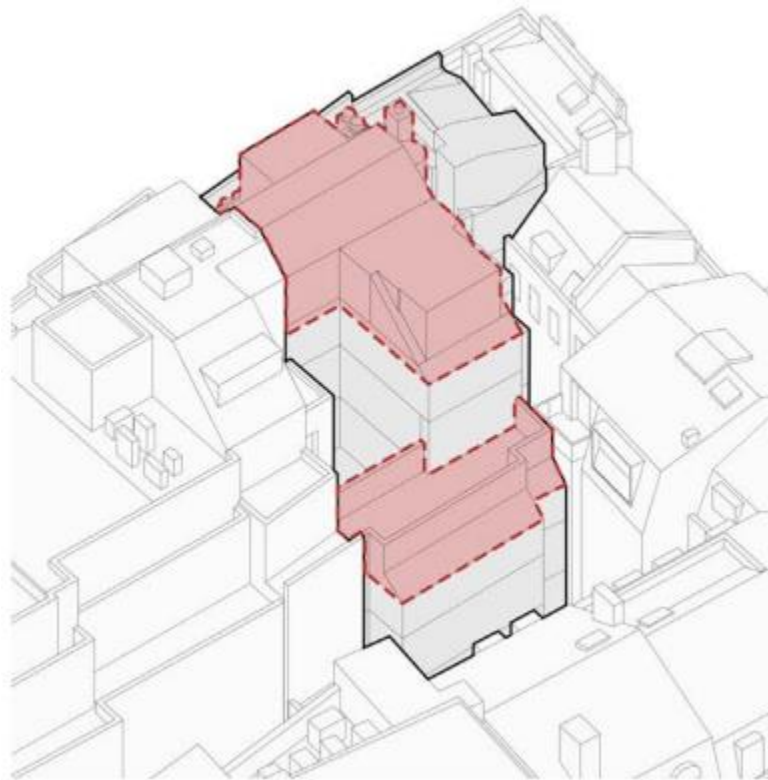


Image 6: Existing massing (rear aspect)

9.24 The site is opposite the Grade II* listed church of St James and is visible from the church grounds. It falls within two locally designated views. There are several small-scale grade II listed buildings on Jerusalem passage adjacent to the site - numbers 12, 11 and 8, which are converted 18th century houses of a small scale. There are a large number of other listed buildings in the area, including several fronting St John's Square, which have the potential to be affected. This includes the Grade I listed priory church of St John, and 49, 50 and 52 St John's Square which are converted 18th century houses directly behind the site. The site forms part of the setting of these buildings and there is considerable heritage sensitivity around the site requiring a careful approach.

9.25 The full list of adjacent heritage assets is included below:

- St James Church GII*
- 51 Clerkenwell Close GII*
- The Crown Tavern GII
- 12-14 A Clerkenwell Green GII
- 49-50 St John Square GII
- 52 St John Square GII
- The Priory Church of St John of Jerusalem GI
- 47 and 48 St John Square GII
- 36 and 36 A St John Square
- 8, 11, 12 Jerusalem Passage (all Grade II).



Image 7: Listed Buildings in proximity to the site

9.26 The site is located to the south east of the designated open space of St James Park (shown below). Also the site is subject to Local Views - Local view from Archway Road and from Archway Bridge (shown below).

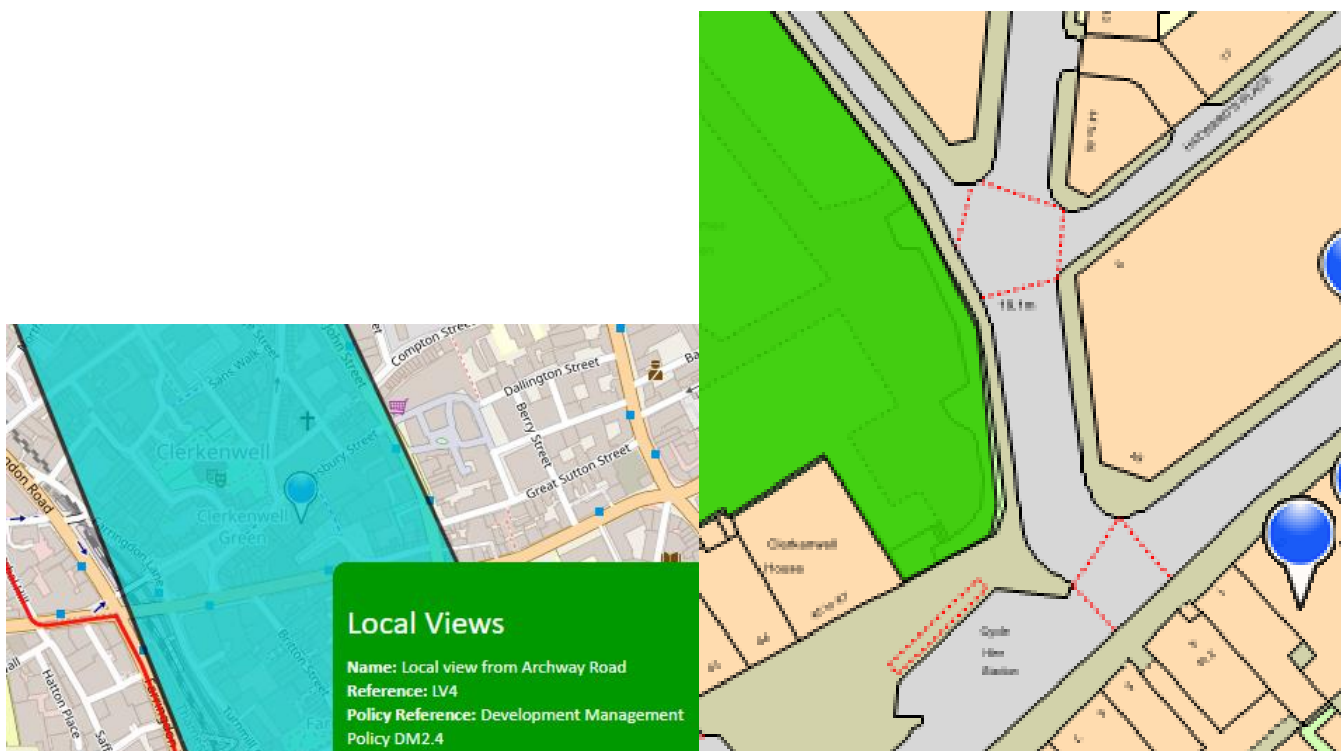


Image 8 and 9: Local View and adjacent St James Park

9.27 This, combined with locally listed and undesignated structures, creates a high quality, generally low-rise, historic townscape, all positive contributors to the character and appearance of the conservation area. The relationship of the site to the setting of the listed buildings and the

Bulk, height and massing

- 9.28 The proposed replacement and new extensions would extend over the existing footprint of the building. At 2nd floor, the west flank to the rear of the building would be extended in width by 2.5m and an extension beyond the rear elevation by 5.37m. The 2nd floor would also be cut back to the rear by 1.9m. At 3rd floor, 4th floor and 5th floor, the west flank to the rear of the building would be extended in width by 2.5m and an extension beyond the rear elevation by 2.75m.

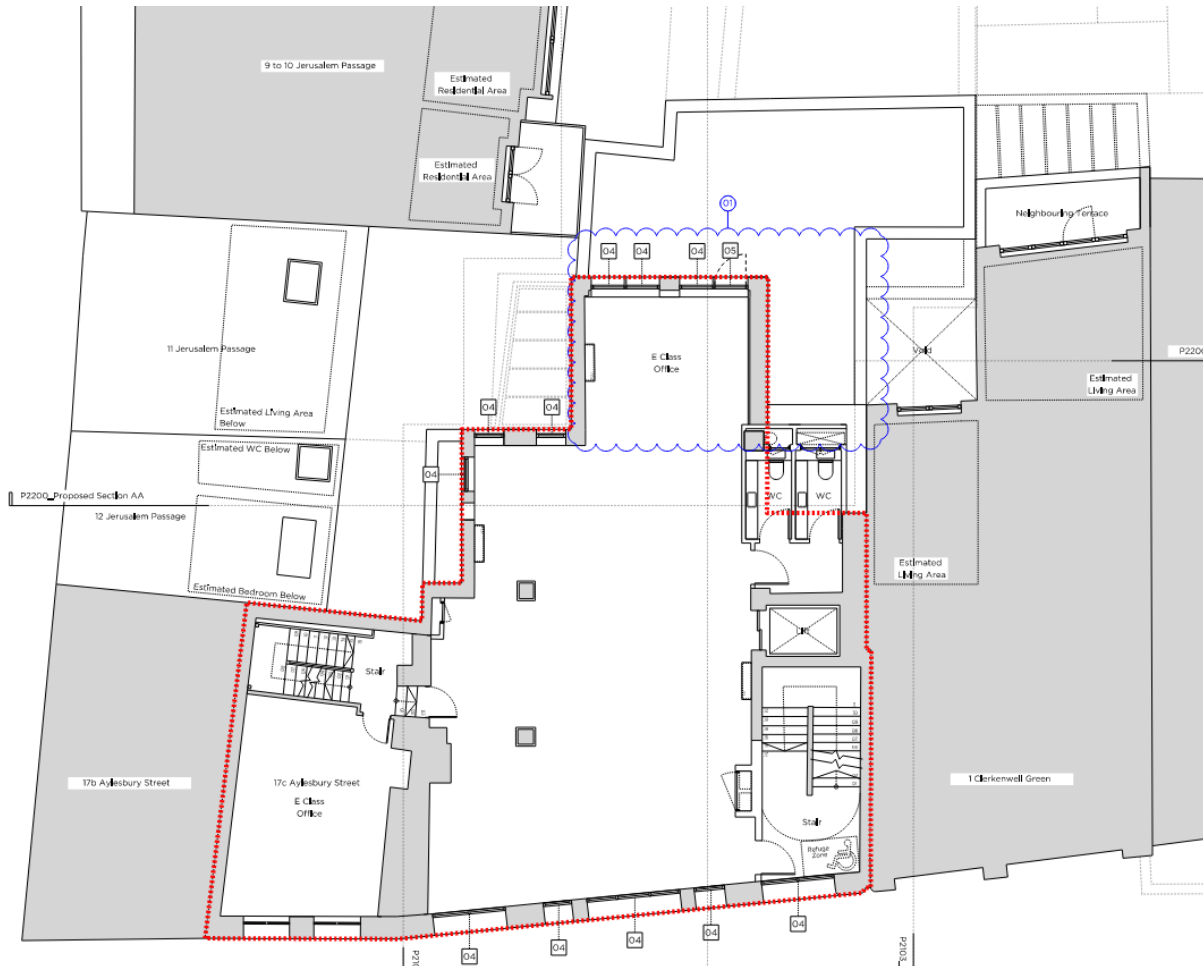


Image 10: Proposed third floor

- 9.29 At 5th floor there would be increases to the massing over the existing footprint, with the deepest part of the building being increased by approximately 0.6m and to either part of this flank by approximately 0.4m. The roof area to the frontage would be increased in width by 3.7m and tapers further to the rear and east flank by 2.86m. The roof area to the North West corner would come forward by approximately 1.4m. The proposed roof of the new 5th floor would be lower from the Apex of the existing roof by approximately 0.7m but would be approximately 0.6m taller than the existing flat roof which is the predominant scale. This is shown in image 18. Setbacks are proposed from the frontage at 4th and 5th floor levels.

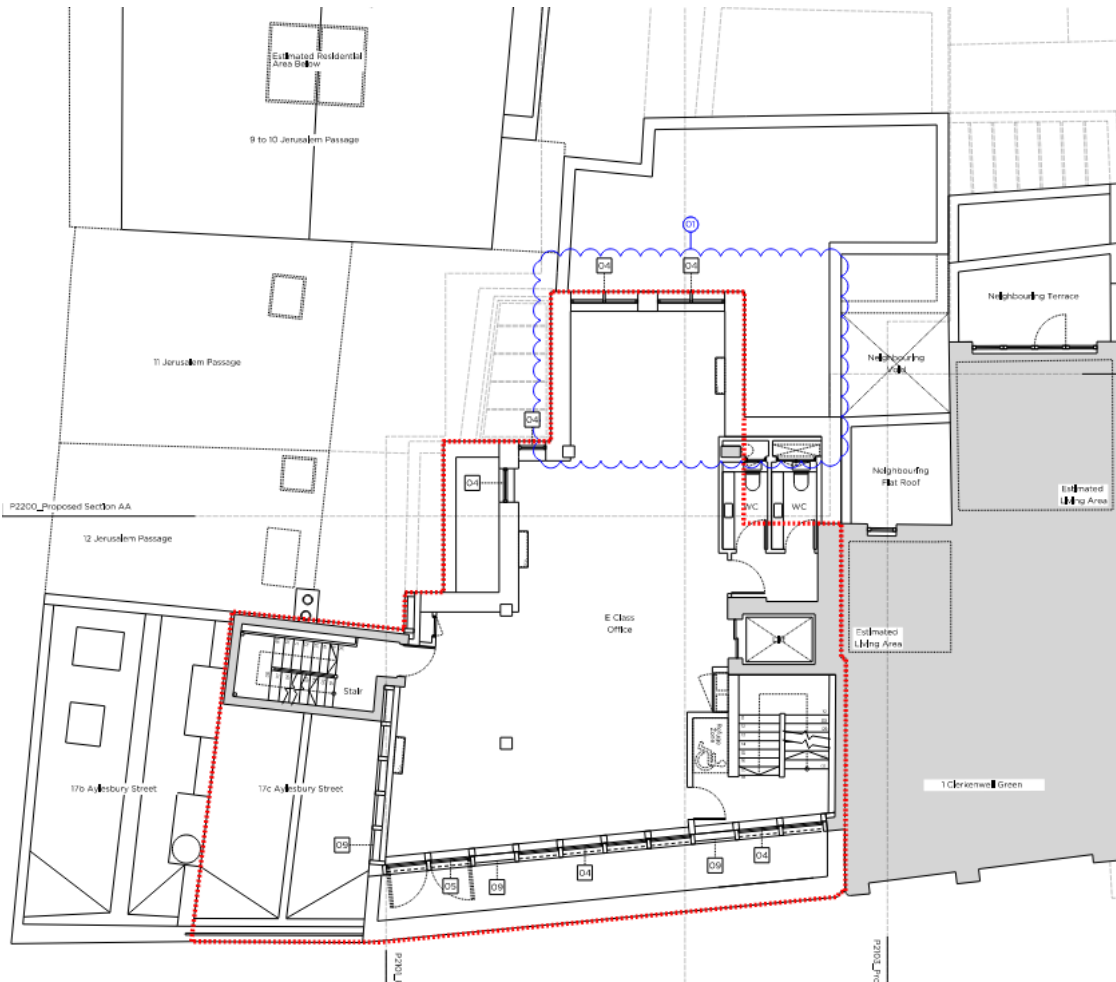


Image 11: Proposed fourth floor

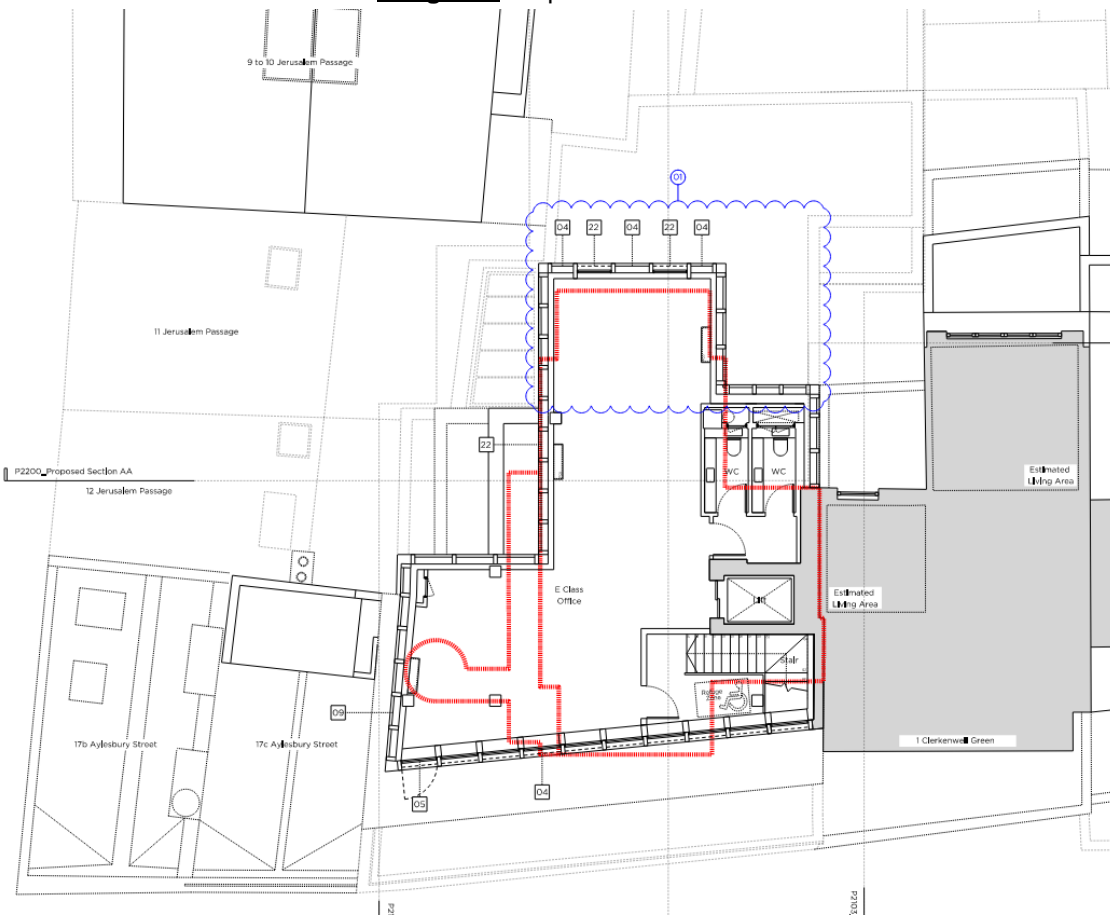


Image 12: Proposed fifth floor

9.30 The building is in the Finsbury Local Plan area. Policy BC7 Historic Clerkenwell of the Finsbury Local Plan supports heritage-led development that provides “new buildings of high architectural quality and local distinctiveness, of a height, scale and massing that respects and enhances the immediate and wider context, consistent with the predominant building height.” The policy requires that new development should reflect long established building lines, street frontages and plot widths. Roof extensions, plant rooms and lift overruns should conform to prevailing building heights and should not harm the character and appearance of the existing building as seen from streets and public open spaces

9.31 The Clerkenwell Green Conservation Area Design Guidelines (2002) also contain special policies regarding roof extensions in the conservation area, stating the following:

1.20 New buildings and roof extensions to existing buildings should conform to the height of existing development in the immediate area

1.21 Most buildings in the area are between three and five storeys high. There are very few buildings over five storeys and most of these detract from the appearance of the area. Normally no new building or extension will be permitted above five storeys (about 18 metres above ground level). All plant rooms and lift overruns should be located so as to be invisible from the street including long views from adjacent streets. On many sites new buildings may need to be lower, perhaps three or four storeys high, in order to fit into the existing scale of the street, to conform with prevailing parapet heights and to respect their neighbours.

1.22 Roof extensions visible from the street or a public open space will not be granted where this is harmful to the character and appearance of the building.

1.23 Strong parapet lines and hidden roofs are characteristic of many properties in the area. It is considered that visible roof extensions can be detrimental to the simple verticality of these buildings and should be resisted. In these situations, applicants will need to demonstrate that set-back extensions are not visible from public spaces and streets. Roof terraces can be a way of achieving private amenity space, but should only be allowed where they are not visible from the street and do not cause problems of overlooking of neighbours.

1.24 New development should conform to the scale of existing buildings in the area.

9.32 Paragraphs 5.84 to 5.88 of the UDG provides advice in relation to rooflines. It advises that *there is usually more scope for change in the roofline and facades within streets where there are a variety of frontages and building heights, particularly where the height of frontages is relatively low in proportion to the width of the street. However, even where there are existing variations in building heights, an alteration to the existing roofline is likely to be unacceptable where:*

It adversely impacts on views and landmarks.

It impacts adversely on the topography of the street.

It causes a canyon effect and/or unduly overshadows the street.

It impacts adversely on the character of an open space or the public realm.

The existing street frontages and roof profile have historical and/or architectural importance and/or contribute to an area’s individual character. This will include listed buildings, conservation areas and sometimes other buildings that do not have this status.

The alteration to a façade or roofline impacts adversely upon the architectural integrity and quality of the existing or neighbouring buildings.

A change to the roofline or façade would be out of scale with its neighbours and undermines the rhythm of the street frontage.

9.33 The proposal follows several earlier pre-apps and applications which were not supported. The latest Pre-application advice was given in August 2022 (Q2022/2896/MIN) for revised scheme which was generally supported by officers, and the current proposal is almost identical to the design presented at that pre-app.

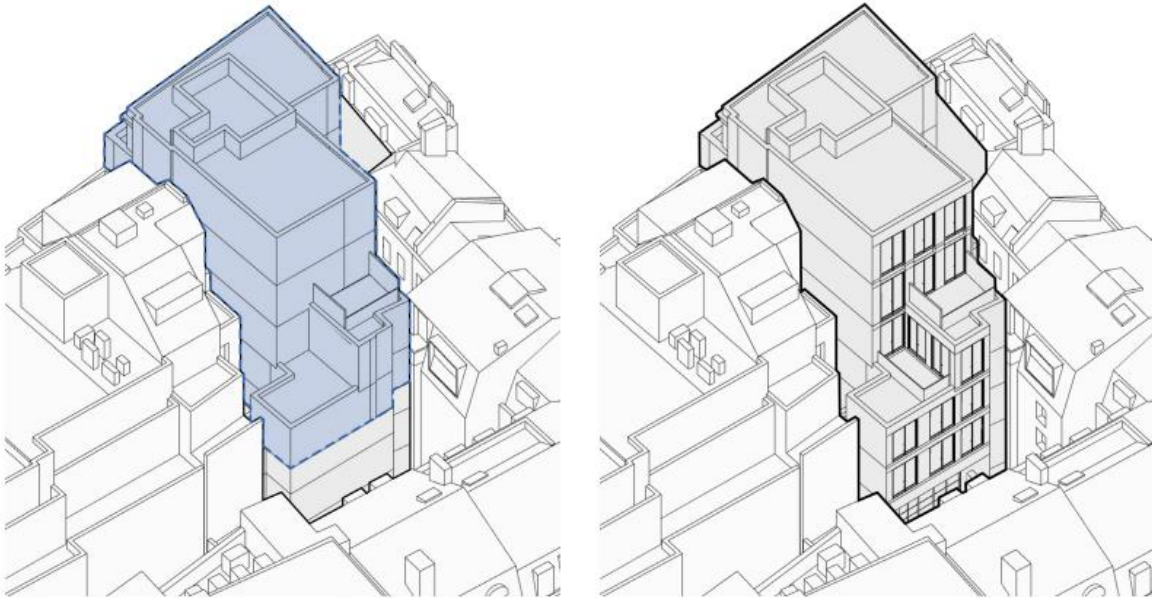


Image 13: Refused massing

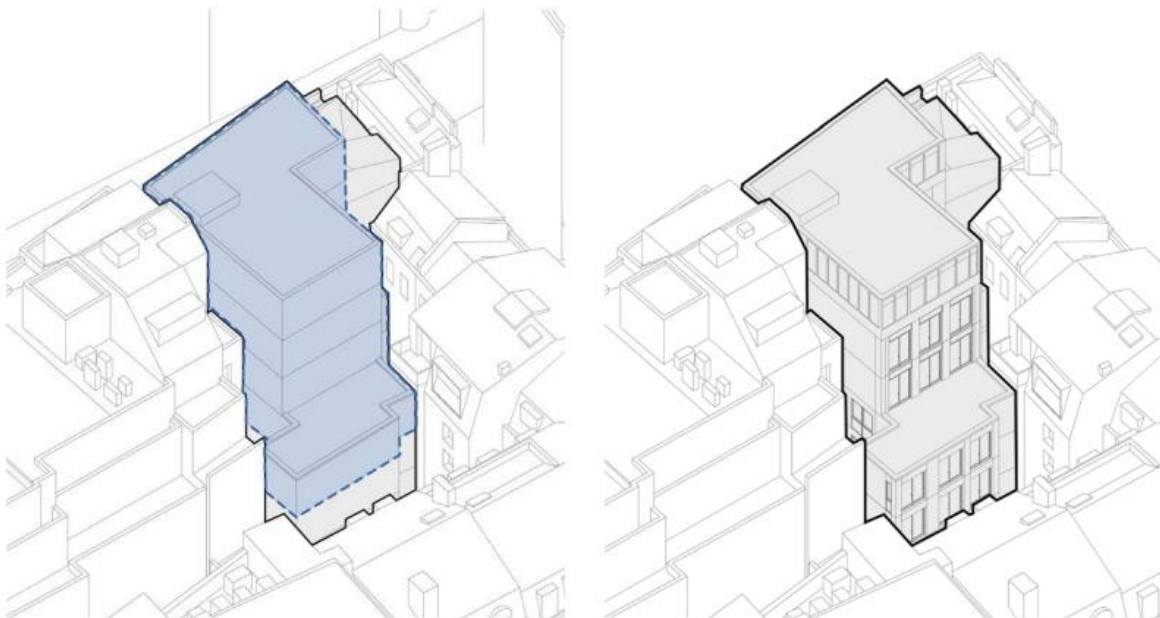


Image 14: Current proposal (latest cutback of 3rd,4th and 5th floor not shown*)

9.34 The current proposal is to retain the original façades and parapet heights of the existing buildings. This is supported as the existing parapet heights are considered to be appropriate in the street context.



Image 15: Proposed front elevation

- 9.35 The existing two storey roof extension to 17-18 would be replaced with a new two storey roof extension of similar height, but with a slightly enlarged floor plate and a more coherent understated design. The 4th and 5th floor levels are both stepped in height setting back the massing from street level. This would result in a six-storey building that would be visible in some views from Aylesbury Street. It would not normally be considered acceptable as it does not comply with the CADG criteria above. However, in this case there is an existing visible roof structure up to a height of six storeys which detracts from the appearance of the building, and officers do not consider that replacing it as proposed would cause any additional harm to the character or appearance of the building or surrounding Conservation Area. There would be an improvement in appearance compared with the existing roof structure, which is poorly designed and unsightly with a prominent projecting dormer which protrudes above the parapet in views from the street contrary to guidance in the CADG 1.23 above.
- 9.36 The proposed overall height is slightly lower than the existing, but the proposed massing would extend all the way to the side wall of 17-18 whereas the existing structure does not. The modelled views provided show that although it would be more visible than the existing in some views (looking west along Aylesbury Street) the overall visual impact and appearance would be an improvement over the existing situation. This is because of the more consistent linear form without protruding dormers which is more in keeping with the character of the building and area, and the improved quality and consistency of façade treatment.
- 9.37 The rear of the roof structure would be just visible above the roofline of 49, 50 and 52 St John's Square in some of the views from St John's Square, but the existing structure is similarly visible. The proposal would result in a (very slight) increase in visibility but would also deliver an improved appearance and would be no worse overall.
- 9.38 In regard to the impact on designated views, the site falls within several locally designated views but officers are satisfied that the potential impact on these views has been adequately addressed. The relevant viewpoints (in the Archway Road area) are a significant distance from the site and the proposed development (which is of a similar height to the existing building) would not affect them at all.

- 9.39 In regard to the rear extensions, the proposals given their limited scope beyond the existing building would have no adverse impact on adjacent heritage assets to the rear of the site and the existing rear part of 17-18 is not considered to be of any heritage interest or architectural merit. The massing adjustments are generally contained within existing enclosed spaces at the rear and would not result in any adverse impacts to the Conservation Area.
- 9.40 The proposals to the ground floor facades of both 17c and 17-18 with a historically appropriate design including two doors for the former is supported, whilst the more contemporary window and door replacements for the latter address is considered acceptable subject to details.
- 9.41 The front terrace would by and large be enclosed by the proposed parapets proposed at 4th and 5th floor level. The parapet at 5th floor would only be 0.8m high, as opposed to the 1.1m high parapet below and it's considered that balustrading would be required. In this case officers including the Design and Conservation Officer consider a condition to be relevant requiring details of any additional balustrading prior to occupation of the office. The materiality would need to be a lightweight metal addition and light in colour set behind the parapet wall.

Elevation treatment and materiality



Image 16: Proposed front elevation

- 9.42 The proposed development to the rear and sides on the 2nd, 3rd and 4th floor will be brickwork to match the existing. On the rear of the 5th floor, it will be a dark composite stone. To the front, the 4th and 5th floor replacement facades will be in a light composite stone. Windows and doors included for the new rear extensions and replacement extensions would consist of metal framed double glazing with a vertical emphasis portrayed at 4th and 5th floor levels.

- 9.43 Officers, consider the architecture to be of a high quality and with an appropriate contemporary language and a good use of high-quality materials. The use of the dark stone cladding material at the rear would ensure that the structure will blend in with the existing historic roofscape and not appear incongruous.

Conclusion

- 9.44 Overall, the proposed redevelopment of the building would not cause harm to the visual amenity or the setting of heritage assets. As such the proposed works would not adversely affect the special architectural or historic interest of the adjacent listed buildings or the character and appearance of the conservation area. The proposal is therefore considered to satisfy the objectives of the policies listed below, in particular Chapter 16 of the NPPF (2021) which seeks to conserve and enhance the historic environment, policy HC1 of the London Plan 2021 which seeks to conserve and enhance the significance of heritage assets as well as the provisions of policy CS9 of Islington's Core Strategy 2011 which seek to protect and enhance Islington's built and historic environment and policy DM2.3 of Islington's Development Management Policies which seeks to protect and enhance Islington's historic environment.
- 9.45 In line with Sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the listed park and tombs, their setting and any of their features of special architectural or historic interest.
- 9.46 In accordance with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special attention has been paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area. Given the above, the proposal is not considered to cause harm to the character or appearance of the host building, or the wider conservation area.
- 9.47 Given the above, the proposal is considered to enhance the character and appearance of the current building and is a well-designed and acceptable form of office development. The application therefore complies with the NPPF 2021, policies D4 and HC1 of the London Plan 2021, Policy CS8 and CS9 of the Islington Core Strategy 2011, policy DM2.1 and DM2.3 of the Islington Development Management Policies 2013, the guidance contained within the Urban Design Guide 2017 and the Conservation Area Design Guidelines 2002.

Neighbouring Amenity

- 9.48 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed. The proposal is subject to London Plan Policy D6 as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality. Moreover, London Plan Policy D6 requires for buildings to provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 9.49 The application building is bound by a number of mixed use buildings within a dense urban location. 17B Aylesbury Street to the east, on the corner with Jerusalem Passage, is currently in restaurant use (Class E(b)) at lower ground and ground floors, whilst the upper floors (1st-3rd) have recently been granted planning permission to be converted to a self-contained residential unit (Class C3) from restaurant under planning reference (P2020/0327/FUL). This property is attached directly to the east flank of the application building. 1 Clerkenwell Green to the west, is in use as an office (Class E (g) (i)) at basement and ground floor level with 4

residential units on the upper floors (Class C3). This property is also directly attached to application building, but to the west flank. Whilst directly attached, there is a void space between the host building and No.1 with separation of 2.8m, this space is cut off by the host building rear section. To the south and south-east, the site is bound by properties fronting St John's Square and Jerusalem Passage respectively, including 50-52 St John's Square and 8-12 Jerusalem Passage. These buildings are in a mix of uses primarily commercial uses (including office, retail and restaurant) at lower floors, with upper floors in residential use (Class C3) apart from 11 Jerusalem Passage which is wholly office. The rear elevation of No. 12 Jerusalem Passage is approximate 2.1m from the flank of the host property, this space increases to 3.1m from fourth and above. The rear elevation No.11 Jerusalem Passage at ground floor level is 3.3m from the east flank of the building, this increases to 5.3m on the upper floors. No.9-10 Jerusalem Passage is partially attached to the east flank of the host building from ground floor to second floor level. The rear elevation of No.9-10 faces the southeast corner and rear portion of the application building from third floor and above, approximately 1.9m from the nearest corner. No.8 is set behind 9-10 and does not face the existing building.

Overlooking and Loss of Privacy

- 9.50 Paragraph 2.14 of the Development Management Policies 2013 states that '*there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway; overlooking across a public highway does not constitute an unacceptable loss of privacy.*' A number of objections have been received in regard to overlooking and the loss of privacy levels to neighbouring properties.
- 9.51 As existing, the office building contains glazing to all facades and the building shares mutual overlooking with the residential buildings of 1 Clerkenwell Green to the west flank and 8-12 Jerusalem Passage to the east flank. Properties to the rear include 50-52 St John's Square. The proposal would seek to add additional glazing to the rear of the building at first and second floor levels by 1no. additional window and alteration to the façade would create 3no. homogenous openings in their width and design as opposed to the existing openings. The additional window proposed would draw interaction closer to the rear glazing of 9-10 Jerusalem Passage and would be 3.7m from the centre of the nearest window. This contains residential properties above ground level. Whilst the glazing would be pulled closer, given the angle of the property to the new window and taking into account the protrusion of the sill, there would only be oblique views to the south-east. The window similar to the existing window would serve office occupiers during general office hours Monday-Friday. Taking this into consideration, it's not considered that the alteration would cause unacceptable amenity impacts to the adjacent residential properties. Notwithstanding the above, it's considered necessary to obscure the glazing of the new window additions at 1st and 2nd floor adjacent to 9-10 Jerusalem Passage to protect residential amenity when the office is occupied. At third and fourth floors, rear glazing would be replacement but would utilise the existing openings. The same also to the east flank. These alterations would not intrude on the privacy of properties on Jerusalem Passage anymore than the existing circumstances.
- 9.52 At fourth also, a front terrace is proposed along the width of the replacement extension at this level. It is approximately 1.1m deep. There is an existing 4th floor terrace that spans around the east flank and front elevation. The replacement extension by virtue of it's extension eastwards would in face result in the removal of the existing flank terrace with overlooking focussed only over Aylesbury Street which would result in no adverse overlooking. It should be noted that the rear terrace spaces previously proposed under application reference: P2022/1527/FUL have been removed from the proposal.

9.53 The extension of the fourth and fifth floor eastwards would draw glazing within the new cladding area towards Jerusalem Passage. However, this would be centred over the corner of Jerusalem Passage towards 17b at a level that would not result in adverse overlooking towards residential windows below.

9.54 Glazing alterations adjacent to No.1 Clerkenwell Green would be similar to the current circumstances and would therefore not have an adverse amenity impact to the residential flats at this location.

Outlook and Enclosure

9.55 As per the assessment above, the proposed development would be enclosed by commercial, mixed and residential buildings.

9.56 In regard to outlook, an assessment has been made to ensure the impact to the flats (1 across each floor) at 1 Clerkenwell Green (west of the site) are not adversely impacted from the rear extensions. Floor layouts of these flats show secondary bedrooms (at 1st, 2nd and 3rd floors) as the closest habitable spaces to the proposed development, with primary bedroom spaces further beyond and away from the development to the west, with living room and kitchen spaces overlooking Aylesbury Street. 1 bed units are proposed from the 4th to 5th floor but with a similar layout on a smaller floorplate.

9.57 Amended plans provided show the reduction in the depth of the extension so that it is no deeper than the rear elevation of this building at 3rd floor level. The adjacent window serves a bedroom, and the cutback at this level ensures the outlook of this property is sufficient despite the dense urban location. The red dotted line indicates the existing massing.

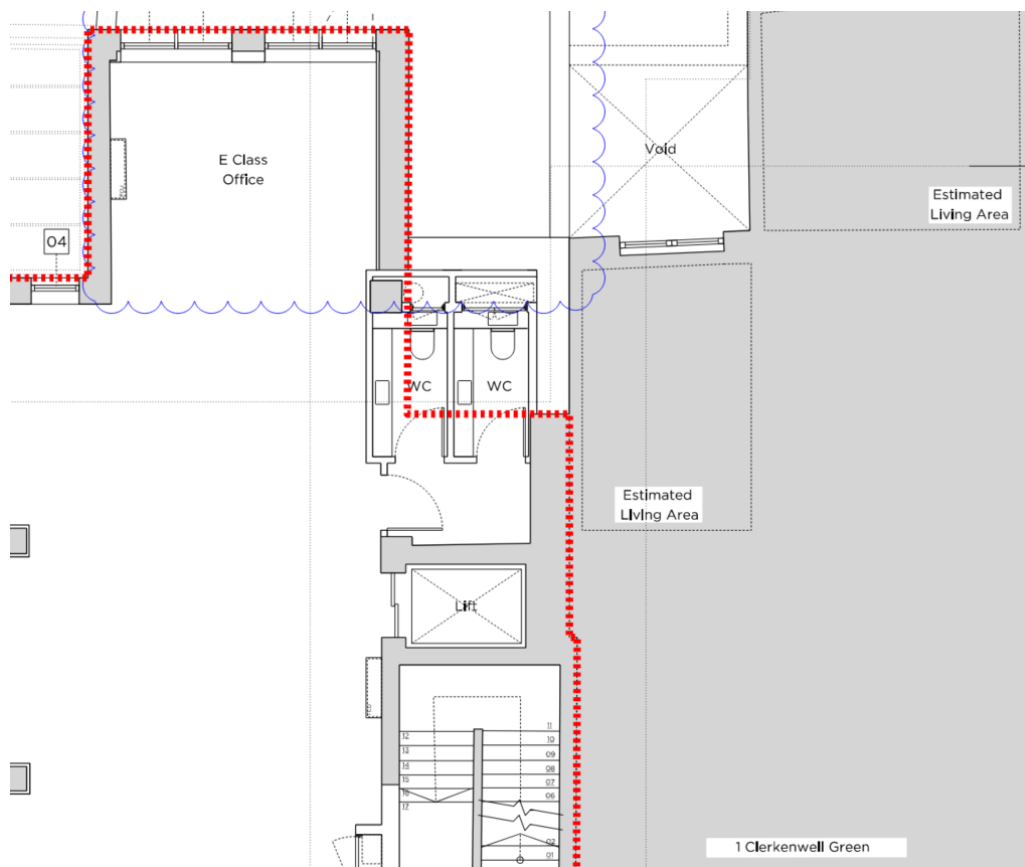


Image 17: 3rd floor cutback

- 9.58 On the floor below, the 2nd floor extension would extend out beyond the rear elevation by 5.37m for a width of 2.5m. Whilst the extension would go beyond this 2nd floor secondary bedroom window it is as existing enclosed to all sides by development and the 2nd floor of the building at this location would be cut back to the rear by 1.9m which would increase spacing between this window and the host building to the rear, reducing the level of enclosure. When considering the existing outlook at this location, the proposed extension is not considered to result in an adverse impact to this flat which is supported by a primary bedroom to the opposing side and living room, kitchen and dining space facing Aylesbury Street that would remain unaffected.
- 9.59 At 4th and 5th floor levels, the extension would go beyond the rear elevation of No.1 by 2.7m. Whilst this is noted, the windows at these levels serve staircases and would not adversely affect habitable space.
- 9.60 To the rear of the site, the building would only be marginally extended at 5th floor with the deepest part of the building being increased by approximately 0.6m and to either part of this flank by approximately 0.4m. This would not be significantly noticeable to the commercial space on St John Street to the south or to the rear elevation of properties on Jerusalem Passage to the east.
- 9.61 The 4th and 5th floor the development would be increased in width by 3.7m and tapers further to the rear and east flank by 2.86m. This would draw development closer to the rear of 12 Jerusalem Passage and 17B Aylesbury Street which is directly attached to the east flank of the host building. Whilst this is noted, only a 1m section of the massing would be perceptible by the property at 12 Jerusalem Passage given the predominant area of the bulk would be sited against 17B Aylesbury Street. This property contains no rooflights and no flank windows that may have their outlook impacted. Overall, when considering the proposed layout, the marginal increase in height (as shown in the image below) the proposed development would not adversely impact on the outlook of the mentioned properties.

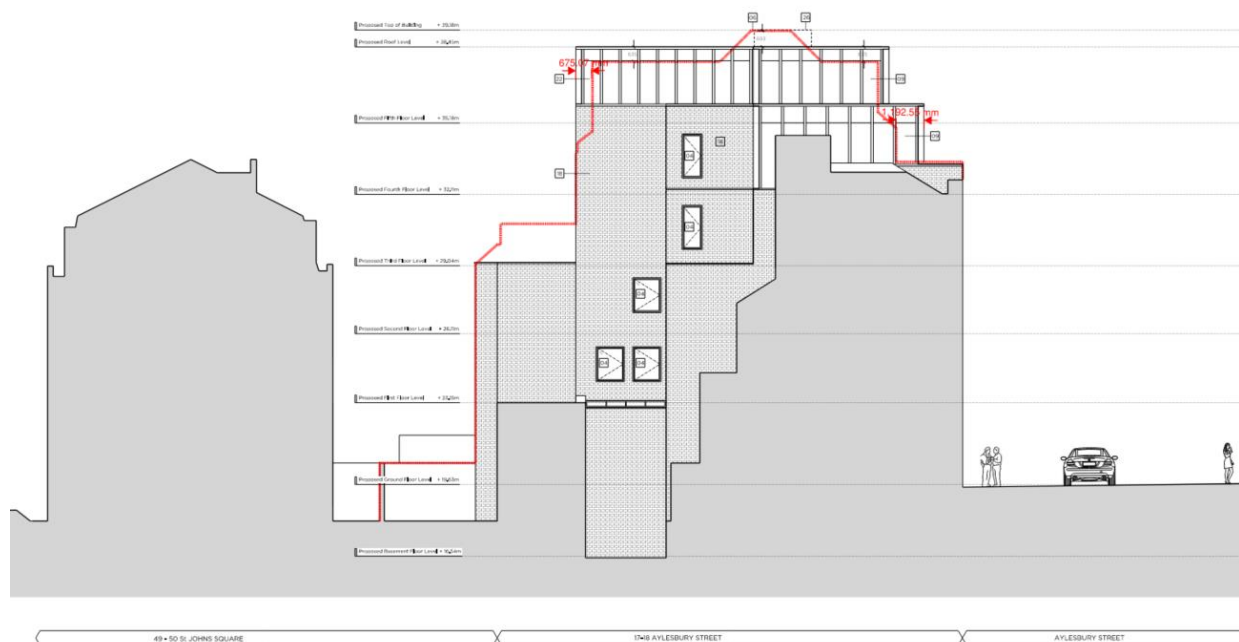


Image 18: Proposed development (red outline shows existing)

- 9.62 Overall, the proposal would not have a detrimental impact, outlook, privacy and overlooking and would therefore be in compliance with policies DM2.1 of the Development Management Policies 2013 and the guidance set out in the Urban Design Guide 2017.

Daylight and Sunlight

9.63 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours. A number of objections have been raised with regard to the impact of the proposed development upon the levels of sunlight and daylight provided to neighbouring properties.

9.64 The applicant has provided a Daylight and Sunlight Report by gia chartered surveyors to support the proposal, which has assessed the impact of the proposal on the windows and the rooms they serve that could potentially be affected at the adjoining properties:

- 12 Jerusalem Passage (plan ref 1);
- 9-10 Jerusalem Passage (plan ref 3);
- 8 Jerusalem Passage (plan ref 4);
- 50-52 St John Square (plan ref 5 and 6 – office only)
- 1 Clerkenwell Green (plan ref 7)

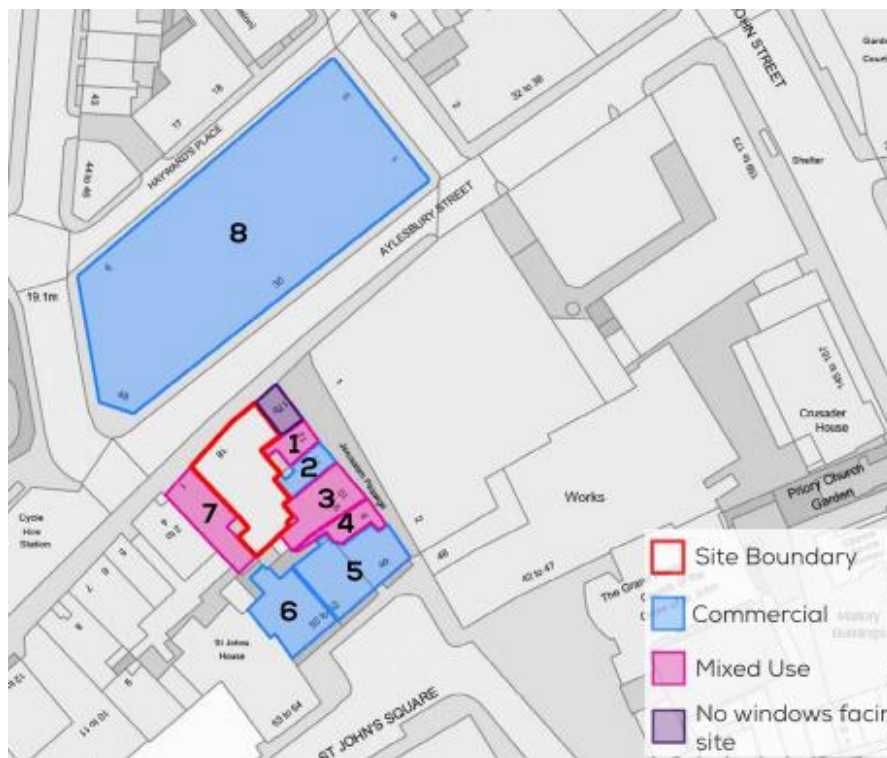


Image 19: Adjacent properties assessed under BRE guidance

9.65 The report was updated following the revisions to reduce the depth of the 3rd, 4th and 5th floors adjacent to 1 Clerkenwell Green.

9.66 **Daylight:** the BRE Guidelines stipulate that there should be no noticeable loss of daylight provided that either:

- the Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value (Skylight); or

- the daylight distribution, as measured by the No Sky Line Contour (NSC) test where the percentage of working plane area receiving light is measured, is not reduced by greater than 20% of its original value.

12 Jerusalem Passage

12 Jerusalem Passage			Vertical Sky Component			No sky line (Daylight Distribution)		
	Room number/ Window number	Room use	Existing (%)	Proposed (%)	Loss (%)	Existing (%)	Proposed (%)	Loss (%)
Third	R1/W1/F03	Bedroom	10.2	6.9	32.4%	31.8	24.5	22.9%

Table 3: Daylight results 12 JP

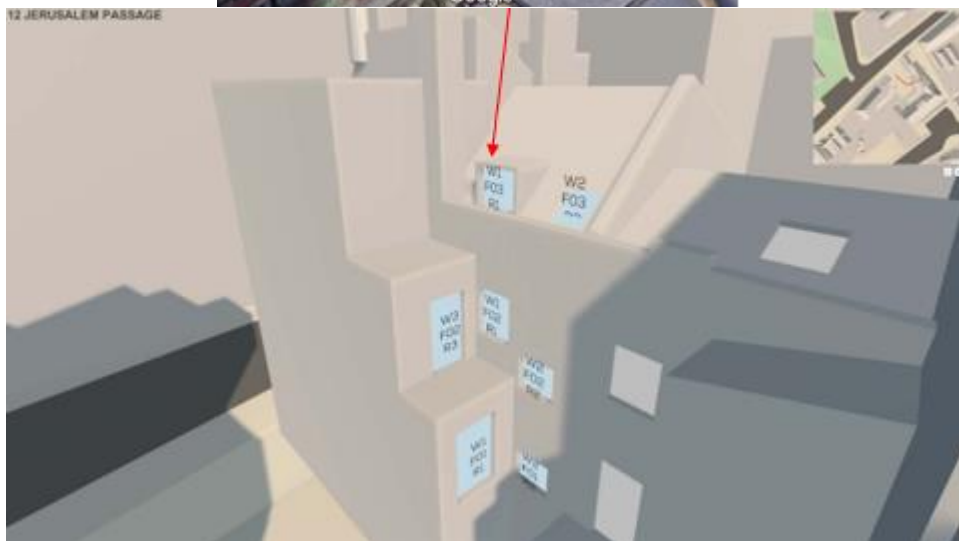


Image 20 & 21 : Aerial view and window affected assessed under BRE guidance

9.67 The results show losses below BRE guidance at 32.4% (previously 38.4% for refused app: P2022/1527/FUL) for the VSC test and a loss of 22.9% (previously 36.6%) just beyond the guidance for the NSL test. The reduction in the massing from the previous refusal results in the 2nd floor rear window now passing both tests.

9.68 During the application process, further details were required from a Right of Light Specialist and the applicant in regard to confirmation of uses for rooms and the general layout of the building. From the details provided no.12 Jerusalem Passage contains a single flat consisting of 3 floors of residential space above the commercial unit at ground floor. Whilst it is noted that the rear bedroom window fails both tests in regard to window daylight and room daylight, layout plans for the property show that the flat contains 4 other residential habitable rooms in addition to a dining and kitchen area. The unit has a dual aspect also with front glazing in addition to the 3no. rear facing windows adjacent to the proposed development. It should also be noted that the levels of daylight and sunlight afforded to bedrooms within new development and existing development is less important in comparison to main living rooms and kitchens as per paragraphs 2.1.14, 2.2.10, 3.1.2 and 3.2.3 of the BRE Guidance (June 2022).

9.69 When considering the above, and the reductions in losses from the previous application, it's not considered that the extent and amount loss of VSC and NSC to the one rear bedroom window would cause such adverse impact to the amenity of the 3 storey flat to refuse the application in this dense urban location.

1 Clerkenwell Green

1 Clerkenwell Green			Vertical Sky Component				No sky line (Daylight Distribution)		
	Room number/ Window number	Room use	Existing (%)	Proposed (%)	Loss	Loss prior to cutback (%)	Existing (%)	Proposed (%)	Loss (%)
First	R1/W1/F01	Bedroom	15.3	15	2%	2.6%	80	80	0.0%
	R2/W1/F02		5.0	4.6	8%	24.0%	29.6	31.3	-5.9%
Second	R1/W1/F02	Bedroom	24.9	23.8	4.4%	4.4%	100	99.9	0.1%
	R2/W2/F02		17.0	15.1	11.2%	32.4%	94.5	94.2	0.3%
Third	R1/W1/F03	Bedroom	30.1	30.1	0%	0%	99.0	99.0	0.0%
	R2/W2/F03		22.3	21.6	3.3%	28.4%	96.9	96.6	0.3%

Table 4: Daylight results 1 CG

9.70 The above property is in use as an office (Class E (g) (i)) at basement and ground floor level with 4 residential units on the upper floors (Class C3). Floor plan layouts were received which detail apartment/flats across each floor containing a mix of 1 bed and 2 bed units. Amended plans were received to improve the outlook and daylight to the flats within this property given the original failures below BRE guidance and given the fact the 3rd, 4th and 5th floor extensions obstructed outlook to a detrimental degree. As shown above, the results now show compliance with the BRE guidance following the reduction in the massing of the rear extensions and the flats would continue to provide a good level of amenity.



Image 22 & 23: Rear elevation and windows affected assessed under BRE guidance (all now passing)

50 St John Square

50 St John Square			Vertical Sky Component			No skyline (Daylight Distribution)		
	Room number/ Window number	Room use	Existing (%)	Proposed (%)	Loss (%)	Existing (%)	Proposed (%)	Loss (%)
Third	R1/W1/F03	Office	13.4	13	3%	35.6	28.4	20.1%

Table 5: Daylight results 50 SJS

9.71 The previously refused application failed to provide results on the commercial space to the rear of the site that is required to be assessed as part of the June (2022) updated BRE guidance. The results have now been provided to assess all relevant windows and rooms adjacent to the development. All 41 windows tested for VSC at both 50-52 St John Square will remain BRE compliant in that they will see a change of 20% or less. Of the 17 rooms tested for NSL, 16 (94%) will remain BRE compliant in that they will see a change of 20% or less. There is one loss noted above, but this is a marginal loss by 0.1% and overall is not considered to have such an adverse on the office accommodation as a whole given the high volume of windows and rooms the office serves.

9.72 For daylight VSC and NSC, all windows are fully BRE compliant at 8 and 9-10 Jerusalem Passage.

9.73 **Sunlight:** the criteria within the BRE Guidelines advise that calculation of the annual probable sunlight hours (the amount of sun available in both the summer and winter for each given window) should be calculated for all windows which face within 90° of due south. In existing buildings, the BRE guide suggests that; *'if a living room or an existing dwelling has a main window facing 90° of due south, and any part of a new development subtends an angle of more than 25° to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting to 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% or winter probable sunlight hours between 21st September and 21st 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.

1 Clerkenwell Green

1 Clerkenwell Green			Annual (APSH)			Winter (WPSH) (between 21 September and 21 March)		
	Room number/ Window number	Room use	Existing (%)	Proposed (%)	Loss (%)	Existing (%)	Proposed (%)	Loss (%)
Second	R2/W2/F02	Bedroom	28	24	14.3	4	3	25.0%

Table 6: Sunlight results 1 CG

9.74 The report confirms that of the eight windows tested for sunlight, seven remain BRE compliant. The remaining window (W2/ F02) will experience reductions which would breach BRE Guidelines. Whilst it is noted that this window relates to a bedroom. Whilst there is a reduction

by 25% for winter sunlight, the window would not receive less than 0.8 times its former sunlight hours annually and the loss over the whole year is not greater than 4% of annual probable sunlight hours. In line with the BRE guidance at paragraph 9.73 of this report the residential flat would not be adversely impacted. Daylight at this property is also not adversely impacted. Overall, the drop in winter sunlight by 1% is not considered to result in such adverse impacts to this host property taking into account the above assessment and flat layout and quality of accommodation.

- 9.75 In regard to APSH at 8, 9-10 Jerusalem Passage, 1 Clerkenwell Green and 50-52 St John Square all windows pass.
- 9.76 Officers note that representations were made in relation to Right to Light. However, this is subject to separate legislation and cannot be taken into consideration in the assessment of the application. The planning assessment of daylight and sunlight to the neighbouring properties has been carried using the BRE Daylight Sunlight Guidance document as a guide to assess the implications on the surrounding properties. It's considered also that the modelling of the adjacent sites was accurate and that any marginal discrepancy in the size of windows would not materially impact the results. In this case, the window in question noted within a representation was a bathroom and windows at this level comply with BRE Guidance.
- 9.77 Representations were also raised in relation to the lack of a site visit in relation to the BRE assessment. The summary of the report BRE: Site layout planning for daylight and sunlight (2022) states the following:

This guide gives advice on site layout planning to achieve good sunlighting and daylighting, both within buildings and in the open spaces between them. It is intended to be used in conjunction with the interior daylight recommendations for new buildings in the British Standard Daylight in buildings, BS EN 17037. It contains guidance on site layout to provide good natural lighting within a new development; safeguarding of daylight and sunlight within existing buildings nearby; and the protection of daylighting of adjoining land for future development.

- 9.78 Therefore, whilst it may be beneficial to carry out a site visit to confirm assumptions on the layout of adjoining buildings, it is considered that the assessment can be carried out without a site visit if there is sufficient knowledge of the layouts of adjoining properties, and their use.
- 9.79 Officer would note that a site visit did took place at the application site and an assessment was made externally at roof level to review the location of windows and adjacent properties.
- 9.80 Overall, the daylight and sunlight assessment has evidenced that there would be very few and localised breaches of daylight and sunlight to neighbouring properties of which would not cause harm to the overall amenity of each property taking into consideration the quality of accommodation, availability of daylight and sunlight for other windows, the room layouts and room uses.

Noise

- 9.81 A number of objections have been received regarding noise from plant equipment proposed at ground floor level within a rear lightwell instead of at roof level as previously refused. Two heat pumps are proposed along with a Mechanical Ventilation with Heat Recovery system.
- 9.82 In regard to noise impacts attributed from the replacement extensions no objection has been raised by the Council's Acoustic Officer noting that the submission includes a noise report which predicts compliance with Islington's noise criteria with mitigation in the form of attenuators to the MVHR vents and an acoustic screen for the ASHPs. Two conditions are proposed to ensure noise measures 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 and a report provided thereafter to demonstrate compliance with the db levels required above.

- 9.83 Some concern was also raised with the construction phase. Whilst it is expected that a degree of noise shall take place during the construction period, the proposed use of the site for office use is established and the redevelopment of the office space on a similar floorplate would not result in unacceptable levels of noise. However, in order to ensure that management practices are implemented to control and mitigate the impact of construction noise/disturbance on neighbouring residents, a condition has been recommended requiring the applicant to provide a detailed Construction Management Plan directly referencing Islington's Code of Practice for Construction Sites (2018) for the approval of the Local Planning Authority prior to the commencement of construction.

Conclusion

- 9.84 Overall, the application is considered to have acceptable amenity impacts and would comply with policy DM2.1 of the Development Management Policies 2013.

Accessibility

- 9.85 Local Plan policy DM2.2 and the Inclusive Design SPD remains a material consideration to any development.
- 9.86 Policy DM2.2 states that A. All developments shall demonstrate that they:
- i) provide for ease of and versatility in use;*
 - ii) deliver safe, legible and logical environments;*
 - iii) produce places and spaces that are convenient and enjoyable to use for everyone, and*
 - iv) bring together the design and management of a development from the outset and over its lifetime.*
- 9.87 The proposal seeks to improve the existing office accommodation. In addition to the extensions improved and limited additional floorspace added a number of internal alterations to deal with the constraints of the existing building - to provide suitable independent access to and around the building, including sanitary provisions and to meet Building Control Regulations.
- 9.88 The proposal also seeks to make the proposal more inclusive, with the front entrance being designed to include ramped access to the building, replacing the previous stepped access. All of the WCs in the building will be unisex and an accessible WC will be located on the ground floor, as per the existing WC provision.
- 9.89 When reviewing the plans submitted and from reviewing the site internally as part of a visit, the proposal would result in an improvement to the current circumstances.

Highways

Car Free Development

- 9.90 Islington policy identifies that all new development shall be car free. Policy DM8.5 stipulates that no provision for vehicle parking or waiting will be allowed for new homes, except for essential drop-off and wheelchair accessible parking. Car free development means no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people. The proposal will continue to be car free.

Construction Management Deliveries

- 9.91 Due to the proposed works, a Construction Management Plan will be required to demonstrate how the development would not result in congestion on the highway. The document will require details in accordance with the guidance of the Code of Construction Practice for Construction Sites (CoPCS) 2018.

Cycle storage

- 9.92 The provision of secure, sheltered and appropriately located cycle parking facilities (residents) will be expected in accordance with Transport for London's guidance: 'Cycle Parking Standards – TfL Proposed Guidelines' and Policy DM8.4 and Appendix 6 of the Development Management Policies 2013.
- 9.93 In accordance with Appendix 6, 1 space per 80sq.m of office floorspace is required. The site currently does not contain cycle storage. The uplift would be less than 80sq.m taking into consideration the reductions to the scheme from the previous proposal and from the reductions within the current process. Therefore, whilst there would be no cycle storage the proposal does meet the threshold requirement for this. Even if it did, it's not considered that the lack of cycle storage would be a reason to refuse the application. Additionally, the site has a PTAL rating of 6a which is considered excellent, and is easily accessible by foot, cycle and train.

Refuse and recycling

- 9.94 Waste storage facilities are required to be provided in order to fit current and future collection practices and targets. Facilities must be accessible to all in accordance with Islington's Core Strategy CS11. Development Management Policy DM8.6 seeks that details of refuse and recycling collection be submitted indicating locations for collection vehicles to wait and locations of refuse and recycling bin stores. The Planning Statement confirms that the existing refuse strategy will be retained, in which tenants are responsible for bringing their own waste to the pavement for private collection. A condition could be secured to ensure that this provision would be acceptable and accord with the Council's 'Refuse and Recycling Storage Requirements' (2008) document.

Sustainability

- 9.95 Policy DM7.1 provides advice in relation to sustainable design and construction, stating 'Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development'. The proposed development should be maximised in terms of energy efficiency and carbon emission reduction, in accordance with policy DM7.2.
- 9.96 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF. Further planning policies relevant to sustainability are set out in chapter 9 of the London Plan, Core Strategy policy CS10 and chapter 7 of the Development Management Policies. Islington's Environmental Design SPD is also relevant.
- 9.97 It is the council's and the Mayor's objective that all developments 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 CO2 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 CO2 emissions.

In this regard, it is policy that the feasibility of providing Combined Heat and Power (CHP) / Combined Cooling Heat and Power (CCHP) be fully explored.

- 9.98 Despite a small increase in the floorspace of the building (89sq.m prior to reductions to rear extensions) the application is supported by a Sustainable Design & Construction Statement by Webb Yates. The energy strategy proposed is stated to meet the Building Regulations Part L 2021 Volume 2 requirements and is aimed to achieve the best outcome in terms of sustainability and energy efficiency.
- 9.99 The proposed building will be utilising ASHP's for heating and cooling. This is advantageous for the local air quality of the surrounding area and is a form of renewable energy. A feasibility study for use of other technologies was also explored.
- 9.100 The Statement has also provided details on how the development will meet baseline reductions through the use of low fabric u-values, new mechanical supply and extract ventilation, high efficiency ASHP heating system, energy efficient LED lighting.
- 9.101 Notwithstanding the details provided, considering the level of demolition and re-building involved it's considered relevant and reasonable to apply a condition to require an Adaptive Design Strategy which should at the heart of it provide details on Circular Economy strategies to avoid construction waste and unnecessary demolition of structures. The strategy should show how the building would be adaptable to change or various uses throughout its life and maximise the re-use of and/or recycling of all materials arising from demolition and remediation works.
- 9.102 Overall, the details are considered satisfactory for the minor development proposed.

Fire Safety

- 9.103 Policy D12(A) of the London Plan (2021) requires new developments to achieve the highest standards of fire safety, embedding these at the earliest possible stage.
- 9.104 The application proposes a small addition of floorspace to the existing six storey (above basement) office building. The building is not considered a relevant building as set out by Planning Gateway One.
- 9.105 Nevertheless, a Planning Fire Statement by *bespoke fire safety design* (January 2023) has been submitted in support of this application.
- 9.106 The submitted Fire Statement makes multiple references back to the Building Regulations and the applicant is reminded that the Building Regulations 2010 legislation covers the construction and extension of buildings and these regulations are supported by Approved Documents. Approved Document B addresses fire safety precautions which must be adhered to, to ensure the safety of occupants, firefighters and those close to the building in the event of fire.

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The office use (Class E(g)) of the site is suitable within the site location. The proposal is considered to be acceptable, and would provide improved, accessible and additional office space within the Central Activities Zone and Employment Priority Area.
- 10.2 The proposed redevelopment of the site is not considered to adversely impact the residential amenity of adjacent residential properties in line with policy DM2.1 of the Development

Management Policies 2013 being designed, orientated and setback in a way from adjacent residential buildings. The proposal accords with policies DM2.1.

The proposal is considered to be acceptable, subject to conditions, and would not result in harm to the character or appearance of the local area and Conservation Area. The proposed replacement extensions and new extensions are considered acceptable in design terms subject to conditions and would comply with Policies CS8 and CS9 of Islington’s Core Strategy (CS) 2011, Policies DM2.1 and DM2.3 of Islington’s Development Management Policies 2013 and London Plan 2021 policies D3 and D4 as well as accord with the National Planning Policy Framework (NPPF) 2021.

10.3 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATION.

APPENDIX 1

RECOMENDATION A

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

List of Conditions:

1	COMMENCEMENT (3 YEAR CONSENT PERIOD)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	APPROVED PLANS LIST (COMPLIANCE)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>P1999, P2000, P2001, P2002, P2003 Rev 01, P2004 Rev 01, P2005 Rev 01, P2006 Rev 01, P2100, P2101, P2102 Rev 01, P2103 Rev 01, P2200, P2201, P4500, Planning Design and Access Statement by Marke Wojciechowski Architects (Revision – 08/02/2023). Daylight & Sunlight Impact on Neighbouring Properties Report by gia chartered surveyors (14 June 2023), Daylight & Sunlight Impact on Neighbouring Properties Report: Appendices by gia chartered surveyors (14 June 2023), Planning Statement by Savills (March 2023), Planning Fire Statement by Bespoke Fire Safety Design (19 January 2023) Rev 06, Noise Impact Assessment Report Rev G (23/02/2023) and Sustainable Design & Construction Statement by Webb Yates Rev 05 (17.02.2023).</p> <p>REASON: To comply with Section 70(1) (a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>

3	MATERIALS (DETAILS)
	<p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Brickwork and cladding panels (including brick panels and mortar courses); b) Roofing; c) Window and door treatment (including sections and reveals); d) Shopfront window and door treatment; e) Any other materials to be used. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter into perpetuity.</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 and preserves the character and appearance of the surrounding area.</p>
4	CONSTRUCTION MANAGEMENT PLAN (DETAILS)
	<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"> a) The notification of neighbours with regard to specific works; b) Advance notification of any access way, pavement, or road closures; 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; d) Details regarding the planned demolition and construction vehicle routes and access to the site; 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; 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; 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.) h) Details of any proposed external illumination and/or floodlighting during construction, including positions and hours of lighting; i) Details of measures taken to prevent noise disturbance to surrounding residents; 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)

	<p>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;</p> <p>m) Details of any construction compound including the siting of any temporary site office, toilets, skips or any other structure; and</p> <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) Details of measures taken to deal with any form of asbestos during the demolition of the existing garages.</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.</p> <p>The demolition and development shall thereafter be carried out in accordance with the approved details and measures.</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>
5	FIXED PLANT NOISE LEVELS (COMPLIANCE)
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019</p> <p>REASON: To protect the amenity of adjoining properties.</p>
6	FIXED PLANT NOISE COMPLIANCE (DETAILS)
	<p>CONDITION: A report is to be commissioned using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 5. The report shall include site measurements of the plant insitu. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter</p> <p>REASON: To protect the amenity of adjoining properties.</p>
7	NO USE OF FLAT ROOFS AS TERRACES (COMPLIANCE)
	<p>CONDITION: Notwithstanding the terrace areas approved and shown on the approved plans, all other flat roof areas of the office shall not be used as a terrace or any other form of private amenity space into perpetuity.</p> <p>REASON: To protect the amenity of the adjoining residential properties.</p>
8	OFFICE USE ONLY (COMPLIANCE)
	<p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 as amended by the Town and Country Planning (Amendment)(England) Regulations 2020, the development hereby approved shall be</p>

	<p>used only as an Office (Class E(g)) (or the equivalent use within any amended/updated subsequent Order) hereby approved, shall be limited to those uses and for no other purpose (including any other use within Class E) of the Schedule to the Town and Country Planning (Amendment)(England) Regulations 2020, or any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in order to protect the supply of office floorspace in this Employment Area and Central Activities Zone location and retain control over the change of use of the building in the future. Due to the small and constrained nature of the borough, performance against the spatial strategy within the Development Plan is vitally important to ensure that targets to increase employment continue to be met.</p>
9	CIRCULAR ECONOMY (DETAILS)
	<p>CONDITION: Prior to the commencement of works, details of an Adaptive Design Strategy shall be submitted to, and approved in writing by, the Local Planning Authority.</p> <p>The submitted Adaptive Design Strategy shall demonstrate that the hereby approved development has been designed to</p> <ul style="list-style-type: none"> a) last as long as possible and suit its anticipated lifespan – the strategy must specify the intended overall design life of all buildings in the development; b) avoid construction waste and the unnecessary demolition of structures; c) be built in layers to allow elements of buildings to be replaced overtime, supporting a modular design; d) be adaptable – the plan form, layout and structure enables the building to be adapted to respond to change and/or adapted for various uses throughout its life; e) enable ease of deconstruction - building materials, components and products can be disassembled and re-used at the end of their useful life; and f) maximise the re-use and/or recycling of all materials arising from demolition and remediation works. <p>REASON: Required prior to commencement to ensure the scheme achieves the sustainability targets required by local policy.</p>
10	OBSCURE GLAZING (COMPLIANCE)
	<p>CONDITION: Notwithstanding the plans hereby approved, prior to occupation of the development, the 2no. new windows proposed (and as shown on Drawing No. P2001 and P2002) to the 1st and 2nd floor rear elevation shall be obscurely glazed with purpose made obscure glass to protect the amenity of 9-10 Jerusalem Passage.</p> <p>REASON: To protect the amenity of the adjoining residential properties.</p>

List of Informatives:

1	Construction works
	INFORMATIVE: Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.
2	Highways Requirements
	INFORMATIVE: Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk . All agreements relating to the above need to be in place prior to works commencing. Can be gained through streetworks@islington.gov.uk . Section 50 license must be agreed prior to any works commencing. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk .
3	Highways (Additional)
	The Public footpath should not be obstructed at site entrance.

APPENDIX 2 - RELEVANT DEVELOPMENT PLAN POLICIES AND GUIDANCE

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

1. National and Regional Guidance

The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

- NPPF (2021)

2. Development Plan

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

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

Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D13 Agent of change
Policy D14 Noise
Policy E1 Offices
Policy HC1 Heritage conservation and growth
Policy SI 1 Improving air quality
Policy SI 2 Minimising greenhouse gas emissions
Policy SI 3 Energy infrastructure
Policy T1 Strategic approach to transport
Policy T4 Assessing and mitigating transport impacts
Policy T5 Cycling

B) Islington Core Strategy 2011

Policy CS7 Bunhill and Clerkenwell
Policy CS8 Enhancing Islington's Character
Policy CS9 Protecting and enhancing Islington's built and historic environment
Policy CS10 Sustainable design
Policy CS11 Waste
Policy CS18 Delivery and infrastructure

C) Development Management Policies June 2013

Policy DM2.1 Design
Policy DM2.2 Inclusive Design
Policy DM2.3 Heritage
Policy DM6.1 Healthy development
Policy DM6.5 Landscaping, trees and biodiversity
Policy DM7.1 Sustainable Design and Construction
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes

Policy DM8.4 Walking and Cycling

Policy DM8.5 Vehicle Parking

Policy DM8.6 Delivery and servicing for new developments

3. Designations

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

- Central Activities Zone
- Core Strategy Key Area (Bunhill & Clerkenwell)
- Conservation Area (Clerkenwell Green)
- Employment Priority Areas (General)
- Finsbury Local Plan Area (Bunhill & Clerkenwell)
- Local Views LV4 (Local view from Archway Road)
- Local Views LV5 (Local view from Archway Bridge)
- Article 4 Direction (A1-A2 / Rest of Borough)
- Locally Listed Building (19c or Earlier)

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

The following SPGs and/or SPDs are relevant:

London Plan – Accessible London (2016) and Character and Context (2014).

5. Emerging Policies

Draft Islington Local Plan (2019)

Emerging policies relevant to this application are set out below:

Policy SP1 Bunhill and Clerkenwell

Policy B1 Delivering business floorspace

Policy B2 New business floorspace

Policy S1 Delivering Sustainable Design

Policy S2 Sustainable Design and Construction

Policy S4 Minimising greenhouse gas emissions

Policy T3 Car Free Development Parking

Policy T2 Sustainable Transport Choices

Policy T5 Delivery, Servicing and Construction

Appendix 3 - Decision Notice for P2022/1527/FUL

PLANNING DECISION NOTICE



Savills
33 Margaret Street
London
W1G 0JD

Development Management Service
Planning and Development Division
Community Wealth Building
PO Box 3333
222 Upper Street
LONDON N1 1YA
Case Officer: Daniel Jeffries
T: 020 7527 2685
E: planning@islington.gov.uk

Issue Date: 24 June 2022
Application No: P2022/1527/FUL

(Please quote in all correspondence)

Dear Sir or Madam

TOWN AND COUNTRY PLANNING ACTS

BOROUGH COUNCIL'S DECISION: Refusal of permission

Notice is hereby given of the above stated decision of Islington Borough Council, the Local Planning Authority, in pursuance of its powers under the above mentioned Acts and Rules, Orders and Regulations made thereunder, relating to the application / development referred to below, at the location indicated, in accordance with the plans submitted and by virtue of the reason(s) given.

Location:	17c, 17-18 Aylesbury Street, London, EC1R 0DB		
Application Type:	Full Planning Application		
Date of Application:	03 May 2022	Application Received:	03 May 2022
Application Valid:	03 May 2022	Application Target:	28 June 2022

DEVELOPMENT:

Redevelopment of 17-18 Aylesbury Street, comprising extensions at fourth and fifth floor, (following partial demolition of second, third, fourth and fifth floors) rear extensions at second and third floor and internal refurbishments, to provide additional Class E(g)(i) office floorspace with improvements to the ground floor shopfront at 17c Aylesbury Street.

PLAN NOS:

Daylight & Sunlight Impact Report by GIA Chartered Surveyors dated 13 April 2022, Planning Design and Access Statement Rev.A dated 12/04/2022, Planning Fire Statement dated 13 April 2022 Revision 04 by bespoke Fire Safety Design, Heritage Appraisal by THE HERITAGE PRATICE dated February 2022, Noise Impact Assessment Report Report 23341.NIA.01Rev C by kp acoustics, Planning Statement, Sustainable Design & Construction Statement Ref: J4790-B-RP-0001 Revision: 01 by Webb Yates Engineers, P0200A, P1399A, P1400A, P1401A, P1402A, P1403A, P1404A, P1405A, P1406A, P1999A, P2000A, P2001A, P2002A, P2003A, P2004A, P2005A, P2006A, P1500A, P1501A, P1502A, P1503A, P1600A, P1601A, P2100A, P2101A, P2102A, P2103A, P2200A, P2201A.

REASON(S) FOR REFUSAL:

- 1 REASON: Due to scale, bulk and massing of the proposed extension to the rear and at roof level, the proposal would result in harm to the host building and the setting of the heritage assets which is not outweighed by sufficient by public benefits. In addition, the proposal has failed to demonstrate that the proposal would not have a detrimental impact on the adjacent designated open space (OS 152 St James Park) and the local views (LV4 and LV5). Therefore the proposal is contrary to policies D1, D4 and HC1 of London Plan (2021) CS7, CS8 and CS9 of Islington Core Strategy (2011) DM2.1, DM2.3, DM2.4 and DM6.3 of Development Management Policies (2013) and BC7 of Finsbury Local Plan (2013) and is unacceptable in design terms.
- 2 REASON: The application has failed to demonstrate that the proposed extensions would not have a detrimental impact on the amenity of neighbouring residential and the use of commercial units, in terms of loss of daylight/sunlight and a sense of enclosure. Therefore the proposal is contrary to policies DM2.1Ax of Development Management Policies (2013) and the requirements of the BRE Guidelines document titled Site layout planning for daylight and sunlight: A guide to good practice (2022).

Certified that this document contains a true record of a decision of the Council

Yours faithfully



**KAREN SULLIVAN
SERVICE DIRECTOR - PLANNING AND DEVELOPMENT
AND PROPER OFFICER**