

**PLANNING COMMITTEE REPORT**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM</b>	<b>B4</b>
<b>Date:</b>	18 <sup>th</sup> July 2023	<b>NON-EXEMPT</b>	

Application number	P2023/0382/S73
Application type	Full Planning Application
Ward	Caledonian Ward
Listed building	None on site. Close proximity to Kings Cross Station (Grade I), 7 Caledonian Road (Grade II) and 295-297 Pentonville Road (Grade II)
Conservation area	Kings Cross Conservation Area (CA21) Adj. Keystone Crescent Conservation Area (CA14) Adj Kings Cross Conservation Area (LB Camden)
Development Plan Context	Core Strategy Key Area – Kings Cross and Pentonville Road Employment Growth Areas (Kings Cross) Central Activities Zone Article 4 Direction A1-A2 (Borough wide) Article 4 Direction B1(c) to C3 (CAZ) Rail Safeguarding Area (Crossrail 2)
Licensing Implications	Kings Cross - Cumulative Impact Areas
Site Address	Times House and Laundry Building, Regent Quarter, Kings Cross, Islington, London, N1 9AW
Proposal	<p>Application to vary Condition 2 (Approved Plans), 4 (bicycle storage areas), 16 (Class E use), 17(Flexible Class E Uses), 35 (Fire Statement) of Planning Permission ref: P2021/2269/FUL dated 20/12/2022 and varied by P2022/4314/NMA dated 18/01/2023, which approved the following:</p> <p>Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and Retail (Class E (a)) units at ground floor level; provision of outdoor terraces, cycle storage and associated facilities, green roofs, plant, public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.</p>

	<p>The proposals include the following amendments: Introduction of a life science/research and development (Class E(g)(ii)) use, through the amendment of condition 44 (to introduce research and development use) and associated design and layout amendments including:</p> <ul style="list-style-type: none"> <li>- Installation of a new flue and minor alterations to the approved rooftop plant enclosure;</li> <li>- Alterations to the approved façade;</li> <li>- Creation of a new vehicular servicing entrance on Caledonia Street;</li> <li>- Reconfiguration of provision of flexible Food and Drink (Class E(b)) and/or Bar/Drinking Establishment (Sui Generis) units and Retail (Class E (a)) units at ground floor;</li> <li>- Relocation of approved Affordable Workspace to 34B York Way and other associated works.</li> </ul>
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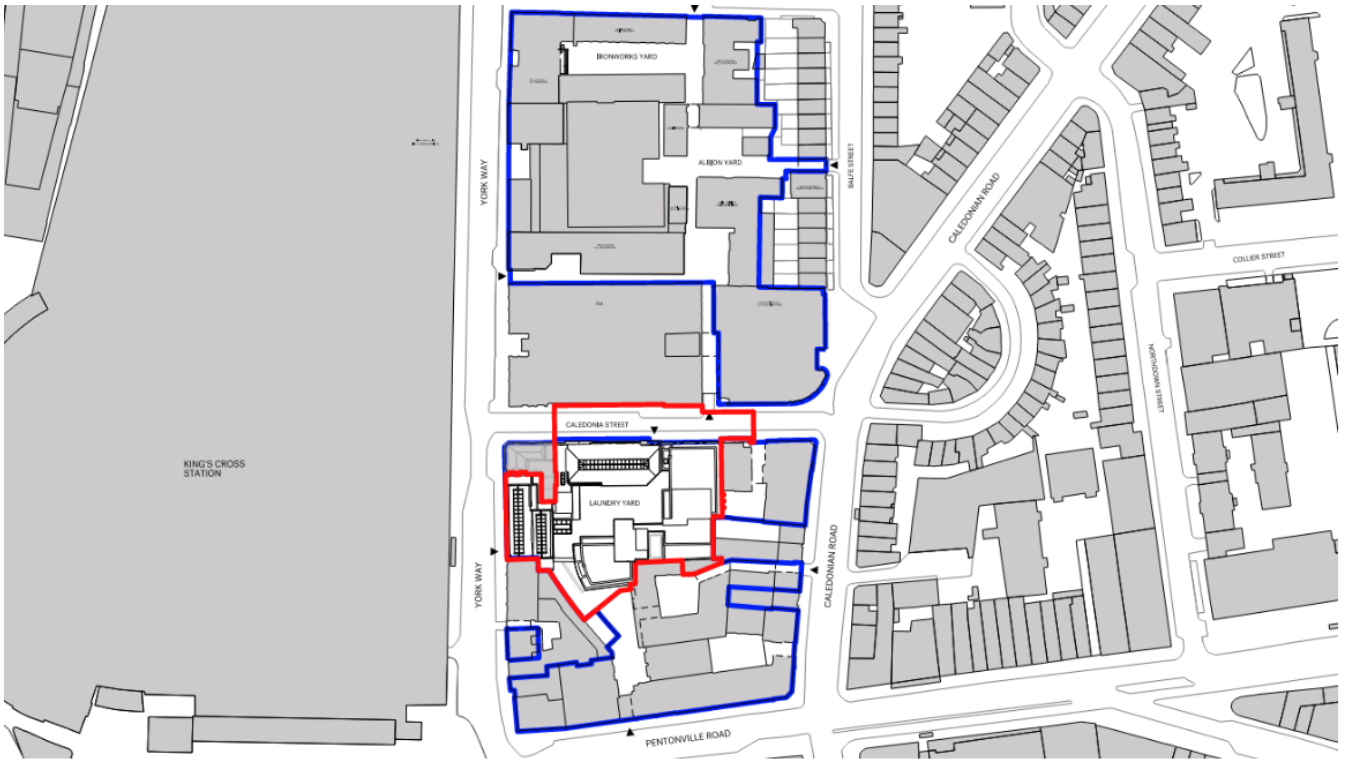
Case Officer	Tom Broomhall
Applicant	Endurance Land LLP
Agent	Savills

**1. RECOMMENDATION**

The Committee is asked to resolve to GRANT planning permission:

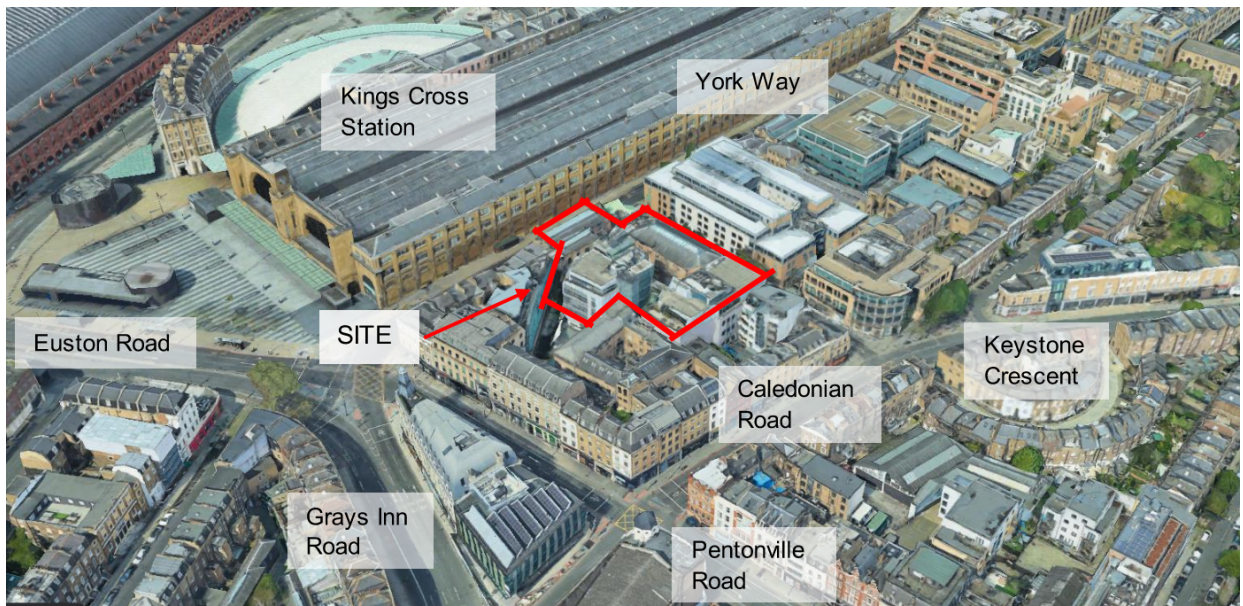
1. subject to the conditions set out in Appendix 1; and
2. conditional on the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1.

**2. SITE PLAN (site outlined in red)**

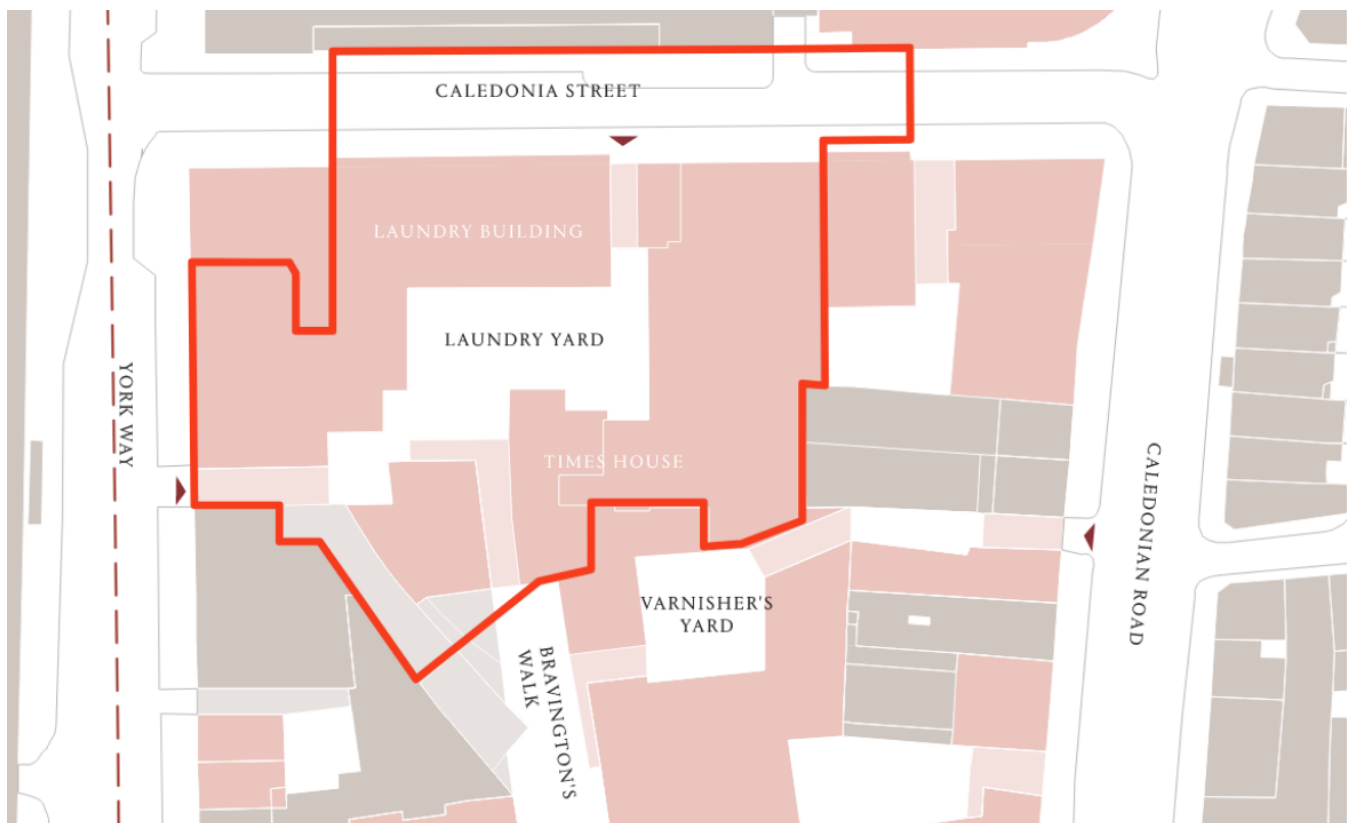


**Fig 2.1 Site Plan. Application site outlined in red**

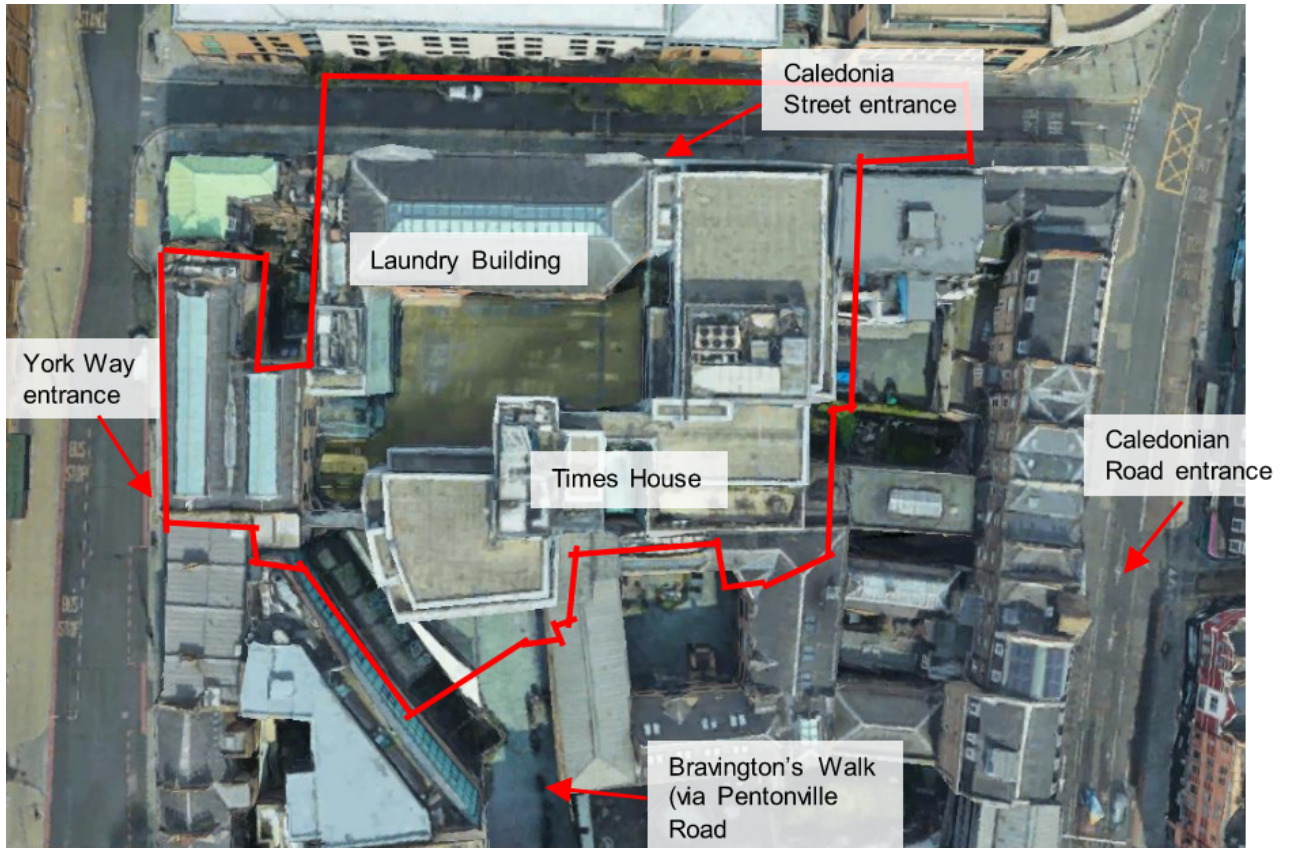
### 3. PHOTOS OF SITE/STREET



**Image 1: Aerial View (Site edged red)**



**Image 2 – Site Plan**



**Image 3: Site aerial view**



**Image 4 – Entrance to Regent Quarter from Caledonia Street**



***Image 5 – Laundry Yard: Laundry Building and entrance to Caledonia Street***



***Image 6 – Laundry Yard: Times House (left) and Laundry Building (right)***

## 4. SUMMARY

4.1 This application seeks to amend the approved office-led scheme granted under planning consent ref. P2021/2269/FUL (dated 20 December 2022) and varied by Non Material Amendment consent ref: P2022/4314/NMA (dated 18 January 2023), which approved the following:

*Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.*

4.2 The application seeks to introduce a Life Sciences use, (research and development (Class E(g)(ii))) use) in addition to the consented office use which already alters and extends the existing building. The proposals would result in research and development floorspace occupying 60 percent of the total floorspace in the extended building, and the office floorspace would occupy the remaining 40 percent of the total floorspace. A new condition is proposed to secure this additional use.

4.3 To facilitate the amendments to the approved scheme, the planning application seeks to vary Condition 2 (Approved Plans), 4 (bicycle storage areas), 16 (Restriction on Class E uses to office use), 17(Flexible Class E Uses), 35 (Fire Statement) of Planning Permission ref: P2021/2269/FUL dated 20/12/2022, and varied by P2022/4314/NMA dated 18/01/2023.

4.4 The proposals also include the following amendments:

- Introduction of a life science/research and development (Class E(g)(ii)) use, through the amendment of condition 44 (Introduce research and development use) and associated design and layout amendments including:

- Installation of a new flue and minor increase in height to approved rooftop plant enclosure;
- Alterations to the approved façade;
- Creation of a new vehicular servicing entrance on Caledonia Street;
- Reconfiguration of provision of flexible Food and Drink (Class E(b)) and/or Bar/Drinking Establishment (Sui Generis) units and Retail (Class E (a)) units at ground floor;

4.5 The proposals also include the relocation of the approved Affordable Workspace from Laundry Buildings to 34B York Way and other associated works.

4.6 The application is one of two linked applications for the redevelopment of the Regent's Quarter. A separate application (ref: P2023/0381/S73) has been submitted for amendments to the consented scheme in the northern block C known as Jahn Court adjacent to this site, to also introduce life sciences floorspace. The applications are under consideration at the same time, with separate new s106 Agreements from those which are attached to the original consents.

- 4.7 The site is located within the designated Central Activities Zone (CAZ) and within an Employment Growth Area, where the principle of the proposed commercial development with provision of additional employment floorspace is supported and accords with the spatial strategies of the Development Plan in particular for the Kings Cross area. Officers consider that the proposed development would continue to positively contribute to the commercial character of Kings Cross and continue to deliver business floorspace.
- 4.8 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with the adopted development plan policies comprising of the London Plan Policies SD4, SD5 and E1, Islington Core Strategy CS6 and CS13, Islington Development Management Policy DM5.1 and emerging Local Plan policies SP2 and B2, which all encourage the intensification of business use floorspace, subject to the acceptability of other material considerations. In this regard the scheme accords with the requirements of the adopted plan.
- 4.9 In line with the consented scheme, the latest proposals would continue to cause less than substantial harm to the King's Cross Conservation Area and the surrounding heritage assets, including the Grade I Kings Cross Station and the grade II listed buildings at 34b York Way and 5-35 Balfe Street. In design terms, the amendments to the consented extensions and alterations to the existing building are minor and would continue to result in improvements to its overall appearance and its relationship to the wider public realm. The harm to heritage assets will be weighed in the planning balance as per the consented scheme.
- 4.10 The proposal is not considered to cause harm to the character or appearance of the surrounding area. The proposal is considered to comply with the National Planning Policy Framework 2021, Policies D3, D4 and HC1 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011, and policies DM2.1 and DM2.3 of the Development Management Policies (2013). Consideration has also been taken of policies DH1 (Fostering innovation and conserving and enhancing the historic environment) of the emerging Islington Local Plan.
- 4.11 The amended scheme would continue to include energy and sustainability measures that comply with the Development Plan's requirements, to ensure that the proposal would maximise energy efficiency and sustainable design of the site where feasible.
- 4.12 There are nearby residential properties and the proposed development would not result in an unacceptable impact on these nearby properties. The daylight/sunlight assessment shows that the amendments to the scheme would not result in a materially harmful impact on the adjacent neighbouring residential properties.
- 4.13 Having consulted with the Inclusive Economy Team on the affordable workspace requirement, officers have secured high quality affordable workspace on the linked site at 34b York Way as part of the linked application ref: P2023/0381/S73. The level of floorspace proposed 388sqm (GIA) provides a policy compliant provision representing 10% of the floorspace uplift across the two planning applications (the other being the Jahn Court site) and is considered to weigh in favour of both applications.
- 4.14 The amendments to the scheme include alterations to the servicing arrangements to create an on-site vehicular servicing entrance on Caledonia Street, in addition to the consented servicing arrangements on York Way. Refuse collection is to be undertaken twice weekly from the loading bays on York Way by a private waste removal contractor outside of peak hours.



- 4.15 The development is otherwise car free and would be secured as such. The scheme retains the agreed financial contribution towards improvements to the public realm surrounding the site which were secured on the consented scheme.
- 4.16 Officers consider that the amended scheme retains the public benefits of the consented scheme, with additional tree planting on streets close to the site to be secured by legal agreement. The amended scheme relocates and combines the approved affordable workspace from both linked schemes into one space at 34b York Way. The provision of relocated affordable workspace, continues to exceed the requirement within the adopted Development Plan, and is considered to provide greater social value than the consented spaces and is welcomed and supported by the Inclusive Economy Team
- 4.17 Therefore, the amended scheme continues to outweigh the limited harm caused from the development to neighbouring amenity, in the overall planning balance as well as the less than substantial harm caused to the setting of adjacent listed buildings and to the character and appearance of the Kings Cross Conservation Area. All other matters related to highways impacts, transport infrastructure, sustainability, ecology, inclusive design, have been reassessed and are considered to remain acceptable and in accordance with planning policy.
- 4.18 Overall, the amendments to the consented scheme, as proposed by the application are considered to be in accordance with the relevant policies within the Development Plan, and is therefore recommended for approval subject to appropriate conditions and planning obligations as set out in Appendix 1 of this report.

## **5. SITE AND SURROUNDINGS**

- 5.1 The site is part of the Regent Quarter estate, which comprises two city blocks of buildings within the Kings Cross area.
- 5.2 The application site is located within the city block known as 'Block B', is irregular in shape and sits immediately north of Pentonville Road (A501), south of Caledonia Street, east of York Way (A5200) and west of Caledonian Road. The site as identified by the red line boundary (not the whole city block) measuring approximately 60 – 70 metres wide by 70 metres deep with a northern and western street frontage.
- 5.3 The site comprises of Times House which is a mixed use building on the eastern and southern elevations to Laundry Yard and Laundry Buildings which is also a mixed use building located on the northern and western elevations. These buildings comprise of a mixture of modern four to five storey office buildings with gym and 2no. flexible commercial uses at the ground floor of Times House.
- 5.4 The site is accessed via gated pedestrian entrances from York Way from the west, Caledonia Street from the north and Caledonian Road (A5203) from the east and Bravington's Walk to the south which links to Pentonville Road.
- 5.5 The site is located within the Kings Cross Conservation Area (CA21) and lies adjacent to the Keystone Crescent Conservation Area (CA14) to the east, and the St Pancras Conservation Area, which is located to the west of the site, in the London Borough of Camden. The site boundary sits adjacent to the Grade II Listed Building at 7 Caledonian Road. The site is located within the setting of a Grade I Listed building at Kings Cross Station. Other listed buildings are located adjacent to the site on Caledonian Road, Keystone Crescent and to the north of the site on Balfe Street.

- 5.6 The Laundry Buildings within the site at 6 Bravington's Walk is Locally Listed Grade B, and there are numerous locally listed buildings surrounding the site, on York Way, Caledonian Road and Pentonville Road.
- 5.7 The site is located within the Central Activities Zone (CAZ), and is in an Employment Growth Area. Part of the site is located within the Archaeological Priority Area (Battlebridge Medieval Settlement).
- 5.8 The site has a Public Transport Accessibility Level (PTAL) rating of 6(b) (on a scale of 1 to 6 where 1 representing the lowest levels of accessibility to public transport and 6 the highest). Kings Cross and St Pancras Station is the closest underground station and is adjacent to the site on the opposite side of York Way, to the west of the site.
- 5.9 The site is surrounded by a mixture of commercial and residential uses including offices, with some retail and restaurant uses as well as community uses dispersed locally and some residential uses at upper levels. Residential uses are located within Block B at Joiners Yard which adjoins the eastern boundary of the site, and at 1-11 Caledonian Road.
- 5.10 The prevailing character of the surrounding buildings is typically mixed with some late Victorian and Georgian buildings along the main eastern arterial routes of Balfe Street. This southern block (Block B), has a more vibrant and commercial character. The northern block (within the concurrent planning application) (Block C) has a quieter and more residential character.
- 5.11 The site is located adjacent to the administrative boundary with London Borough of Camden which lies immediately to the west of the site on the opposite side of York Way. Part of the north-eastern corner of the site falls within a Local Flood Risk Zone.

## **6. PROPOSAL**

- 6.1 This application seeks to amend planning consent ref: P2021/2269/FUL which consented alterations and extensions to the existing office building, in order to introduce research and development floorspace, for use as life sciences.

- 6.2 Planning Permission ref: P2021/2269/FUL dated 20/12/2022 approved the following:

*Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.*

- 6.3 The consent has subsequently been varied by Non-Material Amendment consent ref: P2022/4314/NMA dated 18/01/2023 which agreed the following:

*The NMA amendments comprise of: 1) Amendments to the wording of the approved description of development to loosen the parameters of the consented scheme, 2) Introduction of an additional condition to secure the delivery of the office floor space as shown on the approved plans. No physical alterations have been proposed by this NMA consent.*

6.4 This current application proposes the following amendments to the consented scheme:

- Introduction of a life science/research and development (Class E(g)(ii)) use, through the amendment of condition 44 (Introduce research and development use) and associated design and layout amendments including:

- Installation of a new flue and minor increase in height to approved rooftop plant enclosure;
- Alterations to the approved façade;
- Creation of a new vehicular servicing entrance on Caledonia Street;
- Reconfiguration of provision of flexible Food and Drink (Class E(b)) and/or Bar/Drinking Establishment (Sui Generis) units and Retail (Class E (a)) units at ground floor;

Introduction of a life science/research and development use

6.5 To facilitate the introduction of a life sciences use in to the scheme, the application seeks to amend the wording of condition 16 (Restriction on Class E uses to office use) and 17(Flexible Class E Uses) attached to the consented scheme, and condition 44 which was added by the Non-Material Amendment (Additional office floorspace in accordance with the approved plans).

6.6 The wording of condition 16 on the consented application states:

*CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office use. With the exception of the ground floor level uses specified under condition 18, the upper floors of Times House building and Laundry Building hereby approved shall only be used for office use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.*

6.7 It is therefore proposed that condition 16 would be amended as follows: [amendments underlined and in bold]

*CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office **and research and development** use. With the exception of the ground floor level uses specified under condition 18, the upper floors of Times House building and Laundry Building hereby approved shall only be used for office **and research and development** use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office **and***

**research and development** floorspace in this location and retains control over the change of use of the building in the future.

- 6.8 The wording of condition 44 as added by Non-Material Amendment consent ref: P2022/4314/NMA currently reads as follows:

*'CONDITION: The development will provide additional office (Class E(g)(i)) floorspace in accordance with approved plans.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.'*

- 6.9 It is therefore proposed that condition 44 would be amended as follows: [amendments underlined and in bold]

*CONDITION: The development will provide additional office (Class E(g)(i)) **and research and development (Class E(g)(ii))** floorspace in accordance with **plan no's:***

**Proposed Ground Floor Plan ref: 13601-A-02-L00-07-100-P5;**

**Proposed First Floor Plan ref: 13601-A-02-L01-07-101-P2;**

**Proposed Second Floor Plan ref: 13601-A-02-L02-07-102-P2;**

**Proposed Third Floor Plan ref: 13601-A-02-L03-07-103-P2;**

**Proposed Fourth Floor Plan ref: 13601-A-02-L04-07-104-P4;**

**Proposed Fifth Floor Plan ref: 13601-A-02-L05-07-105-P4;**

**REASON: To secure an approximately 60/40 split in floorspace between the approved research and development use (60 percent) and the office use (40 percent).**

**Reconfiguration of provision of flexible Food and Drink (Class E(b)) and/or Bar/Drinking Establishment (Sui Generis) units and Retail (Class E (a)) units at ground floor**

- 6.10 The wording of condition 17 on the consented application states:

*CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible units on the ground and first floor levels, except the permitted use(s) hereby approved (as shown on plan no. 13601-A-02-L00-07-100-P3):*

*A) Times House - 4no. Ground floor retail units only - Class E (a) - retail*

*B) Times House - 2 No. Ground floor Flexible Use Units Class E (b) - Food and Drink Sui Generis Bar & Drinking Establishment*

*C) Laundry Building 1no. Ground floor Flexible Use Unit Class E (b) - Food and Drink Sui Generis Bar & Drinking Establishment*

*and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (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.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future.*

- 6.11 It is therefore proposed that condition 17 would be amended as follows: [amendments underlined and in bold]

*CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible units on the ground and first floor levels, except the permitted use(s) hereby approved (as shown on plan no. **13601-A-02-L00-07-100-P5**):*

*A) Times House - **3no.** Ground floor retail units only - Class E (a) - retail*

*B) Times House - **1 No.** Ground floor Flexible Use Unit Class E (b) - Food and Drink Sui Generis Bar & Drinking Establishment*

*C) Laundry Building 1no. Ground floor Flexible Use Unit Class E (b) - Food and Drink Sui Generis Bar & Drinking Establishment*

*and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (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.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future.*

#### Affordable Workspace

- 6.12 The proposals include the relocation of the approved Affordable Workspace (AWS) to 34B York Way known as The Hub building. The total floor area of the proposed AWS would be 388sqm GIA which combines the affordable workspace provision for both this application and the amendment application to Jahn Court (ref: P2023/0381/S73). The proposed lease length is 20 years.

#### Changes to internal layouts/reconfiguration of commercial units

- 6.13 The proposed 'active' ground floor uses have been retained but reconfigured in places to accommodate a new servicing bay. New labs use has also been proposed at ground floor, as a series of active 'display' units to communicate the proposed use of the building at the upper floors to the public.
- 6.14 The approved office use floorspace is proposed to be subdivided between 60 percent as labs for research and development floorspace and 40 percent as office use floorspace. This extent and layout is proposed to be secured on the proposed plans to be approved under an amendment to condition (**44**) as added by Non-Material Amendment application ref: P2022/4314/NMA.
- 6.15 To facilitate the introduction of labs, the ground floor layout of Times House has been reconfigured to create on-site vehicular servicing from Caledonia Street, in place of one of the consented restaurant/bar units, and the reduction in the extent of the second restaurant/bar unit. As the consented affordable workspace unit in Laundry Buildings is relocated to 34b York Way,

this unit is converted to part office, part lab space. It is understood this would be an active lab unit to provide some visual interest, and the more 'back of house' research and development uses sited away from public view.

- 6.16 There is also some reconfiguration in Times House to relocate the changing facilities for the long stay cycle parking from basement to ground. As a result, the smallest of the consented retail units has been removed from the scheme, reducing the number of retail units from four to three. The consented 10 cycle spaces for residents in the basement of Times House are retained and continue to be secured by condition (42).
- 6.17 The basement has been reconfigured to house additional plant and to be of ancillary use to the research and development use, whilst cycle storage facilities remain. New internal partitions have been introduced to the upper floors, as well as a new goods lift to facilitate the efficient use of the layout to provide the research and development use.

#### Changes to building elevations

- 6.18 The elevations for the approved proposal have been retained with minimal change. Some minor adjustments to the ground floor frontage have been proposed at the front and rear of the building to accommodate the revised internal ground floor layout and revised servicing strategy.
- 6.19 The scheme proposal has sought to accommodate the revised roof plant within the extents of the plant screen of the approved proposal, however a slight increase in the plant screen height is required in one small area to the southern side of the site. Due to the introduction of a new internal goods lift, a slight adjustment to the building envelope is required to accommodate the lift overrun.
- 6.20 A new strobic fan is required to accommodate the research and development use, the upper extent of which will sit only minimally above the proposed plant screen. The flue has been sized and positioned to minimise impacts on key street view and views from neighbouring residential windows.

#### Revised servicing strategy

- 6.21 A new vehicular servicing entrance is proposed. Regular 'light-weight' servicing is proposed from a new on-street loading bay on York Way, supplemented by new internal loading bay on Caledonia Street for periodic servicing with direct access to an internal goods lift.
- 6.22 As part of the amendments to the consented planning permission, the application seeks to amend conditions 2 (Approved Plans), 4 (bicycle storage areas), 16 (Class E use), 17 (flexible Class E use units) and 35 (Fire Statement).



***Image 7 – Approved vs Proposed – CGI View from Caledonia Street***



***Image 8 – Approved vs Proposed - CGI View from Laundry Yard***



***Image 9 – Approved vs Proposed - CGI View from Times Yard***

Revisions:

- 6.23 During the course of the application amendments have been made in response to consultee responses, including Internal alterations to floor plans to address the Inclusive Design Officer's comments.
- 6.24 Responses have been also provided to the Energy officer's comments regarding the updated Energy Statement, and to comments from the Council's Building Control Officer regarding the updated Fire Statement in response.

**7. RELEVANT HISTORY:**

Application Site

- 7.1 Application ref: P000434

*Redevelopment and refurbishment in connection with provision of 8,815 sq.m. of B1 office space, erection of 266 bed hotel, 138 residential units, two no live/work units, A1, A2, A3 uses, gymnasium and gallery, 19 car parking spaces, pedestrian links and security gates, including demolition, refurbishment, associated landscaping and traffic works.*

At: Bravington's & Albion Yard Railway block, (site bounded by: Pentonville Road, Caledonian Road, Balfe Street, Railway Street & York, 39-45 (odd) Wharfdale Road), N1

Decision: Approved 10/06/2002

- 7.2 Application ref: P022525

*Revisions and extensions to the previously approved redevelopment and refurbishment scheme approved on 10th June 2002 (Ref: P000434) to provide 5020m2 of B1 office accommodation in two buildings (one a refurbished basement and three storey building; one a new basement and five storey building); a range of food and drink and mixed use commercial and showroom accommodation (A1, A2, A3, Sui- generis); nine residential units (five x 1 bed and four x 2 bed) and elevational alterations to ground floor of 13-17 Caledonian Road.*

At: 2-10 CALEDONIA STREET, AND GROUND FLOOR 13-17 CALEDONIAN RD, N1

Decision: Approve 04/04/2003

- 7.3 Application ref: P031100

*Part refurbishment and part redevelopment for office (Class B1), retail (A1,A2 and A3) and showroom (sui-generis) uses and associated new access plant landscaping and other related works - variation to scheme approved 4th April 2003 Ref: P022525.*

At: 10, Caledonia Street, and rear 7 Caledonian Road London, N1

Decision: Approved 05/12/2003

- 7.4 Application ref: P2021/2269/FUL

*Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House;*



*removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.*

At: Times House and Laundry Buildings (4-6 Bravington's Walk, 8 Caledonia Street and part ground floor area of 3 Bravington's Walk), Laundry Yard and part of Caledonia Street, Regent Quarter, Kings Cross, London N1,

Decision: Approved subject to conditions and legal agreement 20 December 2022

7.5 Application ref: P2022/4314/NMA

*Application for Non-Material Amendment to planning permission Ref: P2021/2269/FUL dated 20/12/2022. The amendments comprise of:*

*1) Amendments to the wording of the approved description of development,*

*2) Introduce an additional condition to secure the delivery of the office floor space as shown on the approved plans.*

*(No physical alterations are proposed).*

At: Times House and Laundry Buildings (4-6 Bravington's Walk, 8 Caledonia Street and part ground floor area of 3 Bravington's Walk), Laundry Yard and part of Caledonia Street, Regent Quarter, Kings Cross, London N1.

Decision: Non-material amendment(s) agreed 18/01/2023.

Informative:

The revised description of development hereby consented by this Non-Material Amendment shall read as:

*Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and Retail (Class E (a)) units at ground floor level; provision of outdoor terraces, cycle storage and associated facilities, green roofs, plant, public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.*

The following condition 44 shall be added to consent ref: 2021/2269/FUL dated 20 December 2022:

*'CONDITION: The development will provide additional office (Class E(g)(i)) floorspace in accordance with approved plans.*

*REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.'*

Neighbouring Site:

7.6 Application ref: P2021/2270/FUL

*Refurbishment of existing building; 5 storey partial infill extension to eastern elevation, single storey extension to northern elevation and two storey roof extension with roof terrace to provide additional Office floorspace (Class E(g)(i)); reconfiguration and alterations of front and rear entrances to the western and eastern elevations; provision of one flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit at ground floor level; provision of cycle store and associated facilities at basement level and plant at basement and roof level with green roofs and other associated works. Listed Building Consent application: P2021/2360/LBC also submitted.*

At: 34 York Way (Jahn Court), 34B York Way (The Hub), Albion Yard and Ironworks Yard, Regent Quarter, Kings Cross, London N1

Decision: Approved subject to conditions and legal agreement 20 December 2022

Pre-application Advice:

- 7.7 The applicant submitted a pre-application advice request in September 2022 (ref: Q2022/3365/MJR) for amendments to the consented schemes at the Regents Quarter in order to introduce a life sciences use in addition to the consented office use. The additional use requires internal and external amendments to the consented schemes to facilitate this use including relocation of and provision of new plant equipment, minor alterations to the facades of the building, creation of new servicing access at Times House, relocation of affordable workspace to the Impact Hub at 34b York Way, and amendments to the decision notices including amendments to conditions and additional conditions are required.
- 7.8 Two pre-application meetings were held on 20 September 2022 and 5 October 2022. Written pre-application advice was provided on 19 and 27 October. Advice was given on a range of planning matters. Regarding land use, advice was given that there are no objections purely in land use terms to the addition of a research and development use to the existing and approved office use floorspace to create flexible Office E(g)(i) and Research and Development E(g)(ii) uses.
- 7.9 The further amendments to the ground floor uses within the Times House application would further reduce the extent of approved flexible sui bar/restaurant floorspace in Block B. This reduces further the mix of uses in the proposal. Officers note that adopted policy designations comprise of the CAZ and Employment Growth Area, and in the emerging Local Plan, the site has a Priority Employment Location designation. The creation of additional business use floorspace does not conflict with the adopted or emerging land use policy designations for the site.
- 7.10 Advice was given regarding Design and Heritage impacts. The proposals result in additional flues and plant screening which will need to be carefully considered and robustly justified, given both site's townscape and heritage constraints. Comments have been obtained from the Design team as discussed at the pre-application meeting, relating to the visibility of the additional height and massing of the plant screen to Times House as this is visible in the most sensitive views, being seen in those of the Grade I listed Kings Cross Station.

- 7.11 The Conservation officer raised queries relating to the substance discharged from the proposed flues, the appearance of the strobic flue. The officer considered that the amendments result in a slight change in the appearance of the massing in longer views and a resulting a small increase in heritage harm with no apparent additional public benefits, and asked if any consideration been given to the adaptability of the buildings following the cessation of the proposed life science use.
- 7.12 Given the sensitivity of both sites in heritage terms, any additions at roof level, albeit small in scale relative to the approved scheme, will need to be carefully considered and would be likely to result in less than substantial harm to heritage assets, at the lesser end of the scale. These adverse impacts would need to be carefully assessed and weigh up against the planning benefits identified in the proposals.
- 7.13 Advice was given regarding Delivery and Servicing impacts. Whilst no objections were raised at application stage to the principle of creating a loading bay on York Way adjacent to Jahn Court which would be secured through a S278 Agreement, there is no existing loading bay in this location. The Council's highways officer is investigating the parking situation regarding the proposed loading bays on York Way in regards to both schemes and how these additional loading bays can be achieved. The Officer raises no objections to the principle of the creation of an on-site loading bay in the Times House application subject to receipt of additional information regarding management of the loading bay, vehicle sizes/swept paths/trip numbers, and the need to demonstrate adequate clearance around the vehicles using the on-site loading bay.
- 7.14 Advice was given regarding acoustics, air quality and environmental health impacts. The proposals include additional plant and flues. The Councils Acoustics and Environmental Policy and Projects Officer has reviewed the pre-application submission. The officer would raise an objection to any relaxation in the Council's background noise level requirements to protect the amenities of neighbouring uses both at the hotel and the neighbouring residential uses, and would require further details regarding air quality and an odour assessment of the laboratory use. With regards to the proposed fume cupboards there is the potential for air quality impacts and likely concerns with residential nearby. The applicant is required to carry out an air quality assessment and an odour assessment of the laboratory use for the nearby residential. Any assessment will need to be clear with any assumptions made on chemical/solvent use and the justification for any assumptions.
- 7.15 Advice was given by Highways and Parking officers that the creation of a formal loading bay on York Way outside Jahn Court would be resisted, however the officers considered that it should not be needed given loading is allowed in accordance with existing arrangements which allow loading to be carried out from the single yellow line when available, for up to 40 minutes, and that parking and waiting restrictions apply.

#### Statement of Community Involvement

- 7.16 The Council understands that in parallel to the pre-application discussions, the applicant has undertaken consultation with local residents regarding the changes to the proposals. It is understood that regular monthly meetings have been held between August and November 2022 and in February 2023. It is understood that a newsletter has been issued to Residents in October 2022.

## 8. CONSULTATION

### Public Consultation

8.1 Letters were sent to occupants of 210 adjoining and nearby properties on Joiners Yard, Keystone Crescent, Noah's Yard, Omega Place, Caledonian Road, York Way, King's Cross Bridge, Varnisher's Yard, Pentonville Road, Gray's Inn Road, Bravington's Walk, Caledonia Street and Kings Cross Square Euston Road on the 16 February 2023.

8.2 A site notice and press notice were displayed on 16 February 2023. The public consultation of the application therefore expired on 12 March 2023. However, it is the Council's practice to continue to consider representations made up until the date of a decision.

8.3 At the time of the writing of this report four responses had been received from the public expressing concerns with regard to the planning application. Two responses have been received expressing support for the proposals. The comments made can be summarised as follows:

#### Design:

8.4 The proposed increase in height as a result of the proposed roof extensions should be re-assessed in light of the proposed life sciences use as the roof extensions were approved for office use. (*Officer comment:* The Council's Design and Conservation Officer has been consulted and has not raised any objections. The principle of the increase in height has already been thoroughly assessed and accepted. There is a very minor increase to the height of the proposed new plant enclosure. The impact of this minor increase has been assessed within the submitted Planning Statement as well as the Heritage and Townscape Statement, concluding that there would be no adverse design or heritage impacts as a result of this change. The Council's Design and Conservation assessment is set out below in paragraphs 10.92 to 10.113).

#### Noise:

8.5 Concerns have been raised regarding the new proposed strobic fans at roof level, and their operating hours. (*Officer comment:* A Noise Impact Assessment has been submitted with the application. The report sets out mitigation measures which ensure that the proposed plant would meet LBI's noise standards, operating at 5dB below background noise levels both during day-time and night-time hours. The plant would operate around the clock, which would be necessary for the operation of the life science use. The report outlines that during night-time hours (23:00 to 07:00), only one of the three ASHPs will be operating. The Council's Acoustics Officer has been consulted on the submitted Noise Impact Assessment and has not raised any objections subject to the reattachment of conditions (11 and 12). Therefore, it is not considered that there would be any negative impact in terms of noise on the residential amenity of nearby residents.)

#### Air Quality:

8.6 Concern has been raised over the submitted Air Quality Report. (*Officer comment:* The Council's Environmental Pollution Policy & Projects officer has reviewed the submitted details in the Air Quality report. The officer has not raised any objections subject to the addition of a condition requiring an air quality report assessing the impact of the laboratory use to be approved prior to the laboratory use commencing on site, which is attached at condition 44. The Council's assessment is set out later in this assessment at paragraph 10.176 to 10.182).

#### Delivery and Servicing:

8.7 Concern has been raised by residents over the addition of a loading bay accessed off Caledonia Street and further degradation to traffic congestion on Caledonia Street. (*Officer comment:* The Council's Highways officer has been consulted and has not raised any objections following widening of the dropped kerb at the entrance and revised swept paths. The revised Delivery and

Servicing details are secured by condition 2. Caledonia Street is a one-way street in a west to east direction with a 20mph speed limit and is subject to double yellow line restrictions along both sides of the carriageway. There are numerous restrictions to parking and loading on this street. The new loading bay will provide an on-site internal servicing bay which can accommodate vehicles which requires direct access to the internal goods lift and will be managed by a security hub on the ground floor of Times House. This facility will take deliveries, monitor access to the goods lift and internal stores and manage the use of the loading bay. The proposed site would generate broadly similar levels of deliveries over the course of a typical weekday which represents no material change from the consented scheme. The majority of deliveries and larger vehicles would continue to use Yok Way and smaller vehicles and less frequent deliveries would use the Caledonia Street loading bay.)

#### Public Health:

- 8.8 A resident has stated that it would be inappropriate and dangerous for there to be any work except at biosafety levels 1 & 2. (Officer comment: The applicant has confirmed that the labs will be design to containment level CL2, that this is the equivalent to a university laboratory, and that all CL2 labs are governed by various UK/British standards. The proposed fume cupboards would mitigate emissions in line with British Standards. The Council's Environmental Health department has been consulted extensively including, Public Health strategist, Environmental Health Officer, Commercial Environmental Health. No objections have been received. Condition (45) is attached requiring a further Air Quality Assessment prior to occupation.)

#### Light pollution from laboratories:

- 8.9 A resident has expressed concerns that the laboratories may be in use outside normal working hours, and that the use ultraviolet light or lasers, and considerable potential for light pollution. Requests conditions to ensure there are effective blinds in use to shield residential properties both from visible light spectrum but also UV and lasers. (Officer comment: The Council's Environmental Health officer has been consulted and has not raised any objections subject to reattaching condition (7) requiring details of a lighting strategy on any grant of consent)

#### External Consultees

- 8.10 A number of external statutory and non-statutory consultations were carried out. The following is a summary of the responses received:
- 8.11 **Canal & River Trust:** Response received. No objections. (Officer comment: No additional conditions are required as a result of this response.)
- 8.12 **Crossrail 2:** Response received. No objections. (Officer comment: No additional conditions are required as a result of this response.)
- 8.13 **Historic England (Listed Buildings):** Response received. No objections. (Officer comment: No additional conditions are required as a result of this response.)
- 8.14 **Health & Safety Executive:** Response received. No objections. (Officer comment: No additional conditions are required as a result of this response.)
- 8.15 **London Underground/DLR Infrastructure Protection:** Response received. No objections. (Officer comment: No additional conditions are required as a result of this response.)
- 8.16 **Transport for London:** Initially raised concerns over a shortfall of cycle parking spaces across the two linked applications, for the provision of research and development and office use floorspace against the London Plan standards, and regarding the provision of accessible cycle

parking. TfL have subsequently confirmed they have no objections to the provision of cycle parking given the extent of over provision on short-stay cycle parking spaces across the two linked schemes. (*Officer comment:* Whilst the amended scheme results in a slight shortfall of 7 spaces in the provision of long stay cycle parking against the London Plan requirements, there are a number of mitigating factors. The scheme is one of two linked schemes which relate to amendments to existing consents for extensions and alterations to existing buildings, posing significant site constraints. Collectively the two applications bring forward 68 short stay cycle parking spaces around the public realm. This is a significant over provision of short stay cycle parking of 41 spaces. The nature of the lab and write up space would indicate that there would be a reduced occupancy against a typical research and development use. Officers propose to secure by condition (4) the provision of cycle parking, and by condition (44) the 60/40 split between the lab and office use floorspace to ensure that there is no significant under provision of cycle parking. On the basis of the above, officers do not consider that the scheme presents a conflict with the aims of the London Plan or Local Plan policy requirements for cycle parking.)

- 8.17 **London Fire Brigade:** No response received. (*Officer comment:* A review of the fire Statement has been undertaken in accordance with the requirements of London Plan D12. See paragraphs 10.321-10.325 and condition 35)
- 8.18 **Thames Water:** No response received. (*Officer comment:* No additional conditions are required and the informatives attached to the original grant of consent are proposed to be reattached on any subsequent grant of condition).
- 8.19 **MET Police:** No response received. (*Officer comment:* No additional conditions are required and the informatives attached to the original grant of consent are proposed to be reattached on any subsequent grant of condition).
- 8.20 **Network Rail:** No response received. (*Officer comment:* No additional conditions are required and the informatives attached to the original grant of consent are proposed to be reattached on any subsequent grant of condition).

### **Internal Consultees**

- 8.21 **Planning Policy Officer:** No objections to the proposed change of use from Office use to Office E(g)(i) and Research and Development E(g)(ii) uses. Adopted policy and emerging policy doesn't distinguish between business uses i.e. office and R&D uses. (*Officer comment:* The proposals remain acceptable in land use terms and in accordance with London Plan and local plan policy. See land use assessment at paragraphs 10.42 to 10.48).
- 8.22 **Inclusive Economy Officer:** No objection to the provision of Affordable Workspace at the Impact Hub at 34b York Way. No objection to the combining of the two spaces from both applications into one space as this larger single space is considered to have greater social value. (*Officer comment:* See assessment of proposed affordable workspace at paragraphs 10.53 to 10.60. The proposed Affordable Workspace will be secured through a new s106 Agreement attached to any grant of consent).
- 8.23 **Design & Conservation Officer:** No design objections to the proposed external amendments. (*Officer Response:* See officer Design and Heritage assessment at paragraphs 10.92 – 10.113. Details of materials are secured by reattaching condition 3 on any subsequent grant of consent).
- 8.24 **Inclusive Design Officer:** The officer initially raised queries relating to the provision of accessible WCs at fourth floor, turning spaces within lab and office space, details of kitchenette provision. Following responses received from the applicant the officer has confirmed their acceptance of

the proposals subject to amendments to the existing condition **(25)** to secure a small number of outstanding matter as follows:

- Turning spaces within lab and office space,
- Locations and details of kitchenette provision
- Details of signage and internal wayfinding
- Details of all ramp gradients and handrails

*(Officer Response:* It is proposed to amend condition **(25)** attached to the consented scheme to secure the outstanding Inclusive Design matters. See paragraphs 10.120 to 10.124.)

8.25 **Energy Officer:** Initially a number of points were raised in relation to the applicant's energy strategy relating to:

- Potential improvements to energy efficiency specifications;
- Updates to thermal modelling;
- Future-proofing or connection to a DE network;
- Potential increase to solar PV capacity;
- Draft Green Performance Plan.

Following receipt of a revised Energy Strategy, the Energy Officer has confirmed that these issues have now been addressed with the exception of Potential improvements to energy efficiency specifications and Draft Green Performance Plan. *(Officer response:* The requirement for Potential improvements to energy efficiency specifications has been required by condition on the consented scheme. The application is considered to acceptable subject to reattaching a revised condition **(23)** requiring the outstanding information to be submitted).

8.26 **Highways Officer:** No objection to the proposed highways arrangements for the additional delivery and servicing on-site via Caledonia Street following clarifications and the applicant's agreement to widen the dropped kerb. *(Officer response:* The scheme will be serviced from both York Way and on-site via Caledonia Street. The amended delivery and servicing are secured by amended plans condition **2**).

8.27 **Environmental Pollution, Policy and Projects Officer:** No objections following clarification over the containment level CL2. Notes the Council's approach is to look at the potential impacts for nearby receptors. There is no confirmation of the potential pollutants from the lab use or assessment. There is no assessment of the potential for fumes/odours from the lab use. Laboratories are classified by the containment level. The containment requirements are defined by the biological agents and hazards, genetically modified organisms, animals and plants involved in the work. The applicant has stated that the "R&D units are designed to Containment Level 2 standards". Containment level 2 (CL 2) is used for work with medium risk biological agents and hazards, genetically modified organisms, animals and plants. With the lack of information provided it is requested that an additional condition is attached requiring a full assessment of the impacts prior to any occupier taking over the laboratory use. The Condition requires an air quality report assessing the impact of the laboratory use to be submitted and approved prior to the laboratory use commencing on site. *(Officer response:* Conditions to restrict plant noise **(11 and 12)** were attached to the consented scheme and are proposed to be reattached on any grant of consent. Further conditions **(45)** to require a revised Air Quality Assessment and **(46)** regarding emergency plant equipment are proposed to be attached. See officer assessment at 10.177 to 10.183).

8.28 **Commercial Environmental Health:** Response received. No objections.

- 8.29 **LBI Public Health Strategist:** Response received. No objections.
- 8.30 **Building Control Officer:** No objections following review of the revised Fire Strategy after clarifications regarding dry risers, travel distances and location of the water tank for the sprinklers. (*Officer Response:* A revised fire strategy document has been submitted. An assessment of the revised fire statement has been undertaken against the requirements of the London Plan Policy D12 and this is considered to meet the requirements of the London Plan. See paragraphs 10.321 to 10.325 and condition **35**.)
- 8.31 **Sustainability Officer comments:** No specific objections received. Commented that the applicant should highlight how the changes proposed within these applications specifically affect the sustainable design and performance of the scheme. More detail on changes relating to the R&D use such as the strobic fan system are requested, and how such changes will affect the building's energy performance. (*Officer response:* Firstly, the Council's Energy officer has reviewed and considered in detail the revised Energy performance of the scheme which is now acceptable subject to minor additional details secured by condition **(23)**. Secondly, further to the approved documents for the original consent an updated Sustainability statement and floor risk addendum have been submitted. The revised Sustainability statement includes details regarding water and surface water run-off and the circular economy approach. Given the amended scheme proposes minimal external alterations from the consented scheme, the amended proposals remain acceptable subject to reattaching conditions regarding green/blue/brown roofs **(6)**, PVs **(23)**, installation of flow restrictors **(39)** and to secure the circular economy details **(34)**. See officer assessment at paragraphs 10.271 to 10.277.)
- 8.32 **Public realm (Waste Management):** Notes the applicant intends to use a private contractor. On this basis, would not have comments. However if they intended to use the Council's waste management team, the bins would need to be presented on street given the long internal pulling distance exceeds 10 metres. (*Officer response:* Details regarding the site waste strategy are secured by condition **34**).

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

### **National Guidance**

- 9.1 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
  - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
  - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 9.2 National Planning Policy Framework 2021 (NPPF): Paragraph 10 states: "at the heart of the NPPF is a presumption in favour of sustainable development.



- 9.3 The National Planning Policy Framework 2021 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals
- 9.4 Since March 2014 Planning Practice Guidance for England has been published online.
- 9.5 In considering the planning application account has to be taken of the statutory and policy framework, the documentation accompanying the application, and views of both statutory and non-statutory consultees.
- 9.6 The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights into domestic law. These include:
- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.
  - Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.
- 9.7 Members of the Planning Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.
- 9.8 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers. The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 9.9 In line with Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, in assessing the proposals hereby under consideration, special regard has been given to the desirability of preserving the Conservation Area, its setting and any of its features of special architectural or historic interest.
- 9.10 In line with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, special regard has been given to the desirability of preserving the adjoining listed buildings, their setting and any of their features of special architectural or historic interest.

### **Development Plan**

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

### **Designations**

- 9.12 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:
- Locally Listed Building - Laundry Building
  - Central Activities Zone
  - Archaeological Priority Area - Battlebridge Medieval Settlement
  - Core Strategy Key Area – Kings Cross & Pentonville Road
  - King's Cross Conservation Area (CA21)
  - King's Cross Employment Growth Area
  - Mayors Protected Vistas LLAA2 - Parliament Hill summit to St Paul's Cathedral
  - Mayors Protected Vistas VC2 - Parliament Hill summit to St Paul's Cathedral
  - Rail Safeguarding Area - Crossrail 2
  - Rail Safeguarding Area - Channel Tunnel Rail Link
  - Site within 100m of a SRN Road
  - Site within 100m of a TLRN Road
  - Within 50m of Keystone Crescent Conservation Area (CA14)
  - Within proximity to Grade II Listed Buildings at 7 Caledonian Road
  - London Underground Zones of Interest
  - Article 4 Direction A1-A2 (Borough wide)
  - Article 4 Direction B1(c) to C3 (CAZ)

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

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

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

- 9.14 The Regulation 19 draft of the Local Plan was approved at Full Council on 27 June 2019 for consultation, with consultation on the Regulation 19 draft taking place from 5 September 2019 to 18 October 2019. The Draft Local Plan was subsequently submitted to the Secretary of State for Independent Examination in February 2020. The Examination Hearings took place between 13 September and 1 October 2021, with consultation on Main Modifications running from 24 June to 30 October 2022.
- 9.15 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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

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

- Policy PLAN1: Site Appraisal, design principles and process
- Policy SP2 - King's Cross and Pentonville Road
- Policy SC3 - Health Impact Assessment
- Policy B1 - Delivering business floorspace
- Policy B2 - New business floorspace
- Policy B3 - Existing business floorspace
- Policy B4 - Affordable workspace
- Policy G4 – Biodiversity, landscape design and trees
- Policy G5 – Green Roofs and vertical greening
- Policy S1- Delivering sustainable design
- Policy S2 - Sustainable design and construction
- Policy S4 - Minimising greenhouse gas emissions
- Policy S7 – Improving Air Quality
- Policy T2 - Sustainable transport choices
- Policy T4 – Public realm
- Policy T5 - Delivery, servicing and construction
- Policy DH1 - Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 - Heritage assets
- Policy DH3 – Building heights

## 10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Whether the proposal would fall within the scope of a “minor material amendment” under Section 73 of the 1990 act.
- Whether the proposed changes would be acceptable with regards to
  - Principle of Development
  - Land Use
  - Design, Conservation and Heritage
  - Accessibility and Inclusive Design
  - Neighbouring Amenity
  - Environmental and Public Health
  - Energy and Sustainability
  - Highways and Transport
  - Biodiversity and Landscaping
  - Refuse and Recycling
  - Fire Safety
  - Planning Obligations and CIL
  - Planning Conditions and Obligations

### **Scope of the Consideration of the Case Under Section 73 of the Act**

10.2 Section 73 of the Town and Country Planning Act 1990 concerns the “Determination of [an] application to develop land without compliance with conditions previously attached”, colloquially

known as “varying” or “amending” conditions. Section 73 applications must also involve consideration of the conditions subject to which planning permission should be granted. Where an application under S73 is granted, the effect is the issue of a fresh grant of permission and the notice should list all conditions pertaining to it. The application cannot be used to vary the time limit for implementation.

- 10.3 It is important to note that when assessing S73 applications the previously granted planning permission is a significant material consideration, which impacts heavily on the assessment of the proposal. If the original application has been implemented, or if the permission has not yet expired, the applicant may go ahead and complete the original approved scheme if they wish.
- 10.4 In this case, the applicant can implement the consented office scheme if they wish.
- 10.5 The main issues for consideration are (1) whether the proposal would fall within the scope of a “minor material amendment” under Section 73 of the 1990 act and (2) whether the proposed changes would be acceptable.
- 10.6 Having given consideration to the scale and extent of the approved development and the conditions, the proposed amendments do not result in a fundamentally different development to that which was approved by the original permission. The approved office use floorspace is to be partially retained and additional research and development use floorspace as life sciences is to be introduced. The research and development use floorspace continues to provide business use floorspace within the building, business use floorspace is therefore retained. The flexible Class E(g) use unit is also retained. The scale, height, massing and footprint of the approved building remain almost entirely unaltered and whilst there are minor alterations to the rooftop and external facades, they closely match that which was approved under the extant permission.
- 10.7 Therefore the proposal is considered to fall within the scope of a “minor material amendment”.
- 10.8 The remainder of this assessment will consider whether the proposed changes would be acceptable.

## **PRINCIPLE OF DEVELOPMENT**

- 10.9 The existing buildings were consented as part of a redevelopment approved in 2002 (ref: P000434). The existing buildings positively contribute to the local economy in terms of its supply of office floorspace and include flexible use units comprising of retail, restaurant, bar, gym or event space uses, and a unit with gym use. As a result of the planning history of the site, the buildings within the site have the following lawful uses:
  - Laundry Buildings - Class E(g)(i) Office Use.
  - Times House:
    - Sui Generis’ flexible Use for Retail, Restaurant and Bar, Gym or Event Space on the ground floor of the eastern element;
    - Class E(g)(i) Office Use on the upper floors; and
    - Class E(d) Gymnasium Use on the ground floor and basement of the western element
- 10.10 London Plan Policy GG2 states that development proposals should proactively explore the potential to intensify the use of land to support additional workspaces, promoting higher density development, particularly in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

10.11 The amendments to the consented scheme continue to provide commercial development and is considered to be supported by national, regional and local planning policies, mainly due to the site's central and highly accessible location.

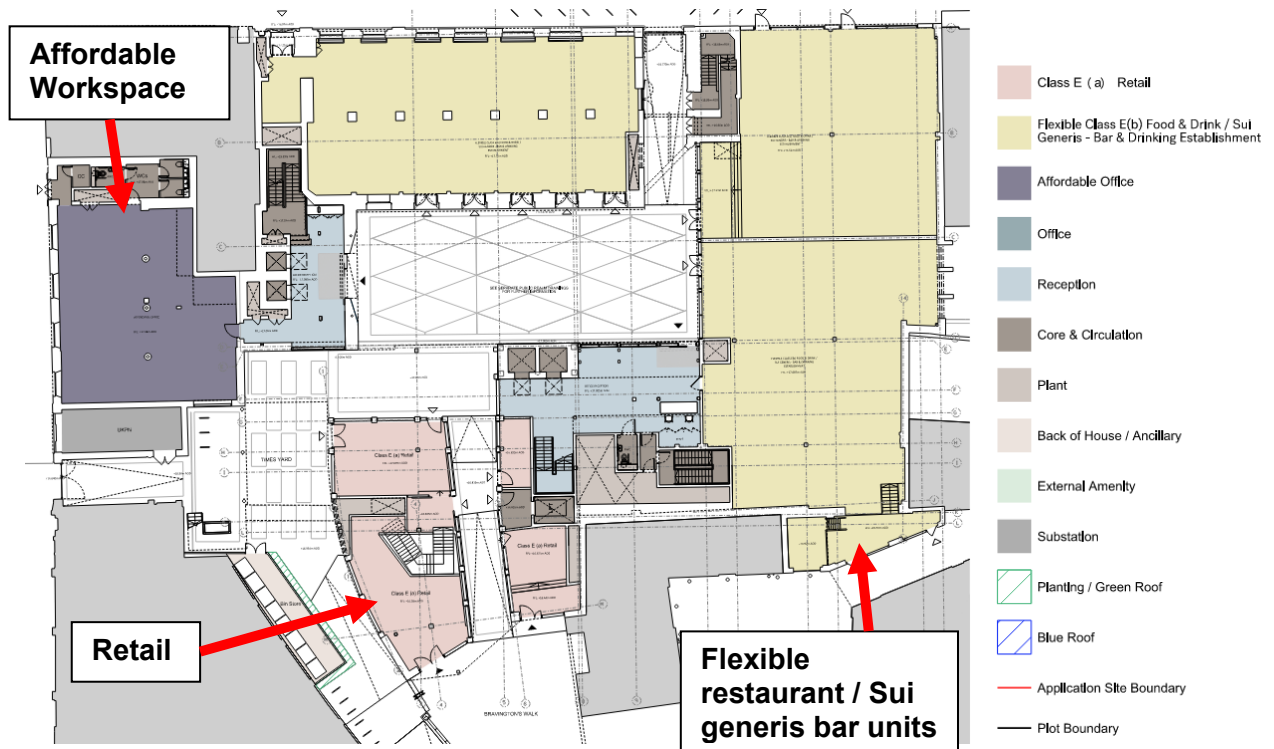
10.12 The principle of the redevelopment of the site is therefore acceptable and accords with the National Planning Policy Framework's presumption in favour of sustainable development, subject to other material planning considerations discussed below.

**LAND USE**

**Approved Uses**

10.13 On the upper floors of Times House and the Laundry Buildings there is consent for extensions and alterations to the existing Class E(g)(i) office use to increase the office use floorspace.

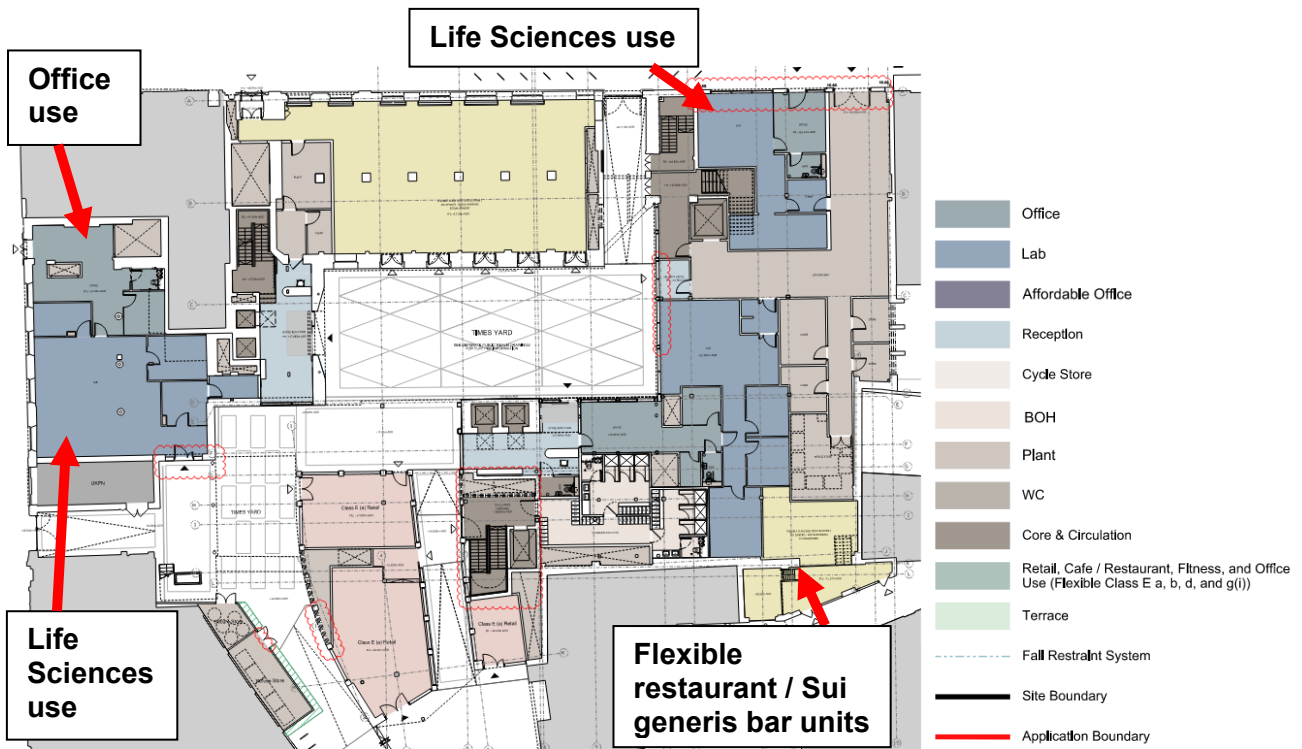
10.14 The existing permission also consented three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level. Conditions have been attached on the original grant of consent to restrict the extent of flexible uses (17) which is are proposed to be reimposed on any grant of consent.



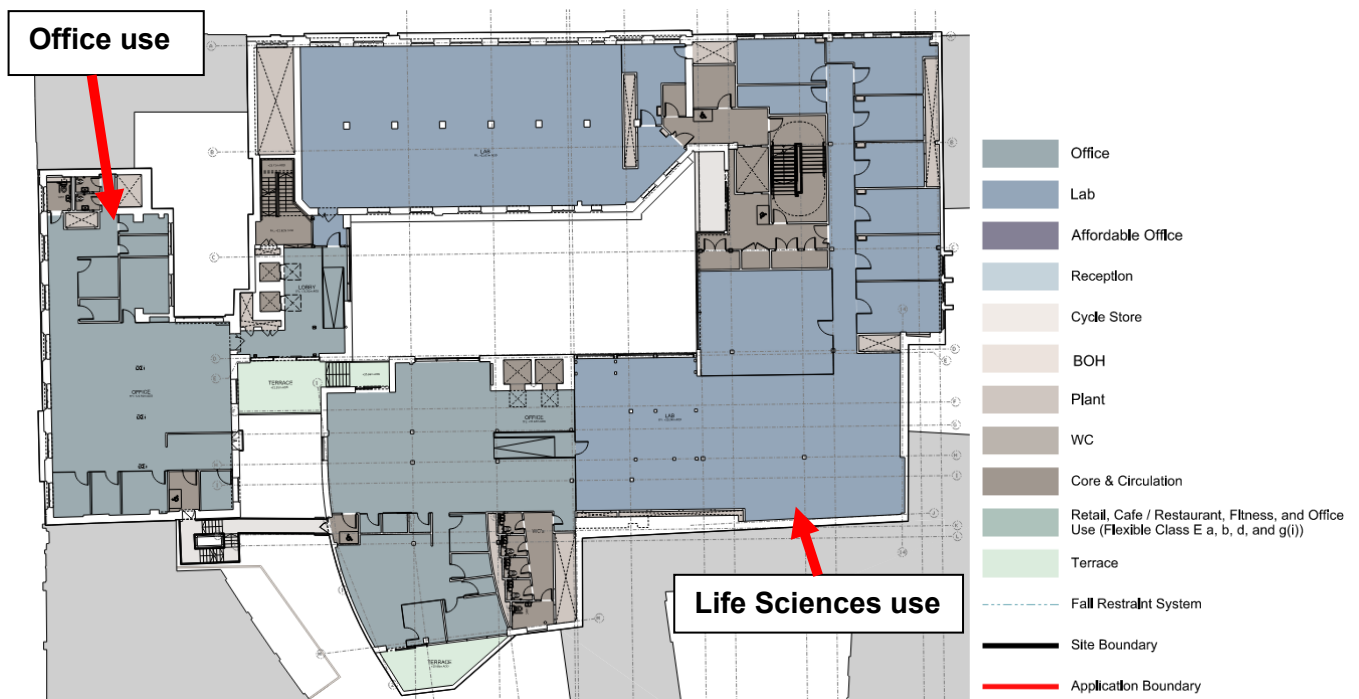
**Image 10 – Approved Ground Floor Plan**

**Proposed Uses**

10.15 The proposal would involve alterations and extensions to introduce and facilitate the proposed life sciences use floorspace whilst retaining some of the office floorspace.



**Image 11 - Proposed Ground Floor Plan**



**Image 12 – Proposed First Floor – split of uses Office and Life Sciences**

Use	Approved GIA)	(sqm	Proposed (sqm GIA)	Uplift (sqm GIA)

Office Use Class E(g)(i)	7,320.6	3,159.2	-4,161.4
Affordable Workspace	207.6	0	-207.6
Research and development Use Class E(g)(ii)	N/A	4,950.5	+4,950.5
Retail – Use Class E(a)	172.3	145.8	-26.5
Flexible food/drink / Sui Generis bar/drinking establishment use	888.9	316.4	-572.5
Total	8,589.4	8,571.9	-17.5

**Table 1 - Approved and Proposed Uses (GIA)**

- 10.16 The proposal comprises of the part change of use of floorspace across the upper floors of Times House and Laundry Building to provide a research and development use (Class E(g)(ii)), whilst still retaining office floorspace.
- 10.17 To facilitate the introduction of labs, the ground floor layout of Times House has been reconfigured to create on-site vehicular servicing from Caledonia Street, in place of one of the consented restaurant/bar units, and the reduction in the extent of the second restaurant/bar unit. As the consented affordable workspace unit in Laundry Buildings is relocated to 34b York Way, this unit is converted to part office, part lab space. It is understood this would be an active lab unit to provide some visual interest, and the more ‘back of house’ research and development uses sited away from public view. There is also some reconfiguration in Times House to relocate the changing facilities for the long stay cycle parking from basement to ground. As a result the smallest of the consented retail units has been removed from the scheme, reducing the number of retail units from four to three.
- 10.18 There are some minor alterations to internal layout, which result in the overall uplift of floorspace reducing slightly from 1,591sqm to 1,421.3sqm. Of the total floorspace (8,571.9sqm), research and development floorspace measures 4950.5sqm with the proposed office floorspace measuring 3,159.2sqm

#### Land Use Context

- 10.19 The site is designated within the Core Strategy Key Area (King’s Cross Road and Pentonville Road), the Central Activities Zone (CAZ) and the Kings Cross Employment Growth Area. Emerging Policies designate the site within the King’s Cross and Pentonville Road Spatial Strategy Area, a Priority Employment Location, CAZ and CAZ Fringe Area.

#### Adopted Policies

##### London Plan

- 10.20 The London Plan has been adopted in March 2021, and the relevant policies, relate to business use floorspace.
- 10.21 Policy GG5 (B) seeks to ensure that London’s economy diversifies and that the benefits of economic success are shared more equitably across London and part C) requires a plan for sufficient employment and industrial space in the right locations to support economic

development and regeneration. Part E) seeks to 'ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning.'

10.22 Policy SD4 (The Central Activities Zone) sets out the CAZ as a centre of excellence and specialist clusters including functions of state, health, law, education, creative and cultural activities, and other more local Special Policy Areas should be supported and promoted.

10.23 Supporting paragraph 2.4.8 sets out:

*As a whole, the CAZ supports a nationally and internationally significant scale and agglomeration of offices, enabled by the hyper-connectivity of its public transport infrastructure. **The CAZ has important clusters in areas such as tech, the creative industries and life sciences**, adding to its strengths in the business, professional and financial services sector, arts and culture, health, education and law. A supportive policy approach to the wide variety of business space requirements, quality and range of rental values is essential to enable these sectors to flourish and for small and medium-sized enterprises to fulfil their economic potential alongside larger businesses.*

10.24 Policy E1 'Offices' states that improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed-use development in areas such as the CAZ.

10.25 Policy E8 encourages the provision of employment opportunities across a diverse range of sectors and supports London's role as a location for research and development.

10.26 Policy E8 (A) sets out 'Employment opportunities for Londoners across a diverse range of sectors should be promoted and supported along with support for the development of business growth and sector-specific opportunities.' The policy at part C states: 'The evolution of London's diverse sectors should be supported, ensuring the availability of suitable workspaces including: 4) laboratory space and theatre, television and film studio capacity.' Part D notes 'Innovation, including London's role as a location for research and development should be supported, and collaboration between businesses, higher education providers and other relevant research and innovation organisations should be encouraged.'

10.27 Supporting paragraph 6.8.3 identifies a number of sector-specific opportunities and challenges that require a more targeted approach where he believes there are specific business growth opportunities, including:

***life sciences** - London, Cambridge and Oxford form the "golden triangle" – a world-leading inter-connected region for life sciences research, development, manufacturing and commercialisation. MedCity – a collaboration between London, Cambridge and Oxford Academic Health Science Centres, co-funded by the Mayor – seeks to promote and grow this life sciences cluster. **Development Plans should support the range of existing and proposed medical and life sciences research districts associated with MedCity such as those around the Euston Road** (including the Francis Crick Institute, Wellcome Trust and University College Hospital); Imperial College London's White City Campus; around Whitechapel, associated with Queen Mary University of London; and the London Cancer Hub. Within this sector there is particular demand for affordable 'grow-on' space (including laboratory space) to ensure London retains the innovations emerging from London-based universities. The networks and facilities that support London's role as a centre of medical excellence should also be supported.*



10.28 The latest application for the introduction of research and development use floorspace is not considered to raise a conflict with the aims of the London Plan (2021), purely in land use terms.

Local Plan

10.29 Policy CS13 'Employment Spaces' and CS6 'Kings Cross' encourages new employment floor space to be located within the Central Activities Zone (CAZ) and town centres.

10.30 Local Plan policy CS 9 'Protecting and enhancing Islington's built and historic environment' states that high quality architecture and urban design are key to enhancing and protecting Islington's built environment, making it safer and more inclusive.

10.31 Core Strategy (2011) Policy CS6 identifies York Way and Pentonville Road as the principal locations for office-led mixed use development in this spatial area.

10.32 Paragraph 3.4.2 of the Core Strategy sets out:

*The council wishes to encourage a diverse and vibrant economic base in the borough, supporting sectors and businesses that can adapt to changing circumstances in order to ensure long term economic sustainability in Islington, and avoid over-reliance on individual sectors such as the financial industry. Businesses in creative and knowledge based sectors - professional services, ICT, **research & development**, cultural and media industries – will be particularly encouraged.*

Development Management Policies (2013)

10.33 Policy 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.

10.34 Policy DM5.1 sets out that 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. The policy requires the intensification, renewal and modernisation of existing business floorspace and seeks business floorspace maximisation and a mix of complimentary uses.

10.35 The Glossary in the Development Management Policies defines Business floorspace as activities or uses which fall within the former 'B' Use Class.

Emerging policy:

10.36 Islington's emerging Local Plan policies (Strategic and DM Policies) consider the latest employment and industrial land evidence base both at local and regional levels, in line with national policy.

10.37 The site is located within the area designated as Priority Employment Location (PEL) in policy SP2 King's Cross and Pentonville Road, in the SDMP (Strategic Development Management Policies). Part A of SP2 sets out that within these locations existing business uses will be safeguarded and proposals for the intensification, renewal and modernisation of existing business floorspace is encouraged. Proposals for new business floorspace are required to maximise the provision of business floorspace. Part B seeks maximisation of office floorspace in the King's Cross Spatial Strategy area could support the expansion of the 'Knowledge Quarter' in Islington, and advance the development of a commercial corridor along Pentonville Road/City Road. Part C identifies that a broad range of business floorspace typologies are

suitable within the Spatial Strategy area, including Grade A offices, hybrid space, and co-working space.

10.38 Policy B1 'Delivering a range of affordable business floor space' states that new office floor space should be located within the CAZ and that "proposals in these areas must maximise the amount of new business floor space; proposals which do not demonstrate maximisation will be considered to be an inefficient use of a site and will be refused."

10.39 Paragraph 4.9 of the Strategic and Development Management Policies document (Regulation 19) identifies:

*The success of Islington's economy can be attributed to a number of factors, including being located in the CAZ, which accommodates 70% of the borough's jobs, and several unique economic clusters which are of sub-regional or national significance. These clusters include Tech City around Old Street; the Clerkenwell Design Cluster; **the Kings Cross-Moorfields Eye Hospital corridor which links the Kings Cross life sciences cluster/Knowledge Quarter' with Old Street;** and the Vale Royal/Brewery Road industrial cluster.*

10.40 Business floorspace in the glossary to the emerging local plan includes offices and research and development and other uses formerly within the B use class.

10.41 Policy B2 of the emerging local plan encourages a variety of business floorspace typologies around Kings Cross/York Way, including business space which meets the needs of SMEs. Spatial policy SP2 compliments B2 and considers a broad range of business floorspace typologies that are suitable within the Spatial Strategy area, including Grade A offices, hybrid space, and co-working space.

#### Proposed Uses Assessment

10.42 The proposal results in a part office (3,159.2sqm) and part research and development, as life sciences laboratory (4,950.5sqm) scheme. The submission details laboratories and write up spaces, and Containment Level 2 (cl2) laboratories, with open plan layout and of a nature that are typically found in university science environments.

10.43 The proposed introduction of a total of 4,950.5sqm of research and development use under Class E(g)(ii) would be compliant with the policy guidance in facilitating employment. Research and development floorspace is considered to be business use floorspace, and therefore its provision would be in accordance with the aims of the Employment Growth Area and a Priority Employment Location.

10.44 Both the adopted development plan and the emerging local plan don't distinguish between the priority given to business uses i.e. Office and Research and Development uses are both business uses which are encouraged in the CAZ.

10.45 The London Plan encourages life sciences research districts associated with MedCity, such as those around the Euston Road.

10.46 The proposals will provide optimised development within a highly central location to deliver additional high quality office and research and development space within the CAZ and an Employment Growth Area, which is compliant with London Plan Policies SD1, GG5, E4, E8 and local plan policies CS6, CS13, DM5.1 and emerging local plan policies SP2 and B2.

10.47 The proposals result in a minor reduction in the number consented retail units although the extent of floorspace is small (26.5sqm), and also in the restaurant/drinking establishment units

(572sqm), in order to accommodate revised servicing arrangements from York Way. In land use terms there is no objection to these reductions as the replacement floorspace is business use, split between office and research and development floorspace which is supported by the land use policy including the emerging local plan policy SP2 for the Kings Cross and Pentonville Road spatial policy area.

- 10.48 As a result of the proposed changes to land uses, the amended scheme is considered to remain in accordance with the aims of the development plan policy, purely in land use terms.

### **SMEs and Affordable Workspace**

#### Adopted Policy

- 10.49 The Core Strategy (2011) highlights the important role that micro and small enterprises play in Islington and how the provision of affordable workspace from new developments helps to accommodate small businesses in the borough (para 3.4.12).
- 10.50 Development Management Policy DM5.4 (part A) requires major development proposals for employment floorspace located within Employment Growth Areas and Town Centres to incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises.

#### Emerging Policy

- 10.51 In the Strategic and Development Management Policies, Policy B4 requires major development proposals within the CAZ and PELs, involving 1,000sqm or more gross B1(a) and/or B1(b) and/or general B1-use and/or a Sui Generis use akin to B1(a)/B1(b) floorspace must incorporate at least 10% affordable workspace (as a proportion of proposed B1(a) and/or B1(b) and/or general B1 and/or a Sui Generis use akin to B1(a)/B1(b) floorspace GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years. The Council will subsequently lease the space to a Council-approved operator.
- 10.52 Supporting paragraph 2.15 notes:

*The activities of the Knowledge Quarter could encourage and support development which Camden and Islington Councils could harness for employment opportunities for local residents. This could range from employment opportunities in Knowledge Quarter industries; placements, apprenticeships, training and skills development, to affordable workspace provision. Ensuring an adequate supply of business floorspace in the Spatial Strategy area will support the Knowledge Quarter. The Knowledge Quarter could also support the development and enhancement of a commercial corridor, in particular the provision of additional business space of various typologies, along Pentonville Road/City Road, down to Old Street and the City of London boundary.*

#### Assessment – Adopted Development Plan

- 10.53 The proposal to include the provision of additional Class E(g)(i) office and Class E(g)(ii) research and development floorspace within the Kings Cross Employment Growth Area and the Central Activities Zone (CAZ) is in line with the Council's objectives in promoting business and employment uses in this location.
- 10.54 Adopted policy DM5.4 (Size and Affordability of Workspace) states that within Employment Growth Areas, major development proposals for employment floorspace must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises. Emerging policy B4 (Affordable Workspace) seeks affordable workspace within the CAZ and the CAZ fringe spatial strategy areas on major development proposals

involving 1,000sqm or more gross B1(a) and/or B1(b) and/or general B1-use and/or a Sui Generis use akin to B1(a)/B1(b) floorspace.

- 10.55 Affordable workspace is also referenced within the London Plan Policy E3, which states that consideration should be given to affordable workspace, such as within the City Fringe around the CAZ.

#### Assessment – Emerging Local Plan

- 10.56 Emerging Local Plan policy B4 requires the provision of 10% of the uplift in floor area to be provided as affordable workspace, being provided on a peppercorn rent rate for 20 years. In response to this policy, it is proposed to provide affordable workspace in line with this guidance. It is therefore proposed to provide 388sqm (GIA) of floorspace, which represents 10% of the total uplift in floor area across both the Jahn Court and Times House and Laundry Building proposals as amended through the current minor material amendment applications. This floorspace is proposed to be provided wholly within The Hub building at 34B York Way and provided on a peppercorn rent rate for 20 years.
- 10.57 It is proposed to relocate and combine the as approved separate Affordable Workspaces under planning consents P2021/2269FUL and P2021/2270/FUL, into one Affordable Workspace at 34B York Way to provide 388sqm of floorspace. The affordable workspace was originally proposed to be combined and located within 34B York Way and was separated during the course of the application to de-risk the proposals in light of the resident interest to the scheme.
- 10.58 The combining of the spaces, whilst reducing the total overall provision across both schemes from 448.7sqm to 388sqm would continue to comply with the emerging local plan policy requirements by providing 10% of the approved uplift of floorspace across both applications, with 20 years of rent at peppercorn rate.
- 10.59 The council's Inclusive Economy Team are supportive of the combining of the Affordable Workspace into one space, and whilst there would be an overall reduction of 60.7sqm floorspace across the two applications, the IE Team consider that it would be easier to market, easier to operate, and there would be sustained Social Value delivery (i.e. no delay in waiting for new spaces to be completed).
- 10.60 Overall, the affordable workspace will provide valuable space within Regent Quarter as part of the Times House and Laundry Building proposals and also the Jahn Court proposals. Following discussions with the Inclusive Economy team, it is considered that by consolidating the affordable workspace in one location, there may be opportunity to further maximise social value. This therefore serves to increase the social value benefits and therefore increases the public benefits over and above those of the approved scheme. In conclusion, it is considered that the affordable workspace is compliant with adopted Policy DM5.4, emerging policy B4, London Plan Policy E3 and the NPPF.

#### **Class E restrictions**

- 10.61 The Town and Country Planning (Use Classes) Regulations were amended on 1<sup>st</sup> September 2020. The amended Use Class regulations omit the former Use Class B1 and introduces a new Use Class E, which encompasses office use, together with many other town centre use. The application proposes the introduction of Class E(g) (ii) Research and Development floorspace, enabling the use to be split between E(g)(i) Office use floorspace (40 percent of floorspace), and (ii) Research and Development (60 percent of floorspace).

- 10.62 It is considered that the proposed E(g)(i) and (ii) use floorspace should be restricted from converting to other uses outside of Use Class MA.
- 10.63 As such, conditions (**15** and **16**) are recommended to be reimposed to restrict the use of the Flexible Class E(g) use floorspace, and no other use within Class E of the Use Classes Order 2020. Should any other use be proposed to the building, this would require the submission of an application and appropriate supporting documentation.

### **Land Use Summary**

- 10.64 The proposed introduction of research and development floorspace, within the CAZ, and Priority Employment Location, is compliant with London Plan Policies SD1, GG5, E4, E8 and adopted local plan policies CS6, CS13, DM5.1 and emerging local plan policies SP2 and B2.
- 10.65 As outlined in the above assessment, the proposed provision Affordable Workspace which combines the consented Affordable Workspaces, is policy compliant and supported by the Council's Inclusive Economy Team as an improvement on the consented schemes.
- 10.66 As a result, the proposals are considered to accord with the aims of the adopted development plan policy, purely in land use terms.

### **DESIGN, CONSERVATION AND HERITAGE**

#### **Policy context**

- 10.67 The NPPF (2021) addresses the determination of planning applications affecting designated and non-designated heritage assets at paragraphs 194-203 which state, inter alia, that:
- 'In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary...'*
- 10.68 Local Planning Authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal...'
- 10.69 Paragraph 126 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.70 Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the Local Planning Authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of

the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

### **London Plan**

- 10.71 Policy D3 of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.72 In terms of design and heritage considerations, London Plan policy D3, part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions;
  - provide active frontages and positive reciprocal relationships between what happens inside the buildings and outside in the public realm to generate liveliness and interest;
  - respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
  - be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.
- 10.73 Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 10.74 Policy HC1 reads that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in this design process.

### **Local Plan**

- 10.75 The national and regional policies are supported locally by ICS Policy CS6 (Kings Cross) which states that much of the area has significant character value, contains a number of heritage assets and the area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings.

- 10.76 Policy CS8 of the Islington Core Strategy sets out the general principles to be followed by new development in the borough. Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.
- 10.77 Policy DM2.1 (Design) of the Islington Development Management Policies requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.78 Policy DM2.3 (Heritage) requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires new developments within Islington's conservation area settings to be of high quality contextual design, and the policy states that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part C of the policy states that the significance of Islington's listed buildings is required to be conserved or enhanced; new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted. Part E of the policy states that Non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance and that proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

#### Emerging Local Plan - Strategic and Development Management Policies

- 10.79 Policy PLAN1 (A) requires all forms of development to be of a high quality and make a positive contribution to local character, legibility and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. Part B of the policy requires development to be contextual, connected, inclusive, sustainable.
- 10.80 Policy SP2 King's Cross and Pentonville Road, part G states the Council will seek to improve connectivity and permeability for pedestrians and cyclists, within and across the Kings Cross area and nearby neighbourhoods, particularly east-west access. Removing barriers to movement and integrating the urban fabric are key priorities for the whole area, but particularly between the area east of York Way and King's Cross Central. Part J of the policy states King's Cross has a distinct character, and the area contains a number of heritage assets, including the Regent's Canal and a number of listed buildings. The area's character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings.
- 10.81 Policy DH1 (A) states that Islington supports innovative approaches to development as a means to increasing development capacity to meet identified needs, while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. In this context, an innovative approach is one that contributes to the delivery of the Local Plan objectives, including making the borough an inclusive and resilient place by ensuring the design of buildings meets contemporary standards, the needs of all users and mitigates against the impacts of climate change. Part D of the policy states that the Council will conserve or enhance Islington's heritage assets – both designated and non-designated - and their settings in a manner appropriate to their significance, including listed buildings, conservation areas, scheduled monuments, Archaeological Priority Areas, historic green spaces, locally listed buildings and locally significant shopfronts.

- 10.82 Policy DH2 of the of the SDMP part B, states that development within conservation areas and their settings – including alterations to existing buildings and new development - must conserve and enhance the significance of the area, and must be of a high quality contextual design. Part C states that Buildings, spaces, street patterns, views and vistas, uses and trees which contribute to the significance of a conservation area must be retained. The significance of a conservation area can be harmed over time by the cumulative impact arising from the loss of these elements which may individually make a limited positive contribution, but cumulatively have a greater positive contribution. Part D states that proposals that harm the significance of a listed building (through inappropriate repair, alteration, extension, demolition and/or development within its setting) must provide clear and convincing justification for the harm.
- 10.83 Part I of the policy states that non-designated heritage assets, including locally listed buildings and shopfronts, must be identified early in the design process for any development proposal which may impact on their significance. The Council will encourage the retention, repair and re-use of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset or their setting will generally not be permitted.
- 10.84 The Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.
- 10.85 The Kings Cross Conservation Area Design Guidelines (CADG) (2002), paragraph 21.2 identifies that the most important qualities of this conservation area deserving of protection and enhancement include: the contemporary impact of the railways; the variety and scale of buildings; the variety of uses, especially at ground level; the National Set Piece including the junctions with York Way and Caledonian Road, the Lighthouse block and the curve of Gray's Inn Road as it meets Euston Road. Paragraph 21.9 sets out that proposals involving alterations or extensions must respect the original design and period of the building including scale, roof and parapet line, proportions, architectural style and materials.
- 10.86 Historic England Advice Note 2: Making Changes to Heritage Assets (2016) and Historic England GPA3: The Setting of Heritage Assets (2<sup>nd</sup> edition) are also relevant.

### **Existing Site and Context**

- 10.87 The application site is located in a dense and fine grain urban quarter located to the east side of York Way, directly opposite the long eastern flank of the Grade I Listed Kings Cross Railway Station. It has a primary frontage onto York Way to the west with secondary frontages to Caledonia Street to the north, Caledonian Road to the east and Pentonville Road to the south.
- 10.88 The site is sensitively located. This southern block within which this application site is located sits entirely within the Kings Cross Conservation Area. It contains a listed building, 7 Caledonian Road, to its eastern edge and a number of locally listed buildings, including the Laundry Building, changes to which are proposed within the application.
- 10.89 Planning consent for significant levels of new build and alterations was granted in December 2022 under consent ref: P2021/2269/FUL. The applicant now seeks to change the predominant use from general offices to life sciences. In order to effectively accommodate this new use, the consented scheme requires some minor physical modifications and adaptations.

### Proposals:

- 10.90 The proposals include the following external alterations:



- The Caledonia Street façade of Times House has been modified to accommodate the proposed internal vehicular loading bay.
- A new strobic flue is proposed to be located at rooftop level. The proposed labs use requires an additional strobic fan which will be located at L05, in the lower roof plant area. The fan has been located in this position at the centre of the floor plan to ensure that there is no visibility from key street views. The lower plant screen has not been increased in height, however the new strobic fan flue does extend slightly above the plant screen. The fan flue is not visible in the key street study views. To accommodate the new strobic fan, an adjustment to the building envelope line has been made - to slightly reduce the internal floor area, and slightly increase the external plant area without changing the overall massing of the proposal.
- New goods lift overrun.
- Minor adjustments and increase in height to the proposed upper plant screen, resulting in a 500mm step in the south-west corner of the upper roof plant screen to accommodate the revised roof plant layout.
- A 330mm increase in upper plant screen height. This increase has been positioned at the centre of the building to minimise visibility in the key street views.

10.91 The external amendments outlined above are indicated in images 13 to image 17.



**Image 13 – Aerial CGI - Approved**



**Image 14 - Aerial CGI - Proposed**



**Image 15 – Approved vs Proposed – North Elevation (Caledonia Street)**



**Image 16 – Approved vs Proposed – West Elevation (York Way)**



**Image 17 – Approved vs Proposed – South Elevation**



**Image 18 – View 10 Comparison - As approved Rendered Verified View 10 - View looking south east from Caledonian Road vs CGI of proposed scheme**



**Image 19 – Comparison - Rendered Verified View 11 from Euston Road/St Pancras Road – Approved vs Proposed**

### **Assessment of proposals**

- 10.92 The proposal seeks a series of minor alterations to the approved scheme in relation to the introduction and facilitation of life sciences/research uses within the scheme.
- 10.93 As well as a change of use to research and development (Class E(g)(ii)) the application seeks a new flue at roof level, minor alterations to the rooftop plant enclosure including minor increase in height, alterations to facades, new serving entrance onto Caledonia Street, some reconfiguration of the food and drink and retail units at ground floor, and the relocation of affordable workspace to 34B York Way.
- 10.94 The designs remain of a high architectural quality and the changes so minimal as to not disrupt the quality and composition of the overall proposal whilst being barely perceptible.

#### Height, bulk and mass

- 10.95 There are several alterations to the positioning and form of the plant screen. Such changes have come about in order to accommodate the lift overrun of a new internal goods lift which has also resulted in a slight adjustment to the building envelope, and to accommodate the change in plant requirements associated with the proposed change of use from general office use to life science lab enabled use.
- 10.96 One of the proposed increases in the height relates to a small area of plant screen which is raised by 330mm. It is, however, positioned to the centre of the urban block.
- 10.97 The other area of proposed increase to the height of the plant screen is to the south west corner of the upper roof plant screen whereby part of the screen is proposed to have a stepped increase in height of 500mm. Given the scale of the development, these two instances of plant screen increase are considered to be imperceptible and therefore acceptable.
- 10.98 A new strobic fan, accommodated within a proposed flue, is also required to enable the research and development use, the upper extent of which is to sit minimally above the proposed plant screen. This new protrusion sits at roof top level and increases the height in this specific location by a further 1.7m. However, the proposed flue has been sized and positioned to minimise impacts on key street views and on views from neighbouring residential windows, being positioned toward the centre of the block. It does however have a more perceptible visual impact compared to the other proposed changes in height and while it does not improve the overall design quality of the

scheme, it is not considered sufficiently visually prominent and therefore harmful to warrant a refusal.

- 10.99 A final proposed increase in height is to the deeply recessed 5th floor, to the Caledonia Street edge, whereby a small area is increased in height by approximately 1.2m to accommodate the new goods lift shaft overrun. This new structure sits well within the body of the scheme and does not protrude into or above a roof ridge height. It is the least visually impactful of the proposed changes to height and massing and is considered acceptable.
- 10.100 Thus while there will be some modifications to the roof form and heights of the scheme, required to accommodate the change of use to lab enabled spaces, such changes to the height, bulk and massing are considered to be minimal and will not materially detract from the architectural quality or integrity of the consented scheme.

#### Elevational treatment

- 10.101 The elevations for the approved proposal have been retained with minimal change. Some minor adjustments to the ground floor frontages are proposed to accommodate the revised internal ground floor layout, increased ventilation requirements to the basement, and a revised servicing.
- 10.102 Whilst there has been a reduction in the amount of retail and flexible food and drink/sui generis bar units at ground floor level, there has been a relatively minimal impact in terms of active frontages, with the research and development uses at ground floor providing active frontages and visual interest in public views, and more 'back of house' research and development uses sited away from public view. The exception to this is the loss of the retail frontage to Caledonia Street and the introduction of the vehicular service entrance into the site to accommodate an 'off street' loading bay. By introducing a vehicular movement across the public pavement this introduces a fragmentation at ground floor level and diminishes the quality of the public realm.
- 10.103 The amendments also affect the ground floor windows to the early 20<sup>th</sup> century building onto Caledonia Street, to its secondary façade facing onto the internal courtyard. The proposed replacement windows are however of a high quality design, in keeping with the industrial and commercial character of the conservation area.
- 10.104 The introduction of the servicing bay to the Caledonia Street edge is considered, from a design perspective, to be the only controversial amendment given the impact it has on the amenity of the public realm at street level. The new opening has however been kept to a minimum and will be largely 'closed', gated off. Whilst it cannot be considered an improvement to the scheme given it introduces vehicular movement across the public realm, it is not considered sufficiently harmful to warrant a refusal. It too is needed to facilitate the new use on the site.

#### Impact on heritage assets

- 10.105 This submission includes an addendum to the previously submitted heritage statement. This suggests that there would be no additional impact to designated heritage assets as a result of the proposed changes. However the presence of the flue would result in a minor increase in heritage harm given it protrudes at roof top level. But the degree of visibility is not so impactful as to cause substantial harm.
- 10.106 The impacts of the original consent were assessed by the Council's Conservation Officer who concluded that the changes were considered to cause less than substantial harm to the setting of heritage assets.

10.107 Given the very minor nature of the current changes to the buildings' envelopes and forms, this advice remains unchanged - i.e. that the changes cause less than substantial harm to the setting of heritage assets.

#### Public Realm

10.108 There are no material changes to the approved public realm works by this amendment application. The public realm improvements proposed within the consented office scheme are still being proposed as part of this current scheme. It is acknowledged that there has been a minor reduction in the number of commercial units proposed within the Laundry Yard. However, this is still considered to be a significant improvement over and above the existing arrangement. Frontages on Caledonia Street and within the Courtyard will also continue to be activated by lab frontages and the commercial units on the ground floors to these spaces.

10.109 Condition (29) requiring details of the public realm improvements is proposed to be reattached on any grant of consent to continue to secure these public benefits.

#### Design and Heritage Conclusion

10.110 The primary issue of concern is the introduction of the service route off the Caledonia Street edge in order to accommodate an onsite internal loading bay. This is regrettable given the break in the more active street frontage and the introduction of vehicular traffic across the public pavement.

10.111 The other issue is the protrusion of the new flue to accommodate specialist plant to enable the new use to take place which introduces new height and mass at roof level. However, given the very minor nature of the other changes proposed, which do not harm the design integrity of the scheme, and that have come about in response to the proposed change of use from general office to life science lab enabled use, there are no substantial design objections to this S73 proposal.

10.112 Due to the minor scope of the proposed external amendments from those consented by the original scheme, the public benefits outlined in the previous scheme remain, with the addition of greater social value through the relocated and combined Affordable Workspace. In addition, additional tree planting is proposed on streets close to the site, to be secured via legal agreement. Therefore the balancing exercise undertaken in the officer assessment for the original scheme remains, and any perceived heritage harm, is again outweighed by the public benefits which weigh in favour of the revised scheme.

10.113 Therefore, the proposed development complies with the National Planning Policy Framework 2021, policies D3, D4 and HC1 of the London Plan 2021, policies CS8 and CS9 of the Islington Core Strategy 2011, and policies DM2.1 and DM2.3 of the Development Management Policies 2013 and emerging policies PLAN1, SP2, DH1 and DH2. The development also adheres to the guidance in the Islington Conservation Area Design Guide and the Urban Design Guide 2017.

10.114 A condition has been attached on the original grant of consent relating to materials (3) and this is proposed to be reimposed on any grant of consent.

#### **INCLUSIVE DESIGN**

10.115 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides. Further,

it supports and promote the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.

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

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

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

10.118 Policy PLAN1 requires development to be *'Inclusive – development must be adaptable, functional and resilient, and able to respond to the spatial, social and economic needs of the borough's increasingly diverse communities and their different and evolving demands. This includes sustaining and reinforcing a variety and mix of uses in line with any relevant land use priorities of the Local Plan.'*

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

10.120 The Council's Inclusive Design Officer has been consulted on the inclusive design principles of the proposal. The officer initially raised queries relating to the provision of accessible WC and circulation space.

10.121 The proposals result in the removal of the WCs at fourth floor from the consented scheme as part of the internal layout changes and changes of use. The amended plans indicate solely lab space as research and development use floorspace at fourth floor and solely office use floorspace at fifth floor which retains both WCs and accessible WCs. This matter has been raised with the applicant who has confirmed that whilst WCs are not included in lab spaces, they are located in the office spaces that serve the labs space. Therefore, the lab space at fourth floor is served by the office write-up space at fifth floor. It is understood that this has been agreed with the applicant's Access Consultant and the provision of WCs has been agreed with the applicant's Building Control. On this basis, given the shared usage of the lab and office floorspace by the same occupiers, the proposed WC provision is not considered to raise conflict with policy.

10.122 During the course of the application responses have been received to address comments from the Inclusive Design officer. Following responses received from the applicant the officer has

confirmed their acceptance of the proposals subject to amendments to the wording of the existing condition (25) to secure a small number of outstanding matters as follows:

- Turning spaces within lab and office space
- Locations and details of kitchenette provision
- Details of signage and internal wayfinding
- Details of all ramp gradients and handrails

10.123 Following responses received from the applicant, the proposals are considered to be acceptable subject to the amended condition (25) to secure points of clarification to comply with the principles of Inclusive Design.

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

### **NEIGHBOURING AMENITY**

10.125 Paragraph 130 of the National Planning Policy Framework (July 2021) states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.

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

10.127 Policy DM2.1 of the Development Management Policies Document (2013) identifies that satisfactory consideration shall be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.

10.128 Emerging Policy PLAN1 part B (i) identifies that a good level of amenity must be provided, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

10.129 The closest residential properties which could potentially be affected by the development are shown on the map below (numbered and coloured green), including:





**Image 20 - Map from Point2 Surveyors showing the site and the surrounding residential properties (Numbered)**

- 6 Premier Inn;
- 7 Joiners Yard;
- 8 13-17 Caledonian Road;
- 9 1-11 Caledonian Road;
- 10 Residential Flat above The Fellow, Public House, 24 York Way;
- 11 6-8 York Way;

### **Daylight, Sunlight and Overshadowing**

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

where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

#### BRE Guidance: Daylight to existing buildings

10.133 The BRE Guidelines stipulate that... “the diffuse daylighting of the existing building may be adversely affected if either:

- The VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value; and
- The area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).

10.134 At paragraph 2.2.7 of the BRE Guidelines it states: “*If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building... any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.*” The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.

10.135 At paragraph 2.2.10 the BRE Guidelines state: “*Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside*”.

10.136 Paragraph 2.2.13 states: “*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*” The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

10.137 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is “in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

#### BRE Guidance: Sunlight to existing buildings

10.138 The BRE Guidelines (2022) state in relation to sunlight at paragraph 3.2.11: “If a living room of an existing dwelling has a main window facing within 90 degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected”.

10.139 This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours during the winter months between 21 September and 21 March and;
- Receives less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.

10.140 The BRE Guidelines state at paragraph 3.1.6 in relation to orientation:

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

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

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

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

#### BRE Guidance: Overshadowing

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

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

#### Assessment

10.145 The daylight and sunlight impacts of the scheme consented under planning permission ref: P2021/2269/FUL were presented by Point2 Surveyors and were accepted. The applicant has submitted a Daylight and Sunlight Addendum report with this amendment application. These have also been prepared by Point2 Surveyors dated 3 February 2023 to reflect the proposed amendments to the consented scheme.

- 10.146 The Daylight and Sunlight Addendum report provides comparable VSC and NSL results tables for the Consented Scheme against the Proposed Amendments.
- 10.147 The addendum report and appendices continues to consider the impacts of the proposed development on the on buildings with a reasonable expectation of daylight, in accordance with the Building Research Establishment (BRE) guidelines.
- 10.148 The addendum report considers the impact on the same properties as the assessment for the consented scheme. The properties are as follows:
- 6 Premier Inn (Hotel building of five storeys).
  - 7 Joiners Yard; (Residential building of five storeys).
  - 8 13-17 Caledonian Road; (Mixed use building of four storeys with residential on upper floors)
  - 9 1-11 Caledonian Road; (Mixed use building of four storeys with residential on upper floors)
  - 10 Residential Flat above The Fellow, Public House, 24 York Way; (At fourth floor)
  - 11 6-8 York Way; (Mixed use building of four storeys with residential on upper floors)
- 10.149 Images and window maps for the impacted properties were included as part of the assessment in the officer's report for the consented scheme ref: P2021/2269/FUL. Given the minor nature of the external alterations proposed by the amendment application, it is considered not necessary to repeat the images and window maps as officers and members are familiar with these properties, and can refer to the details in the report for the consented scheme. A copy of the committee report addendum is attached at **APPENDIX 4**.

### **Impacts to Daylight**

- 10.150 The comparable results between the consented and amendment schemes indicate minor differences to the VSC and NSL results. The largest additional increase in percentage Loss for VSC is 0.11%. The largest additional increase in percentage Loss for NSL is 0.3%. These levels of change, being the maximum, would not result in material change from the consented scheme. The increases would not result in any windows suffering a breach of the BRE guidelines which did not previously breach the BRE guidelines. The tables are attached to this report at **APPENDIX 3**. Therefore there is no material change in the impacts to daylight and as a result the conclusions reached in the Consented Scheme Report remain the same for the proposed scheme.

### **Impacts to Sunlight**

- 10.151 The results for the APSH results indicate no changes from the consented scheme. Therefore there will be no additional sunlight impacts from the consented scheme to the proposed scheme and as a result the conclusions reached in the Consented Scheme Report remain the same for the proposed scheme.

### **Overshadowing**

- 10.152 In the assessment for the consented scheme six (6) plots of open space and 1 space within the application site have been identified and assessed by the Applicant. All of these spaces, which are located to the rear of buildings they serve, would meet BRE guidance, whilst one space to the rear of 1-15 Joiners Yard would see a minor increase in sunlight on the ground of 1%, however this appears to be a hard surfaced car park to this building.
- 10.153 Given the minor scope of the amendments, there would be no additional overshadowing impacts from the proposed scheme.

## **Daylight and Sunlight Summary**

10.154 Officers note that the consented scheme acts a significant material consideration and in this case, and there are no material impacts to the nearest residential properties from the proposed scheme beyond those accepted by the consented scheme. In the assessment for the consented scheme officers noted that there would be minimal impacts to neighbouring amenity in terms of impacts on daylight and sunlight. Therefore the latest application is considered to have demonstrated that an acceptable level of amenity would be maintained to the surrounding properties with respect to levels of daylight, sunlight and overshadowing.

## **Overlooking**

10.155 The supporting text to IDMP Policy DM2.1 states at paragraph 2.14 that 'to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy'. In the application of this guidance, consideration has to be given also to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.

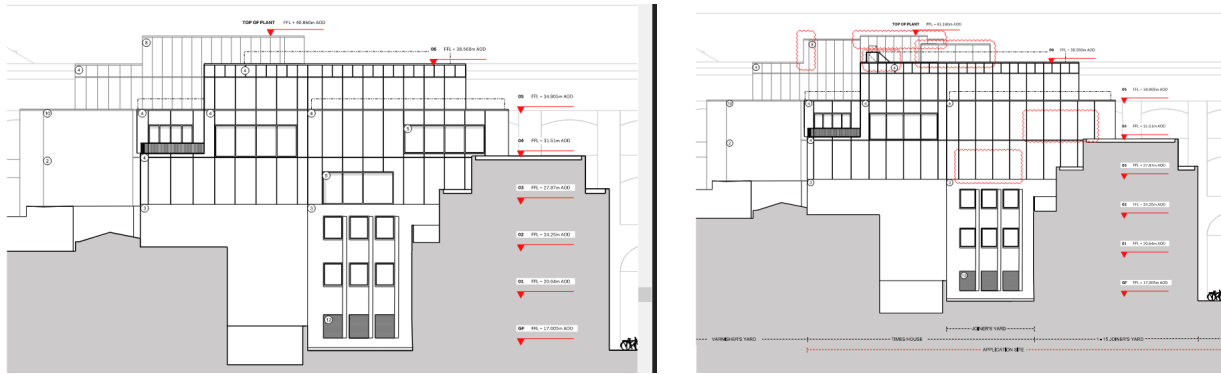
10.156 The supporting text to emerging Local Plan policy PLAN1 states at paragraph 1.67 that 'Consideration of various potential amenity impacts is a key aspect of this design principle; this includes: ensuring a minimum distance of 18 metres between windows of habitable rooms, to protect privacy for residential developments and existing residential properties. This does not apply across the public highway, as overlooking across a public highway does not constitute an unacceptable loss of privacy.'

10.157 Paragraph 2.3.36 of the Mayor of London's Housing SPG states that such minimum distances "can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density". This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor's guidance does not override Islington's Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.

10.158 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m requirement does not apply to itself. Nevertheless, there is potential for office research and development windows to adversely affect the privacy of neighbouring residential properties.

10.159 In the officer assessment of the consented scheme, it was noted that the existing windows on the eastern elevation of the Times House building already overlook the rear windows of the neighbouring occupiers at 8-15 Joiners Yard to some degree due to windows at ground to third floor level and officers note the existing angle of view is at an acute angle between these existing windows and Joiners Yard. This is because the windows at Times House face in an easterly direction whereas the windows at Joiners Yard face in a southerly direction.

10.160 The proposed amendments to the consented scheme, results in minor alterations to the consented façades. The amendments include a reduction in the proposed windows on the eastern elevation of Times House at fourth and fifth floors. This results in a reduction the number of windows facing towards the adjoining building at 10-15 Joiners Yard.



**Image 21 – Eastern Elevation of Times House – Consented vs Proposed**

10.161 There are no other physical changes and the relationship between the consented scheme and surrounding residential properties with regards to overlooking remains otherwise unaltered.

10.162 The proposal to partially change the use of 60 percent of the floorspace from office floorspace to life sciences as research and development use floorspace, is not considered to result in a material change in the intensity of the use of the building, as to have an impact in regards to overlooking or privacy.

#### Roof Terraces

10.163 The amended scheme retains the consented roof terraces at first and fifth floors, removes the consented roof terrace at fourth floor to be replaced with a green roof.

10.164 Therefore, the changes to the consented scheme do not result in an increase in overlooking or loss of privacy to the surrounding properties. As a result, the conclusions in the assessment of the consented scheme for neighbouring amenity impacts with regards to privacy and overlooking remain the same as for the amended scheme.

#### **Outlook**

10.165 The proposed amendments to the consent scheme result in minor and small scale additions at roof top level as indicated by the comparison drawings at images 15 to 17 in this report. Therefore, the proposals are not considered to result in a materially harmful impact on outlook to residential amenity, beyond that approved by the consented scheme. The consented scheme was not considered to pose unacceptable harm to the adjoining neighbours in terms of outlook and perceived sense of enclosure, and would not lead to an overbearing or over dominant impact given the scale of the additional height, bulk and massing on the existing building and the relationship to the neighbouring properties. Therefore officers conclude that the proposed amendments to the consented scheme do not alter this assessment and the proposals are therefore acceptable in this regard.

#### **Environmental and Public Health Impacts**

##### **Mechanical Noise**

10.166 Adopted Local Plan Policy DM2.1 states development should not have an adverse impact on amenity in respect to noise and disturbance.

10.167 Emerging Local Plan Policy PLAN1 also states development should provide a good level of amenity including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise).

- 10.168 Conditions have been attached on the original grant of consent relating to plant equipment (**11 and 12**) and these are proposed to be reimposed on any grant of consent.
- 10.169 Mechanical plant proposed at rooftop level and concerns have been raised by neighbouring residents regarding the new proposed strobic fans at roof level, and their operating hours.
- 10.170 A Noise and Vibration Impact Assessment by Hoare Lea has been submitted to support the proposals in terms of noise in general, including noise from plant. The report sets out mitigation measures which ensure that the proposed plant would meet LBI's noise standards, operating at 5dB below background noise levels both during day-time and night-time hours. The plant would operate around the clock, which would be necessary for the operation of the life science use. The report outlines that during night-time hours (23:00 to 07:00), only one of the three ASHPs will be operating.
- 10.171 The Council's Acoustic officer has been consulted on the application and has not raised any objections, noting the conditions attached on the original grant of consent relating to plant equipment (**11 and 12**) are proposed to be reimposed on any future grant of consent.
- 10.172 Therefore the noise emitted from the proposed plant is not considered to result in an adverse impact on residential properties.

### **Construction Impacts**

- 10.173 In February 2023, the applicant submitted an approval of details application ref: P2023/0471/AOD for the Approval of Details pursuant to conditions 5 (Construction and Environmental Management Plan), 30 (Network Rail - construction methodology), 31 (Network Rail - ground investigation), and 32 (Scheme for the protection of retained trees) of planning permission Ref: P2021/2269/FUL dated 20/12/2022.
- 10.174 Consultation has taken place with relevant officers including Environmental Health Officers, Tree officers and Highways officers. At the time of the writing of this report, minor clarifications are required regarding streetworks, prior to the discharge of these pre-commencement conditions. The trees which were removed from York Way to facilitate construction works were semi-mature and the replacement trees are therefore also required to be semi-mature and with a minimum girth of 20-25mm. The details of the replacement trees are secured as a planning obligation in the s106 agreement to be attached to the grant of consent for the amended scheme.

### **Air Quality Impacts**

- 10.175 The London Plan Policy SI1 sets out requirements for developments to be air quality neutral. The purpose of the London Plan's requirement that development proposals be 'air quality neutral' is to prevent the gradual deterioration of air quality throughout Greater London.
- 10.176 An air quality assessment has been submitted and the Environmental Pollution Policy and Projects (EPPP) Officer has been consulted.
- 10.177 Concern has been raised by a resident over the conclusion of the Air Quality Report. The Air Quality Assessment that has been submitted as part of the S73 application details that the fume cupboards that are proposed to be installed will be designed to British Standards to ensure that any emissions will not have an adverse impact to neighbouring residents in terms of air quality and odour.

10.178 The Council understand that the incoming tenant/s is not yet confirmed, so it is not possible to undertake any modelling assessments at this time but as identified in the Air Quality Assessment, the potential impacts will be limited to comply with British Standards.

10.179 The applicant has confirmed that the R&D units are designed to Containment Level 2 (CL2) standards, which is used for low to medium risk biological research & development. The applicant has provided the following wording providing more detail with regard to CL2 labs:

*“For the untrained eye commercial CL2 laboratories are akin to a typical university grade lab in terms of look and feel. Open plan in nature, with smaller specialist rooms for housing equipment such as microscopes. Other than task specific PPE, generally no other specialist personal safety equipment is necessary to enter most CL2 labs. Although in most cases visitors would be expected to be accompanied by trained lab personnel who are familiar with the standard operating procedures of a laboratory.*

*One of the key criteria for CL2 laboratories is the specification of materials used for floor coverings, wall and benching that are designed to withstand the effects of spillages from liquids and agents typically used in a laboratory environment.*

*Like office buildings, there is a need for filtering and recycling ‘dirty’ air for fresh air on a continuous basis to extract unwanted odours. For CL2 laboratories this can be up to 8 times that of office air changes with additional ‘carbon’ filters.*

*Building support infrastructure is tailored somewhat to laboratories, usually by introducing goods lifts for the safe and contained movement of materials through the building.*

*There are no special requirements for items such as ‘air tightness’ of the building fabric above those standards set out by UK government building regulations.*

*General health & safety in laboratories is governed by the UK Health & Safety at Work Act, including the specific sub clauses around handling of materials and COSHH.”*

10.180 As stated above, all CL2 labs are governed by various UK/British standards, and as confirmed previously, the fume cupboards would mitigate emissions in line with British Standards.

10.181 Following this clarification over the containment level CL2, the EPPP officer has commented that the Council’s approach is to look at the potential impacts for nearby receptors. There is no confirmation of the potential pollutants from the lab use or assessment. There is no assessment of the potential for fumes/odours from the lab use. Laboratories are classified by the containment level. The containment requirements are defined by the biological agents and hazards, genetically modified organisms, animals and plants involved in the work. The applicant has stated that the “R&D units are designed to Containment Level 2 standards”. Containment level 2 (CL 2) is used for work with medium risk biological agents and hazards, genetically modified organisms, animals and plants. With the lack of information provided it is requested that an additional condition is attached requiring a full assessment of the impacts prior to any occupier taking over the laboratory use. The Condition requires an air quality report assessing the impact of the laboratory use to be submitted and approved prior to the laboratory use commencing on site. This condition is attached at **45**.

10.182 It is suggested that a subsequent planning condition can be attached to the planning permission to require an assessment to be undertaken once the tenant and uses are known and for this information to be assessed and approved by the Council prior to the occupation of the building.



10.183 In summary, the Council's EPPP officer has requested a condition requiring further details to be submitted prior to occupation of the research and development floorspace. The details are secured by condition **(45)**.

### **Public Health**

10.184 A resident has raised concerns regarding an increased public health risks of a laboratory in close proximity to residential units.

10.185 Officers have consulted extensively with the Council's Environmental Health department including the Council's Public Health Strategist. The Council's Public Health Officer has confirmed no objection to the proposals, acknowledging that 'all laboratory premises will be subject to strict industry operational standards' and that it would be adherence to these standards that would be required to protect public health. The Environmental Health department has not raised any objections with regards to impacts on public health from the proposed life sciences use.

10.186 The applicant has confirmed that the laboratory units will be designed to CL2 standards, and that all CL2 labs are governed by various UK/British standards. The proposed fume cupboards would mitigate emissions in line with British Standards. As discussed earlier in this assessment conditions are attached requiring further details regarding air quality, prior to occupation.

10.187 Considering the above, it is not considered that there would any risk to public health as a result of emissions emitted from the proposed use.

### **Roof terrace**

10.188 The scheme retains the consented roof terraces at first and fifth floor levels and the conditions regarding a noise management plan **(36)**, and hours of use **(14)** are reimposed.

### **Light Pollution**

10.189 The proposal would not alter the commercial nature of the site; however, the proposal raises the possibility of night time light pollution occurring, should staff from the life science and office use floorspace need to work outside normal office hours.

10.190 The cumulative impact is likely to be greater than existing and therefore, it is considered that adequate measures would need to be in place to mitigate any adverse light pollution impact.

10.191 A comment from neighbours raises concerns relating to light pollution. A planning condition requiring details of proposed measures to mitigate light pollution from the buildings was included in the original office planning permission, and the same planning condition would be carried over to any future grant of consent at condition **(7)**.

10.192 The applicant has confirmed that the typical internal lighting levels as part of a life sciences scheme would be the same as proposed within the office scheme, and therefore it is not expected that there would be any difference in impact compared to the office use. The Council's EPPP officer has been consulted on this issue and has not raised any objections, subject to the reimposition of the lighting strategy condition. It is not expected that as part of a typical research and development use that there would be any impact on residents in terms of UV light and lasers.

10.193 Notwithstanding this, to address this, condition **(7)** is recommended to be reattached for details of measures to adequately mitigate light pollution. The measures which could be used include

automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors.

- 10.194 It is considered that any proposed measures would need to ensure the extent of light being used within the building is reduced and would help minimise any impact on neighbouring properties, and address any light pollution concerns.

### **Neighbouring Amenity Summary**

- 10.195 Subject to the conditions set out in this report and reattached from the consented scheme, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity.

### **BIODIVERSITY, LANDSCAPING AND TREES**

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

- 10.197 Policy CS15 of the Islington Core Strategy and policy DM6.5 of the Islington Development Management Policies reads that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits. Part C of the policy requires new-build developments, and all major applications, to use all available roof space for green roofs, subject to other planning considerations.

- 10.198 Emerging Local Plan Policy G5 requires proposals to use all available roof space to incorporate biodiversity-based extensive green roofs, and developments involving the extension of existing buildings must seek to retrofit extensive green roofs on existing roof areas where feasible, in addition to providing green roofs on the extension.

- 10.199 The existing building has no green coverage or soft landscaping, and the existing trees in the courtyards are to be retained. Therefore, it is judged that the proposal would not adversely affect the existing natural environment. The consented scheme included green and blue roofs, proposed under and around the PV panels to form a bio-solar roof, and were considered to enhance the biodiversity and ecological value of the building with details secured by condition (6) which would be retained on any subsequent grant of consent.

- 10.200 The revised proposals retain the blue roof on the approved roof plan - lower, and the bio-solar green and blue roof at rooftop level from the consented scheme with minor changes to the extent due to the strobic flue enclosure. The amendments to the scheme include the addition of a green roof at fourth floor would off-set any reduction in the extent of green roof at rooftop level. The amended provision of green roofs is considered to remain acceptable and policy compliant.

### Urban Greening Factor

- 10.201 The London Plan 2021 has introduced an Urban Greening Factor assessment required by Policy G5 (Urban greening) which states that all major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design and by incorporating measures such as high-quality landscaping (including trees), green

roofs, green walls and nature -based sustainable drainage to increase the overall urban greening factor of sites. The policy also expects councils to develop their own urban greening factor.

- 10.202 Emerging Local Plan policy G1 (Green infrastructure) states that major developments are required to conduct an Urban Greening Factor (UGF) assessment in accordance with the methodology in the London Plan. Schemes must achieve an UGF score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominantly commercial development.
- 10.203 Currently the building has minimal ecological activity, with existing trees in the yards providing the only source of greening. The proposals amount roof extensions, infill extension and refurbishment of the existing building. The consented scheme includes the addition of a green roof across much of the new rooftop which is retained in the amended scheme.
- 10.204 For the consented scheme, the Sustainability Officer accepted that the site's physical and heritage constraints prevent the UGF from increasing beyond 0.16 towards the required 0.3 rating. This was accepted due to opportunities for greening having been maximised in what is predominantly a refurbishment scheme in a sensitive heritage location. In addition to the retention of all existing ecological features and the provision of a green roof, there will be other ecological features created, such as bird, bat and invertebrate boxes.
- 10.205 The external amendments to accommodate the additional life sciences use are minor, and largely retain the consented built form, with a requirement for additional plant equipment. Therefore the amendments do not present any opportunities to increase in the score which was accepted on the consented scheme.
- 10.206 Conditions have been attached on the original grant of consent relating to green/blue/brown roofs (6) and bird and bat boxes (9) these are proposed to be reimposed on any grant of consent.

## **ENERGY AND SUSTAINABILITY**

- 10.207 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 152, under section 14. '*Meeting the challenge of climate change, flooding and coastal change*', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 10.208 The NPPF para 157 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 10.209 London Plan policy GG6 seeks to make London a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of

water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.

10.210 Policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.

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

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

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

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

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

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

10.216 Policy S1 (Delivering Sustainable Design) of the emerging local plan requires development to ensure sustainable design will reduce fuel poverty, and improve long term energy security for Islington residents and businesses; minimise the contribution of development in Islington to

climate change and ensure that developments are designed to mitigate the effects of climate change.

- 10.217 An Energy statement Energy Statement Responses to Planning Comments 18 October 2021; has been agreed and approved for the consented scheme, some minor clarifications secured by condition relating to potential improvements to energy efficiency specifications, potential increase to solar PV capacity and details regarding solar PVs.
- 10.218 During the course of the application, the applicant has submitted an updated Energy Statement prepared by Norman Disney & Young, with the purpose of addressing the policy requirements referenced above. In responding to comments from the Council's Energy officer further updates have been submitted, with the final response dated 15 June 2023.

### **Carbon Emissions**

- 10.219 The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013. The Energy Statement states that the proposed development achieves a reduction of 31.0% estimated against a Part L 2013 Baseline. This falls short of the London Plan target.
- 10.220 At local level, the council requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible.
- 10.221 Based on SAP10 carbon factors, a saving of 22.2% on total emissions is estimated. This falls short against the council target, although it is noted that refurbishment of existing buildings represents a significant part of the development.

### **Zero Carbon Policy**

- 10.222 As noted earlier, policy SI 2 of the London Plan stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.223 The Council's Environmental Design SPD states that "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.
- 10.224 The energy statement quotes an offset contribution of £490,485 based on residual regulated emissions of 137.5 tonnes and the London Plan offset rate of £2,850 per tonne. This compares to the original estimated offset contribution of £145,176.
- 10.225 The Carbon Offset contribution of £490,485 has been agreed and confirmed by the Council's Energy Officer and is secured via a new S106.

### **Overheating and Cooling**

- 10.226 Part A of policy DM7.5 of the Islington Development Management Policies requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by meeting standards in the latest CIBSE (Chartered Institute of Building Service Engineers) guidance.
- 10.227 Updated thermal modelling has been carried out. This shows the development passing all the overheating criteria, based on an assumption of active cooling installed. Information on hours not meeting the criteria for the equivalent building without cooling is provided in the appendix. The Council's Energy Officer has accepted that no further information is required at this stage.
- 10.228 Council policy states "Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control".
- 10.229 A discussion of the cooling hierarchy, covering areas such as minimisation of internal heat gains, mechanical ventilation and glazing g-values, was previously provided. The Energy Officers will comment further once updated thermal modelling has been provided as secured by condition (23).

#### **BE LEAN- Reduce Energy Demand**

- 10.230 Part A of policy DM7.1 states "*Development proposals are required to integrate best practice sustainable design standards (as set out in the Environmental Design SPD), during design, construction and operation of the development.*" It further states that "*developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy*".
- 10.231 The proposed U-values for the development are new walls = 0.20; existing walls = 0.24-0.65 at Times House and 0.71-0.90 for Laundry Building, new roof = 0.16, existing roof = 0.22-0.23 and floors = 0.70. The proposed U-values for windows are new = 1.60, with retained windows at Times House = 2.10-3.30 and at Laundry Building = 1.80-2.80.
- 10.232 An air permeability of 5m<sup>3</sup>/hr/m<sup>2</sup> is specified for new-build areas at Times House, with 10m<sup>3</sup>/hr/m<sup>2</sup> anticipated for retained areas at Times House, and 25m<sup>3</sup>/hr/m<sup>2</sup> anticipated for the Laundry Building. Since mechanical ventilation with heat recovery is proposed, we recommend that further improvements in air permeability for Times House and the Laundry Building are investigated.
- 10.233 Lighting controls include absence detection and daylight dimming are proposed. The luminous efficacies shown represent an improvement on those mentioned at the time of the original application.
- 10.234 This falls short against the GLA's 15% energy efficiency target for non-residential – although the Council's Energy Officer notes the limitations imposed by the refurbishment elements of this project, and suggests investigating any further potential improvements to the other energy efficiency parameters.

10.235 The applicant subsequently proposed a number of improvements to the energy efficiency specifications, focusing primarily on building services specifications, but haven't yet remodelled the carbon emissions in line with these, which would be secured by condition (23). However given the nature of the developments and the refurbishment elements, the officer considers that any further improvements to the efficiency specifications, beyond what has just been proposed, are likely to deliver only limited benefits. Therefore this has been accepted by the Council's Energy Officer.

10.236 The remaining outstanding energy matters are secured by condition (23).

### **BE CLEAN- Low Carbon Energy Supply**

10.237 London Plan Policy 5.6B states: B Major development proposals should select energy systems in accordance with the following hierarchy:

1. Connection to existing heating or cooling networks;
2. Site wide CHP network;
3. Communal heating and cooling;

10.238 At the initial stage of the original application, the development was identified as being close to both the Somers Town Heat Network and the Kings Cross Heat Network. However, evidence at the time suggested that an immediate connection to a network was not feasible – and the situation has not changed significantly. Therefore, the Energy Officer has no further requirements relating to any immediate network connection.

10.239 Space heating and cooling will be provided to the development via air source heat pumps serving fan coil units and centralised ventilation, plus radiators in toilet areas.

10.240 Domestic hot water will be provided to Times House via an air source heat pump system, while point-of-use electric heaters will be provided to the upper floors of the Laundry Building.

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

10.242 The energy statement does not propose connection to a network, as per the reasons outlined in the previous section.

#### Site-wide communal system/network and design for district network connection

10.243 London Plan Policy 5.6C states “where future network opportunities are identified, proposals should be designed to connect to these networks.” Council Policy DM7.3A states “all major developments are required to be designed to be able to connect to a Decentralised Energy Network (DEN)”. The Council's Environmental Design Guide states “to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).”

- 10.244 Council Policy DM7.3C states “major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.”
- 10.245 The Council’s Environmental Design Guide states “to enable this and to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).”
- 10.246 GLA Guidance 10.14 states “the site heat network should be supplied from a central energy centre where all energy generating equipment, such as CHP and boilers, is located.”
- 10.247 Discussion of future-proofing for connection, including reserved plant room space and a drawing showing this and protected pipework routes was previously provided. Further detail is not provided at the stage – so the applicant should confirm that the approach to future-proofing will remain consistent with that from the original planning application. Additional information in the form of the aforementioned drawing has now been provided regarding future-proofing, and the Energy Officer has accepted that nothing further is required at this stage.

#### Shared Energy Networks

- 10.248 London Plan 5.6A states “Development proposals should evaluate the feasibility of Combined Heat and Power (CHP) systems, and where a new CHP system is appropriate also examine opportunities to extend the system beyond the site boundary to adjacent sites.” Islington policy DM 7.3D states “Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.”
- 10.249 Potential for a shared heat network has not been assessed. The Energy Officer does not see that there is a clear opportunity for a shared heat network and longer-term, it would likely be more desirable to pursue a direct heat network connection in this area. Therefore, no further assessment of this is required.

#### CHP/CCHP or Alternative Low Carbon On Site Plant

- 10.250 In accordance with the London Plan hierarchy, where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).
- 10.251 The Council’s Environmental Design Guide (page 12) states “Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes.”
- 10.252 On-site CHP is not proposed. No further evaluation of CHP is required. This response has been accepted by the Council’s Energy Officer.



## **BE GREEN- Renewable Energy Supply**

- 10.253 The Mayor's SD&C and SPD reads "*although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible.*"
- 10.254 The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets."
- 10.255 A solar PV array with an area of around 86m<sup>2</sup> and with estimated output of 13,9300kWh/yr is proposed. (This compares to ~78m<sup>2</sup> and 14,000kWh/yr quoted in the original energy statement.) As the development falls short against the council target, the Energy Officer requested further details as to whether there is any scope for increasing the size of the PV array. Further information on the solar PV, including a drawing, has been provided. This suggests that there may be limited scope for further increasing the PV output.
- 10.256 Subsequently further improvements to the PV specification have now been proposed, with an increase in expected panel area to 93.1m<sup>2</sup> and anticipated generation of around 17,000kWh/yr.
- 10.257 The final details are secured by condition **(23)**.

## **BREEAM - Sustainable Design Standards**

- 10.258 Part A of policy DM7.4 of the Islington Development Management Policies states "*Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding.*"
- 10.259 The Council's Environmental Design Guide states "*Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification*".
- 10.260 The BREEAM pre-assessment shows the development achieving a rating of 'Excellent', with an overall score of 73.6% (against a score of 74.59% envisaged for the original application). This still amounts to an 'Excellent' rating, albeit with a slightly lower margin of comfort. All reasonable efforts should be made to ensure that the final development achieves an 'Excellent' rating.
- 10.261 These are both equivalent to 'Excellent' rating and meet the requirements of Islington policy DM7.4(A).
- 10.262 A condition **(24)** is recommended to secure compliance with the A BREEAM pre-assessment which achieves an BREEAM 'Excellent' rating which meets the policy requirement.

## **Be Seen**

- 10.263 The London Plan 2021 policy SI 2 (A4): states that developments must "be seen: monitor, verify and report on energy performance" and that "The move towards zero-carbon development requires comprehensive monitoring of energy demand and carbon emissions to ensure that planning commitments are being delivered. Major developments are required to monitor and report on energy performance, such as by displaying a Display Energy Certificate (DEC), and reporting to the Mayor for at least five years via an online portal to enable the GLA to identify good practice and report on the operational performance of new development in London."

10.264 Details of how the proposal will meet the GLA's 'Be Seen' requirements including data collection, analysis and reporting, management and monitoring have been provided. The Energy Officer has accepted this response and the Council will also seek to secure this via Section 106 Agreement, based on the template wording used by the GLA.

### **Draft Green Performance Plan**

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

10.266 Emerging Local Plan policy S4 requires developments to submit a Green Performance Plan (GPP) detailing the actual measurable outputs for the occupied building in relation to energy consumption and carbon emissions, based on the commitments in the SDCS.

10.267 The applicant is required to provide a Draft Green Performance Plan which includes measurable targets for energy consumption, CO2 emissions and water use. Further details of requirements can be found in DM 7.1 D, Environmental Design SPD 8.0.12-8.0.18 and Appendix 3.

10.268 A draft Green Performance Plan has been submitted. During the course of the application additional information has been provided in response to the Energy Officer's comments, including numerical targets, based on the updated energy modelling for the building, and more details in terms of Arrangements for Addressing Performance. A revised draft GPP has subsequently been provided which is considered acceptable by the Energy Officer. This will need further updating at Section 106 stage, including confirmation of specific kWh energy targets.

10.269 This requirement is secured by condition **(23)**.

### **Sustainable Drainage**

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

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

10.272 Emerging Local Plan Policy S1 requires all development proposals must maximise energy efficiency and minimise on-site greenhouse gas emissions in accordance with the be lean, be clean, be green, be seen hierarchy. The policy also requires all development proposals are required to adopt an integrated approach to water management which considers flood risk, sustainable drainage, water efficiency, water quality and biodiversity. All development proposals will be expected to reduce water demand and meet best practice water efficiency targets and

promote a circular economy approach to design and construction, and be designed, constructed and operated to limit contribution to air pollution and to improve air quality.

- 10.273 An Addendum to Flood Risk Assessment and Drainage Strategy Report dated 3 February 2023 has also been submitted. It is understood that this addendum has been produced in response to a revised development proposal for the partial demolition and redevelopment of Jahn Court and a proposed change of use. A review of the revised development proposal has been undertaken relative to the scheme assessed for the June 2022 Planning Approval in the context of flood risk and drainage. The Addendum to the FRA concludes that the development will be designed to maintain the combined foul and surface water discharge rates agreed as part of the original office planning permission. To achieve this, additional attenuation will be added to the scheme in the form of basement attenuation tanks. An indicative basement drainage drawing showing the location of the tank is appended with the FRA Addendum.
- 10.274 The amendments propose minimal changes to the consented scheme in terms of the building's form, footprint or massing and there is no objection to these revised details, subject to the reattachment of condition **39** which requires flow restrictors will be installed on the rainwater outlets from the blue and green attenuated roofs to reduce the surface water discharge flow rate into the sewer.

### **Circular Economy**

- 10.275 London Plan Policy SI.7 'Reducing waste' states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
- 10.276 The emerging Local Plan policy S10 states that all developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible to minimise construction waste. It is required to demonstrate that materials extracted from demolition can be re-used where possible, and that the building will adapt to change over its lifetime. The development also needs to minimise the environmental impact of materials through the use of sustainably-sourced, low impact and recycled materials.
- 10.277 The amended scheme retains much of the approved extensions and alterations.
- 10.278 A revised Sustainability Statement dated 1 February 2023 has been submitted which includes details of the sustainability strategy, materials and waste – a circular economy approach, BREEAM Pre-assessment checklist and Draft Green Performance Plan.
- 10.279 There are no significant changes in the proposed built form from the approved built form. As such, the updated measures outlined in the revised documents and updated on condition **34** are sufficient to maintain compliance with adopted and emerging policy.

### **HIGHWAYS AND TRANSPORT**

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

- 10.281 Policy T4 of the London Plan 2021 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. A Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of this policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 10.282 Policy DM8.1 of the Islington Development Management Policies states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.
- 10.283 Emerging Local Plan policy T1 requires all development proposals must take into account the link between land use, transport accessibility and connectivity, and promoting journeys by physically active means, like walking or cycling (known as active travel), and to prioritise practical, safe and convenient access and use by sustainable transport modes. Part D of the policy requires all new development will be car-free, which will contribute to the strategic aim for a modal shift to sustainable transport modes. Policy T3 requires all new development to be car free.
- 10.284 The site has excellent access to public transport and the Public Transport Accessibility Level is 6b which is the highest rating and is considered a sustainable location for high density development.

#### Proposed amendments to the consented scheme

- 10.285 The scheme largely retains the same access arrangements as the consented scheme, although delivery and servicing is now proposed to split between on-site vehicular deliveries from small panel vans and on-street via York Way from larger vehicles with a new pedestrian access created on the York Way elevation.

#### **Vehicle Parking**

- 10.286 No vehicle parking is proposed and no changes are proposed from the consented scheme.
- 10.287 The proposal is considered acceptable and in accordance with policy CS10 of the Islington Core Strategy and policy DM8.5 of the Islington Development Management Policies, and emerging local plan policies T1, T2 and T3.
- 10.288 In accordance with Policy DM8.5 of the DMP and emerging local plan Policy T3 and the guidance with the Planning Obligation SPD, a financial contribution of £4,600 is continued to be required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the new S106 legal agreement.

#### **Cycle Parking**

- 10.289 In terms of cycling, policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It

should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

10.290 In the original scheme officer noted the resident’s concerns regarding a loss of their existing informal cycle parking within Times Yard. The consented 10 cycle spaces for residents in the basement of Times House are retained and continue to be secured by reattaching condition (42).

10.291 The London Plan requires 1 long stay cycle parking space per 75sqm of office floorspace, and 1 short stay cycle parking space per 500sqm.

10.292 For research and development uses the London Plan requires 1 long stay space per 250 sqm (GEA) and 1 short stay space per 1000 sqm (GEA).

10.293 The Council’s emerging local plan matches the cycle parking requirements of the London Plan.

	<b>Consented – Office Scheme plus commercial units</b>	<b>Proposed Scheme - 60% Research and Development and 40% Life Sciences plus commercial units</b>
Policy Requirement	105 Long Stay spaces 55 Short Stay spaces	62 Long Stay spaces 27 Short Stay spaces
Cycle Parking Provision	95 Long Stay spaces 50 Short Stay spaces 10 Long stay spaces for residents	59 Long Stay spaces 50 Short stay spaces 10 Long stay spaces for residents

**Table 2 – Consented vs Proposed Cycle Parking Provision**

10.294 The amendments to the scheme result in a building with the provision of 3,159sqm of office floorspace and 4,950sqm of research and development floorspace.

10.295 Based on the London Plan (2021) and local plan requirements, when applied to the office and research and development floorspace, the site should provide 62 long stay spaces and 13 short stay cycle spaces, totalling 75 spaces to fully accord with the policy requirements.

10.296 The amended scheme proposes 59 long stay cycle spaces including 4 oversized accessible spaces, resulting in a shortfall of 3 spaces. The scheme continues to provide 50 short stay spaces in the public realm as per the consented scheme which amounts to a significant over provision of 23 spaces. For clarification 17 short stay cycle parking stands providing 34 spaces are to be provided on the highway and the remaining 16 short stay spaces are to be provided through 8 cycle parking stands within the courtyards in Block B. This is a minor adjustment from the consented scheme due to the relocation of 1 of the stands from the public realm to the highway.

10.297 Whilst the amended scheme results in a small shortfall of 3 spaces in the provision of long stay cycle parking against the London Plan requirements, there are a number of mitigating factors. 10 cycle spaces continue to be provided in the basement of Times House for residents although not required by policy. The scheme is one of two linked schemes which relate to amendments to existing consents for extensions and alterations to existing buildings, posing significant site constraints. Collectively the two applications bring forward 68 short stay cycle parking spaces around the public realm. This is a significant over provision of short stay cycle parking of 41

spaces. The nature of the lab and write up space would indicate that there would be a reduced occupancy against a typical research and development use. Officers propose to secure by condition (4) the provision of cycle parking, and by condition (44) the 60/40 split between the lab and office use floorspace to ensure that the provision remains compliant. On the basis of the above, officers do not consider that the scheme presents a conflict with the aims of the London Plan or local plan policy requirements for cycle parking. TfL have subsequently confirmed they have no objections given the extent of over provision on short-stay cycle parking spaces across the two linked schemes.

- 10.298 The proposed 145sqm of retail would necessitate a further 2 spaces (1 long stay/1 short stay) as required by the London Plan. For the flexible use units including restaurant and drinking establishments, the London Plan requires 1 space per 175sqm for employees and 1 space per 20sqm for visitors or customers.
- 10.299 Given the site's constraints and the continued provision of cycle parking in the footway in close proximity to the site, the provision of 50 short-stay cycle parking spaces provided for visitors, located within and around Block B and on the footway, is considered to continue to accord with the aims of the new London Plan.
- 10.300 Overall, the proposal would provide an acceptable level of cycle facilities to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, and Development Management Policy DM8.4.

### **Servicing and Waste Management**

#### Adopted Policy

- 10.301 Part A of policy DM8.6 (Delivery and Servicing for New Developments) states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that onsite provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance.

#### Emerging Policy

- 10.302 Policy T5 (B) requires proposed delivery and servicing arrangements must:

*(i) be provided off street wherever feasible, particularly for commercial developments over 200sqm GEA;*

*(ii) make optimal use of development sites;*

*(iii) demonstrate that servicing and delivery vehicles can enter and exit the site in forward gear;*

*(iv) submit sufficient information detailing the delivery and servicing needs of developments, including demonstration that all likely adverse impacts have been thoroughly assessed and mitigated/prevented.*

*(v) provide delivery and servicing bays whose use is strictly controlled, clearly signed and only used for the specific agreed purpose;*

10.303 Part E of the policy requires where on street servicing is provided, details must be submitted to demonstrate the need for on street provision and that off street provision is not practical, and to show arrangements will be safe and will not cause traffic obstruction or nuisance.

#### Assessment

10.304 An updated Delivery and Servicing Management Plan (DSMP) has set out revised procedures from the consented scheme, relating to the delivery arrangements and waste storage/removal requirements. It is proposed that deliveries are split between smaller panel vans delivering on-site via Caledonia Street and larger vans delivering on-street from York Way.

10.305 Details have been provided within a revised Delivery and servicing Management Plan to demonstrate the proposed loading and unloading arrangements which include both on-site vehicular servicing via Caledonia Street and on street loading from York Way which has been accepted by the Council's Highways Officer.

10.306 Given consented scheme has already accepted the on-street delivery and servicing, the site is entirely developed and the site constraints, it is not possible for all deliveries to take place on-site. Therefore there are no objections to some on-street delivery and servicing and some on-site delivery and servicing, which does not conflict with the aims of the policy T5.

10.307 Regarding the impacts on York Way, the existing conditions and loading area allows for loading and unloading for up to 40 minutes, and this is considered sufficient to allow for the operation of the proposed uses in addition to the proposed new on-site vehicular loading bay for smaller panel vans.

10.308 The proposed development would likely result in up to 2 additional deliveries per day when compared to the site's existing operation. This is not considered to be a detriment to the adjacent highway network.

#### Refuse Collection

10.309 Based on the Council's Guidance on waste storage, the combined uses of the site would be required to provide a capacity of 24,000L to accommodate a single weekly collection of waste and recycling on-site, equating to 22no. x 1,100L Eurobins. 4.1.5 It is proposed that the refuse storage is split between two areas, firstly 8no. x 1,100L Eurobins would be provided for shared use of the site within the Laundry Yard external store, thus generating a requirement for 2 weekly collections to be scheduled as part of the site's operation post-development. An additional internal refuse store would be provided in Times House which would be accessed via the proposed internal loading bay and provide for 7no. x 1,100L Eurobins. Step-free access would be provided to the bin store from the back of house areas of the on-site uses, whilst lifts provided within the office would enable waste to be transferred between each level of the building.

10.310 As consented bins would be wheeled from Times Yard to York Way where it is understood that bins would be prepared and the waste storage area cleared prior to scheduled collections. servicing bay.

10.311 Refuse collections remain as consented where they would be scheduled accordingly with a private waste removal company (i.e. Veolia as existing) with appropriate frequencies to cater for the needs of the site, as established above. Collections would take place from York Way and a shared collection arrangement would be agreed between the commercial units and office/research and development uses on-site.

10.312 The revised delivery and servicing arrangements have been accepted by the Council's Highways officer.

10.313 A condition (**26**) has been attached on the original grant of consent relating to site wide waste strategy for the non-office and research and development uses, and this is proposed to be reimposed on any grant of consent.

10.314 Overall, given the consented extension to the existing building, the proposed amendments to the scheme including retaining some on-street servicing and delivery and refuse collection arrangements are acceptable.

### **Public Realm**

10.315 A financial contribution of £71,000 towards public realm improvement works in the streets immediately abutting the development site was secured on the consented scheme and this is retained by the amended scheme. This amount is split equally between the two applications (£35,500).

### **Highways Summary**

10.316 Overall, it is considered that the amended scheme would continue to make adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. The proposal would be acceptable subject to conditions (4) and planning obligations, and would comply with London Plan (2021) Policy T5 and T6, Islington Core Strategy (2011) Policies CS10, CS11 and CS13; Islington Development Management Policies DM8.2, DM8.4, DM8.5 and 8.6 and emerging local plan policies S1, S2, S3, S4 and T1, T2 and T3.

### **FIRE SAFETY**

10.317 Policy D12 of the London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor. Such statements should contain: the building's construction; means of escape for all building users; features that reduce the risk to life; access for fire service personnel and equipment; provision for fire appliances; and future modifications to the building.

10.318 Condition **35** attached to the consented scheme required the details and measures set out in the approved Fire Planning Statement dated 3 February 2022 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.

10.319 A revised Fire Statement has been submitted with this amendment application, prepared by Hoare Lea, and two suitably qualified Chartered Engineers with experience and expertise in the fire engineering consultancy industry, and experience of fire safety design on a wide range of complex buildings, not only in the UK, but also world-wide.

10.320 Both the Health and Safety Executive (HSE) and the London Fire Brigade have been consulted on the development. No response has been received from the London Fire Brigade. The HSE has not raised any objections to the application.

10.321 Officers have consulted with the Council's building Control Officer, who initially raised queries relating to the dry riser inlets and their continuance to the upper floors, that the travel distances for means of escape in case of fire remain satisfactory and the location of the water tank. Clarifications have been provided that the inlet locations are not changing and will be the same as existing. The horizontal distance from the inlet to the vertical run in the relocated internal stair



will remain within 18m (as per BS 9990 guidance) and the vertical run will continue up the building with no significant angles in pipework. There will be an additional landing valve located outside this stair (in a protected lobby) due to the two floor levels in this area and to meet hose distance requirements. Travel distance limits are not exceeded. Link has been made from Times House to Laundry Building external stair and that the water tank is in the basement

10.322 The submitted information is specific and relevant to the proposal and the fire statement form references compliance with BS9999.

10.323 Officers have undertaken a review of the Fire Statement in accordance with the requirements of policy D12(B) and this is set out in the following table:

<b>London Plan policy D12(B) requires the following detail:</b>	<b>Response:</b>
<p>1. The building's construction: methods, products and materials used, including manufacturers' details.</p>	<p>The existing structure of the Times House building consists predominantly of brick external walls. The building has a steel frame and concrete slab floors. Stair shafts are concrete or blockwork. Lift shafts on the external façade consist of steel and glass.</p> <p>To limit the spread of fire within the building, all wall and ceiling linings will satisfy the appropriate classifications stated in BS 9999:2017 Clause 34.</p> <p>The fire safety strategy will include a space separation analysis to establish external walls requiring fire rating. Notional boundaries will be set to the mid-point of these locations. In accordance with BS 9999:2017 35.5, external wall surfaces less than 1m from the boundary should achieve at least Class B-S3, d2. There is no provision for walls located greater than 1m from the boundary.</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach</p>	<p>Each building will adopt a simultaneous evacuation strategy, that is upon activation of the fire detection and alarm system, all the occupants in the building will evacuate at the same time.</p> <p>All escape provisions are within guidance limits set out in BS 9999:2017, which include but are not limited to:</p> <ul style="list-style-type: none"> <li>– Each storey will have at least two means of escape.</li> <li>– Travel distances have been assessed under the guidance contained within BS 9999:2017 16.4, based on applicable risk profiles (A2 for office and lab areas given these share the same floor, A2 for lower fire risk plant and store areas, A3 for higher fire risk plant and store areas/places of special fire hazard).</li> <li>– Escape widths have been assessed based on anticipated occupant loads and escape width capacities given in BS 9999:2017 Tables 12 and 13, based on the applicable risk profile.</li> </ul> <p>New refuges will be provided to the north stair lobby and the south stair on each floor excluding ground. Each refuge will be provided with an emergency voice communication (EVC)</p>

	<p>system linked to the building management who will facilitate the evacuation of mobility-impaired occupants.</p> <p>The entire building will be provided with an automatic sprinkler system, over and above BS 9999:2017 guidance, and significantly improving the fire safety of the building and the life safety of its occupants.</p>
<p>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans</p>	<p>A Category L1 automatic fire detection and alarm system will be provided throughout Times House and Laundry Building, designed and installed in accordance with the latest BS 5839-1.</p> <p>New and altered elements of structure will be provided with 60 minutes fire resistance. In addition, all floors will be maintained as compartment floors achieving the same fire resistance as the elements of structure. All risers passing through the compartment floors should be vertically or horizontally protected with 60 minutes fire resistance.</p> <p>A new automatic sprinkler system will be installed throughout the building, designed and installed in accordance with the latest BS EN 12845.</p>
<p>4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these</p>	<p>In accordance with BS 9999:2017 Clause 20, as the top storey of the building is less than 18m above fire and rescue service access level, firefighting shafts are not required. New dry fire mains are proposed to be installed within the protected lobby (without blocking the escape route) of the north and external stair (south/west stair and links) which serve every level of the building.</p> <p>Distances from the fire main outlets within the stairs to the furthest point on each floor plate are within the limit of 60m as measured on a route suitable for laying a hose. The dry riser coverage will be enhanced by providing an additional dry riser to serve the basement to increase coverage to the shared basement. Both inlets serving the basement will be accessed off Caledonia Street and will serve the north and southeast stair of the basement.</p> <p>The dry fire main inlets will be located on the façade of the building, easily visible and near – within 18m – to the firefighting access points to the buildings. It should be noted that any horizontal run pipe (between the inlet and the vertical run pipe) will not exceed 18m, as noted in the latest BS 9990.</p> <p>The pump appliance will not have to reverse more than 20m, with turning facilities provided if necessary. Existing fire tender access is via either Caledonia Street or York Way, as shown in Figure 3, and will remain the same after the proposed works.</p>

<p>5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building</p>	<p>Existing fire tender access is via Caledonia Street, and will remain the same after the proposed works.</p> <p>Pump appliance access is indicated by a plan indicating the access and the approximate new fire main inlet location.</p>
<p>6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.</p>	<p>Regulation 38 of the Building Regulations requires that fire safety information be given to the person responsible for the occupied building. Therefore, copies of the fire safety strategy, once agreed with the Approving Authority, and other relevant fire safety information should be issued to the responsible person. This will ensure publication of the proposed evacuation strategy and assist in evacuation of all building users.</p> <p>Any future modifications to the scheme will be subject to Building Regulations approval and should consider the base build fire strategy.</p>

**Table 3 – Review of Fire Statement in accordance with the requirements of London Plan policy D12(B)**

- 10.324 It is noted that the author of the submitted Fire Statement is a qualified person with expertise in fire safety and engineered solutions and, as such, the applicant has used the relevant expertise to consider the fire safety of the development as part of the overall scheme.
- 10.325 A condition is recommended (35) requiring an updated Fire Statement to be submitted in the event that there are any changes to these latest details.

## **11. PLANNING OBLIGATIONS AND CIL**

- 11.1 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 11.2 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a S106 agreement.
- 11.3 Policy CS18 (Delivery and Infrastructure) of the Islington Core Strategy (2011) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. As mentioned in the previous section in the report, the proposed development would be subject to S106 obligations to ensure that appropriate education and training opportunities arise from the development, which would

require a local employment and training contribution and a construction training placement during the construction period.

- 11.4 Emerging Local Plan Policy ST1 (Infrastructure Planning and Smarter City Approach) (A) states that:

*The Council will identify and deliver the infrastructure required to support development growth over the plan period and enable effective delivery of the Local Plan objectives, through:*

*(i) utilising an Infrastructure Delivery Plan and working with relevant providers to ensure necessary infrastructure is provided; and*

*(ii) requiring contributions from development to ensure that the infrastructure needs associated with development will be provided for, and to mitigate the impact of development.*

### **Creation of a new s.106 agreement**

- 11.5 Planning application P2021/2270/FUL was subject to a s.106 agreement dated 16 December 2022, and a similar s.106 agreement is required to ensure that the development mitigates its impacts, subject to adjustments to the contributions.

- 11.6 Further details of planning obligations are set out in the relevant sections of this report, and as a full list in **APPENDIX 1**.

- 11.7 In order for the development to mitigate its own direct impacts, and to be acceptable in planning terms the following heads of terms are recommended to be secured by a new S106 agreement.

- Provision of **388sqm** of Affordable Workspace within 34b York Way for 20 years at peppercorn rent.
- A contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Employment and training contribution **£3,174.24** (during the operation of the development), to improve the prospects of local people accessing new jobs created in the proposed development.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount for this application is **£490,485** although further efficiencies via condition 23 may see this contribution reduced.
- Facilitation, during the construction phase of the development, of the following number of work placements: **1**. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: **£5,000**.

- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of **£2,842.60** and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 1.9 accessible parking bays or a contribution of **£4,600** towards accessible transport measures.
- Costs associated with delivering **17** short stay cycle parking stands (**34** spaces) within the public realm, to be accommodated within the Highway at locations that will serve the development, to be agreed through the S278 Agreement.
- The costs for the repair and re-instatement of the footways and highways adjoining the development of **£21,409**. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Compliance with the Council's Code of Local Procurement.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of, and compliance with, a Green Performance Plan.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Changes to the hours of opening of Block B entrance gates to Pentonville Road and Caledonian Road. The gates at Pentonville Road and Caledonian Road to close between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk.
- Engagement Plan to be agreed with Local Schools prior to implementation of the development. During construction – Endurance Land will host site visits and seminars on construction and property matters for two local schools where there is an existing relationship with the developer:
  - Winton Primary School; and
  - Hugh Myddelton Primary School.
- **The 2no. street trees on York Way which have been removed to facilitate the construction works for the consented scheme, will be replanted in locations to be agreed with the relevant Highways Tree Planting Officer in the first planting season following completion of the works.**

- **A contribution towards the planting of 2no. additional trees and five years maintenance, to be planted in close proximity to the site, in locations to be agreed with the Council's Highways Tree Planting Officer.**
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

## **12. PLANNING CONDITIONS AND OBLIGATIONS**

- 12.1 The scope of the changes proposed in this application would have no impact on other planning matters other than those in the officer's assessment in this report, subject to the re-imposition of the relevant planning conditions and planning obligations attached to planning permission P2021/2270/FUL where they have not already been discharged. As approval of the application would result in a new grant of planning permission under s.73 of the 190 act, and the rest of the development would be unchanged, the same planning conditions and obligations (amended where appropriate) should be attached to any notice of approval.
- 12.2 Subject to the committee's resolution to grant consent for the proposals outlined in this report, a new s.106 agreement is proposed to be completed, carrying over the same planning obligations and incorporating amendments to financial contributions where relevant.
- 12.3 This is important as it would ensure those obligations originally agreed are met in the case of the implementation of the new permission. The applicant has agreed to re-apply the agreed Heads of Terms of the original S106 agreement to the new planning permission and a new s.106 agreement is proposed.

### Amended Conditions

- 12.4 The following conditions are proposed to be amended:
- 4 – provision of bicycle storage - to reflect the amended provision of bicycle storage due to the introduction of the research and development floorspace.
  - 16 - Restriction of office use (Compliance) – to enable a research and development use in addition to the consented office use.
  - 17 – Flexible units (Compliance) – to reflect the changes in the consented land uses
  - 44 – Introduction of Research and Development use (Compliance) – to enable the introduction of a research and development use, in the ratio of 60 percent research and development floorspace to 40 percent office use floorspace.
- 12.5 The following have been updated to refer to updated plans/documents:
- 2 - approved documents - to reflect the revised plans submitted with the application.
  - 14 – Restricted use - roof terrace (Compliance) – reflects the removal of the roof terrace at fourth floor for a green roof - to reflect the revised plans submitted with the application.
  - 18 - Accessible Showers/WC's (Compliance) - to reflect the amended plan drawings submitted with the application.
  - 23 – Energy Strategy – to reflect the reduced requirements as a result of the revised energy strategy
  - 25 – Inclusive Design – to require minor details and compliance.
  - 34 – Site Waste Management and Circular Economy – to reflect the revised Sustainability Statement.

- 35 – Fire Strategy (Compliance) - to reflect the revised fire strategy.
- 36 – Noise Management Plan (Details) - to reflect the revised floor plans.

12.6 It is proposed to add the following conditions:

- 45 – Air Quality Report – to require the submission and approval of an air quality report prior to commencement of the research and development use hereby approved.
- 46 - Emergency Plant – to require details of emergency plant to be submitted and approved.

12.7 For the avoidance of doubt, where conditions and Heads of Terms attached to the consented application P2021/2269/FUL are proposed to be amended or added, the details are shown in **bold** in **Appendix 1**.

### 13. CONCLUSION

13.1 The proposed changes, subject to the imposition of the suggested amended conditions and s.106 agreement, would result in a similar development to that previously approved by planning permission P2021/2269/FUL with no material harm. Having considered the consultation responses and the relevant planning policies, officers consider that the proposals would fall within the scope of a minor material amendment under s.73 of the 1990 act.

13.2 The proposed development is considered acceptable in principle and in land use terms. In this regard, the scheme is considered to be compliant with the adopted development plan policies comprising of the London Plan Policies SD4, SD5 and E1, Islington Core Strategy CS6 and CS13, Islington Development Management Policy DM5.1 and emerging policies B2 and SP2, which all encourage the intensification of business use floorspace, subject to the acceptability of other material considerations. In this regard the scheme accords with the requirements of the adopted plan.

13.3 In line with the consented scheme, the proposed improvement to the appearance of the buildings is considered to contribute to an enhancement to the character of the area, particularly at street level surrounding the site, with enhancements to the conservation area and listed building settings in ground level views. The alterations to height and massing of the proposal are imperceptible from the consented scheme in minimal) views around the site and is concluded to cause less than substantial harm (to the lower end of the scale) to the setting of the nearby listed buildings and the character and appearance of the Kings Cross Conservation Area. However in line with the consented scheme this harm is continued to be considered to be outweighed by the public benefits of the scheme.

13.4 Officers consider that the amended scheme retains the public benefits of the consented scheme with additional tree planting. The amended scheme relocates and combines the approved affordable workspace from both linked schemes into one space at 34b York Way. The provision of relocated affordable workspace, continues to exceed the requirement within the adopted Development Plan, and is considered to provide greater social value than the consented spaces and is welcomed and supported by the Inclusive Economy Team

13.5 The amended scheme would comply with policies relating to energy, sustainability, accessibility and transportation.

13.6 The proposed amendments do not result in materially harmful amenity impacts to adjacent residential properties beyond those already consented by the approved scheme.

- 13.7 The proposal is considered to be a sustainable form of development,
- 13.8 It is recommended that planning permission is granted subject to the conditions and s106 legal agreement heads of terms as set out in **Appendix 1 - RECOMMENDATIONS**.



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

- Provision of **388sqm** of Affordable Workspace within 34b York Way for 20 years at peppercorn rent.
- A contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Employment and training contribution **£3,174.24** (during the operation of the development), to improve the prospects of local people accessing new jobs created in the proposed development.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount for this application is **£490,485** although further efficiencies via condition 23 may see this contribution reduced.
- Facilitation, during the construction phase of the development, of the following number of work placements: **1**. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: **£5,000**.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of **£2,842.60** and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 1.9 accessible parking bays or a contribution of **£4,600** towards accessible transport measures.
- Costs associated with delivering **17** short stay cycle parking stands (**34** spaces) within the public realm, to be accommodated within the Highway at locations that will serve the development, to be agreed through the S278 Agreement.
- The costs for the repair and re-instatement of the footways and highways adjoining the development of **£21,409**. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.

- Compliance with the Code of Employment and Training.
- Compliance with the Council's Code of Local Procurement.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of, and compliance with, a Green Performance Plan.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Changes to the hours of opening of Block B entrance gates to Pentonville Road and Caledonian Road. The gates at Pentonville Road and Caledonian Road to close between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk.
- Engagement Plan to be agreed with Local Schools prior to implementation of the development. During construction – Endurance Land will host site visits and seminars on construction and property matters for two local schools where there is an existing relationship with the developer:
  - Winton Primary School; and
  - Hugh Myddelton Primary School.
- **The 2no. street trees on York Way which have been removed to facilitate the construction works for the consented scheme, will be replanted in locations to be agreed with the relevant Highways Tree Planting Officer in the first planting season following completion of the works.**
- **A contribution towards the planting of 2no. additional trees and five years maintenance, to be planted in close proximity to the site, in locations to be agreed with the Council's Highways Tree Planting Officer.**
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

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

## RECOMMENDATION B

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:

<b>1</b>	<p><b>Commencement</b></p> <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>
<b>2</b>	<p><b>Approved Plans List</b></p> <p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Site location Plan - 13601-A-Z2-LXX-00-001; Existing Site Plan (1:500) - 13601-A-02-LXX-00-020; Existing Site Plan (1:200) - 13601-A-02-L00-01-050; Existing Basement Plan - 13601-A-02-LG1-01-099; Existing Ground Floor Plan - 13601-A-02-L00-01-100; Existing First Floor Plan - 13601-A-02-L02-01-101; Existing Second Floor Plan - 13601-A-02-L02-01-102; Existing Third Floor Plan - 13601-A-02-L03-01-103; Existing Fourth Floor Plan - 13601-A-02-L04-01-104; Existing Roof Plan - Lower - 13601-A-02-L05-01-105; Existing Roof Plan - Upper - 13601-A-02-L06-01-106; Street Elevations - Existing (North and West) - 13601-A-02-LXX-01-150; Context Section - Existing (North - South) - 13601-A-02-LXX-01-160; Context Section - Existing (East - West) - 13601-A-02-LXX-01-161; Existing North Elevation - 13601-A-02-LXX-01-200; Existing West Elevation - 13601-A-02-LXX-01-201;</p> <p>Existing South Elevation - 13601-A-02-LXX-01-202; Existing East Elevation - 13601-A-02-LXX-01-203; Existing Section AA - 13601-A-02-LXX-01-300; Existing Section BB - 13601-A-02-LXX-01-301; Existing Section CC - 13601-A-02-LXX-01-302; Existing Section DD - 13601-A-02-LXX-01-303; Existing Section EE - 13601-A-02-LXX-01-304; Existing Section FF - 13601-A-02-LXX-01-305; Existing Section GG - 13601-A-02-LXX-01-306; Existing Section HH - 13601-A-02-LXX-01-307; Existing Section II - 13601-A-02-LXX-01-308;</p> <p><b><u>Basement Plan - Demolition - 13601-A-02-LG1-02-099; L00 Plan - Demolition - 13601-A-02-L00-02-100 P1; L01 Plan - Demolition - 13601-A-02-L02-02-101 P1; L02 Plan - Demolition - 13601-A-02-L02-02-102 P1; L03 Plan - Demolition - 13601-A-02-L03-02-103 P1; L04 Plan - Demolition - 13601-A-02-L04-02-104 P1; Lower Roof Plan - Demolition - 13601-A-02-L05-02-105; Upper Roof Plan - Demolition - 13601-A-02-L06-02-106; Times House North Elevations - Demolition - 13601-A-02-LXX-02-200 P1; Times House West Elevations - Demolition - 13601-A-02-LXX-02-201; Times House South Elevation - Demolition - 13601-A-02-LXX-02-202; Times House East Elevation - Demolition - 13601-A-02-LXX-02-203; Laundry Buildings North Elevation - Demolition - 13601-A-02-LXX-02-204; Laundry Buildings West Elevation - Demolition - 13601-A-02-LXX-02-205; Laundry Buildings South Elevation - Demolition - 13601-A-02-LXX-02-206; Laundry Buildings East Elevation - Demolition - 13601-A-02-LXX-02-207;</u></b></p>

**Proposed Site Plan (1:500) - 13601-A-02-LXX-07-020 P2; Proposed Site Plan (1:200) - 13601-A-02-L00-07-050 P4; Proposed Basement Plan - 13601-A-02-LB1-07-099 P3; Proposed Ground Floor Plan - 13601-A-02-L00-07-100 P5; Proposed First Floor Plan -13601-A-02-L01-07-101 P2; Proposed Second Floor Plan - 13601-A-02-L02-07-102 P2; Proposed Third Floor Plan - 13601-A-02-L03-07-103 P2; Proposed Fourth Floor Plan -13601-A-02-L04-07-104 P4; Proposed Fifth Floor Plan - 13601-A-02- L05-07-105 P4; Proposed Roof Plan - Lower - 13601-A-02-L06-07-106 P4; Proposed Roof Plan - Upper -13601-A-02-LRF-07-107 P4;**

**Street Elevations - Proposed (North and West) - 13601-A-02-LXX-07-150 P4; Context Section - Proposed (North - South) - 13601-A-02-LXX-07-160 P4; Context Section - Proposed (East - West) - 13601-A-02-LXX-07-161 P2; Proposed North Elevation (Caledonia Street) - 13601-A-02-LXX-07-200 P4; Proposed West Elevation 13601-A-02-LXX-07-201 P4; Proposed South Elevation - 13601-A-02-LXX-07-202 P2; Proposed East Elevation - 13601-A-02-LXX-07-203 P4; Proposed Section AA - 13601-A-02-LXX-07-300 P3; Proposed Section BB - 13601-A-02-LXX-07-301 P4; Proposed Section CC - 13601-A-02-LXX-07-302 P4; Proposed Section DD - 13601-A-02-LXX-07-303 P1; Proposed Section EE - 13601-A-02-LXX-07-304 P4; Proposed Section FF-13601-A-02-LXX-07-305 P1; Proposed Section GG-13601-A-02-LXX-07-306 P2; Proposed Section HH - 13601-A-02-LXX-07-307 P3; Proposed Section II-13601-A-02-LXX-07-308 P3;**

Laundry Yard and Times Yard Existing Plan - 0182c\_PR3-P-X-LY-01 rev B; Laundry Yard Existing Sections AA, BB, CC + DD - 0182c\_PR3-P-X-LY-02 rev A; Laundry Yard Existing Sections EE, FF, GG + HH - 0182c\_PR3-P-X-LY-03 rev A; Laundry Yard + Times Yard Proposed Plan - 0182c\_PR3-P-GA-LY-01 rev C; Times Yard Proposed Sections AA, BB, CC + DD - 0182c\_PR3-P-GA-LY-02 rev A; Laundry Yard Proposed Sections EE, FF, GG + HH - 0182c\_PR3-P-GA-LY-03 rev A; Laundry Yard and Times Yard Proposed Services Plan - 0182c\_PR3-P-DT-LY-02 rev C; 0182c-PR3-P-GA-BlockB Rev B; 0182c-PR3-P-GA-LY-04 Rev B; Laundry Yard Proposed Detail Plan + Isometric - 0182c\_PR3-P-DT-LY-01 rev A; Laundry Yard Proposed Plan - 0182c\_PR3-P-DT-LY-03 rev A;

Arboricultural Impact Assessment - TMA July 2021; Archaeological Desk Based Assessment - Savills August 2021; Biodiversity Net Gain Assessment and Urban Greening Factor Review - MKA Ecology July 2021; Construction Traffic Management Plan- RGP July 2021; Flood Risk Assessment and Drainage Strategy Report - Arup July 2021; Geo-environmental and Geotechnical Report - Campbell Reith July 2021; Health Impact Assessment Screening Form - Savills July 2021; Preliminary Ecological Appraisal and Preliminary Roost Assessment - MKA Ecology July 2021; Public Realm report - Publica July 2021; Statement of Community Involvement - London Communications Agency July 2021; MKA Ecology-Regents Quarter-Bat Mitigation Close Down Report 1.0; Daylight, Sunlight and Overshadowing Report – May 2022 Version V1 – Ref: P2593;

**Letter from Savills dated 3 February 2023; Planning Statement dated January 2023; Affordable Workspace Statement dated April 2023; Design and Access Statement dated February 2023; Built Heritage & Townscape Statement dated February 2023; Key Townscape Views Update February 2023; Transport Statement Addendum dated February 2023 Ref: 2022/6799/TS03; Travel Plan dated 02/02/2023 Ref: 2022/6799/TP06; Delivery and Servicing Management Plan dated 22/05/2023 ref: 22/6799/DSMP08 REVA; Daylight, Sunlight and Overshadowing Report– Point 2 Surveyors dated 3 February 2023; Energy Statement dated 1 February 2023 Revision 2.0; Energy Statement-Responses To Comments Provided By The Planning Officers Report DRAFT- 1.0 - 15-Jun-23; Sustainability Statement 1 February 2023; Air Quality Assessment (including Air Quality Neutral Report) Revision 2.0 – 30 January 2023;**

	<p><b><u>Fire Statement ref: DOC-1922839-5A-AS-20230228-THLB London Planning Statement-Rev01.docx; Life Science Need, Economic Benefits and Social Value Summary; Addendum to Flood Risk Assessment and Drainage Strategy Report dated 03 February 2023; Noise Impact Assessment Revision 01 dated 1 February 2023;</u></b></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>
<b>3</b>	<b>Materials (Details)</b>
	<p>CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Precast red entrance elements with complementary rendered facades;</li> <li>b) Pale yellow brickwork;</li> <li>c) Gold coloured metal work;</li> <li>d) White render;</li> <li>e) Articulated green coloured metal cladding;</li> <li>f) Profiled glass cladding;</li> <li>g) Metal cladding;</li> <li>h) Window treatment (including sections and reveals);</li> <li>i) Roofing materials including roof extension facing;</li> <li>j) Balustrading treatment (including sections);</li> <li>k) Green Procurement Plan</li> <li>l) Paving slabs and any other materials to be used as part of works to public realm in Laundry Yard and Times Yard</li> <li>m) Any other materials to be used</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<b>Cycle Storage</b>
	<p>CONDITION: The bicycle storage area(s) hereby approved and shown on drawings <b><u>13601-A-02-LB1-07-099 RevP3</u></b> and <b><u>13601-A-02-L00-07-100 RevP5</u></b>, shall be covered, secure and comprise of no less than:</p> <ul style="list-style-type: none"> <li>- <b>59</b> secure cycle spaces with associated shower, changing facilities, lockers and mobility scooter charging points.</li> <li>- <b>8</b> short stay cycle stands for <b>16</b> cycle spaces;</li> </ul> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible in proximity to the site and to promote sustainable modes of transport.</p>
<b>5</b>	<b>Construction and Environmental Management Plan</b>

CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

The Construction and Environmental Management Plan shall include details and arrangements regarding:

- 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 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;
- e) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from construction works;
- f) 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;
- 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 neighbouring 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)
- l) 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.

The report shall assess the impacts during the preparation and construction phases of the development, together with means of mitigating any identified impacts. The report shall also

identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The CEMP must refer to the new LBI Code of Practice for Construction Sites. The CEMP shall specify the hours of construction, vehicle movements are restricted to take place outside of the peak times of 8am-10am and 4pm and 6pm **unless otherwise agreed with the Local Planning Authority**. It should also provide details on method of demolition, quiet periods and noise mitigation.

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

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.

	<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. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>6</b>	<p><b>Green/blue/brown roofs (Details)</b></p> <p>CONDITION: Notwithstanding the approved plans, details of all proposed green/blue/brown roofs across the approved development shall be submitted and approved by the Local Planning Authority prior the commencement of superstructure works on site. The proposed green/blue/brown roofs shall be designed, installed and maintained in a manner that meets the following criteria:</p> <p>a) green roofs shall be biodiversity based with extensive substrate base (depth 80 - 150mm);</p> <p>b) laid out in accordance with plans hereby approved; and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>d) Details of Blue Roof.</p> <p>e) Submission of a maintenance plan demonstrating how it will be maintained.</p> <p>The green/blue roofs hereby shall not be used as an amenity or sitting out spaces of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
<b>7</b>	<p><b>Light Spill Prevention (Details)</b></p> <p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority and implemented prior to any occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> <li>- Automated roller blinds;</li> <li>- Lighting strategies that reduce the output of luminaires closer to the facades;</li> <li>- Light fittings controlled through the use of sensors.</li> </ul> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
<b>8</b>	<p><b>Refuse and Recycling (Details)</b></p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted</p>



	<p>to and approved in writing by the Local Planning Authority prior to any occupation of the development hereby permitted.</p> <p>The details shall include:</p> <p>a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);</p> <p>b) a waste management plan; and</p> <p>c) any additional or separate refuse storage required for the flexible commercial uses, including Retail (Class E(a)), Cafe Restaurant (Class E(b)), Fitness (Class E(d)) uses.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>9</b>	<b>Bird and Bat Nesting Boxes (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of superstructure works, details of a minimum of 12 bird and bat boxes shall be submitted and approved by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>10</b>	<b>Extract ventilation for restaurant use (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, the restaurant use (Class E(b)) hereby permitted under the Flexible Class E use, shall not commence unless details of extraction/ventilation system and odour assessment in relation to such use, is submitted to and approved by the Local Planning Authority.</p> <p>The approved extraction/ventilation system shall be fully installed and operational prior to the commencement of the restaurant use, and shall be maintained in perpetuity.</p> <p>REASON: To protect the neighbouring occupiers and ensure that the restaurant operation would have an acceptable impact in terms of noise and odour control.</p>
<b>11</b>	<b>Plant Equipment (Compliance)</b>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq,T}</math> arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90,T}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>The development shall be carried out strictly in accordance with the scheme prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>12</b>	<b>Plant Equipment Post-Installation Verification (Details)</b>

	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. 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 ensure that the development does not have an undue adverse impact on nearby residential amenity.</p>
<b>13</b>	<p><b>Scheme for the Management of Uses (Details)</b></p> <p>CONDITION: A scheme for the management of the Class E(b) Cafe/restaurant / Sui Generis uses within the development shall be submitted and approved by the Local Planning Authority prior to first occupation of the units hereby approved. The Scheme of Management shall include:</p> <ul style="list-style-type: none"> <li>a) sound insulation measures including walls/floors, glazing, ventilation, doors and lobbies;</li> <li>b) hours of use;</li> <li>c) a full dispersal policy and procedure;</li> <li>d) a door policy;</li> <li>e) signs to request patrons to leave in a quiet manner and not to loiter in the surrounding streets;</li> <li>f) servicing and delivery times/arrangements as part of a site wide plan;</li> <li>g) bottling out and waste management noise and times as part of a site wide plan;</li> <li>h) control and levels of noise from any amplified music within the unit;</li> <li>i) control of any noise from any designated smoking areas;</li> <li>j) control of noise from any external areas;</li> <li>k) close down policy with amplified music shut-off and increased lighting;</li> <li>l) security, including any additional proposed CCTV;</li> <li>m) any additional external or security lighting;</li> <li>n) capacity (of each use);</li> <li>o) private hire facilities/functions;</li> <li>p) any use of roll cages/trolleys</li> </ul> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>14</b>	<p><b>Restricted use - roof terraces (Compliance)</b></p> <p>CONDITION: The roof terraces at first and fifth floor levels hereby approved shall not be used for any purpose except as an ancillary outdoor space in association with the office use (Class E(g)(i)) and <b><u>research and development use (Class E(g)(ii))</u></b>.</p> <p>The roof terraces hereby approved shall not operate outside the hours of: - 0800 to 1800 hours Monday to Friday</p> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>15</b>	<p><b>Restriction of PD rights - Class E to residential (Compliance)</b></p> <p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</p>

	<p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>16</b>	<p><b>Restriction of office use (upper levels) (Compliance)</b></p> <p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office <b>and research and development</b> use. With the exception of the ground floor level uses specified under condition 18, the upper floors of Times House building and Laundry Building hereby approved shall only be used for office <b>and research and development</b> use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office <b>and research and development</b> floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>17</b>	<p><b>Restriction of flexible commercial uses (Compliance)</b></p> <p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible units on the ground and first floor levels, except the permitted use(s) hereby approved (as shown on plan no. <b>13601-A-02-L00-07-100-P5</b>):</p> <p>A) Times House - <b>3</b>no. Ground floor retail units only - Class E (a) - retail</p> <p>B) Times House - <b>1</b>No. Ground floor Flexible Use Unit Class E (b) - Food and Drink Sui Generis Bar &amp; Drinking Establishment</p> <p>C) Laundry Building 1no. Class E (b) - Food and Drink Sui Generis Bar &amp; Drinking Establishment</p> <p>and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (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 ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future.</p>
<b>18</b>	<p><b>Accessible Showers/WC's (Compliance)</b></p> <p>CONDITION: For the hereby approved development the accessible showers and WC's shall be implemented in accordance with drawing no's: <b>Proposed Basement Plan ref: 13601-A-02-LB1-07-099-P3; Proposed Ground Floor Plan ref: 13601-A-02-L00-07-100-P5; Proposed First Floor Plan ref: 13601-A-02-L01-07-101-P2; Proposed Second Floor Plan ref: 13601-A-02-L02-07-102-P2; Proposed Third Floor Plan ref: 13601-A-02-L03-07-103-P2; Proposed Fourth Floor Plan ref: 13601-A-02-L04-07-104-P4; Proposed Fifth Floor Plan ref: 13601-A-02-L05-07-105-P4;</b></p>

	<p>and shall be available for users upon the first occupation of the development.</p> <p>The layout shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To provide an accessible environment for future occupiers.</p>
<b>19</b>	<b>Lifts (Compliance)</b>
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>20</b>	<b>Hours of Operation (Compliance)</b>
	<p>CONDITION: The flexible uses on the ground and first floor levels hereby approved shall only operate between the following hours:</p> <p>Class E (a) - Retail: 7am - 10pm Monday to Saturday 8am - 8pm Sundays</p> <p>Class E (b) - Restaurant: 7am to 11pm - Monday to Thursday 7am to midnight - Friday and Saturday 8am to 9pm Sundays</p> <p>Sui Generis - Bar &amp; Drinking Establishment 8am to 11pm - Monday to Thursday 8am to midnight - Friday and Saturday 8am to 10pm Sundays</p> <p>The restrictions shall be applied and permanently adhered to unless otherwise agreed with the Local Planning Authority.</p> <p>REASON: In the interests of protecting neighbouring residential amenity.</p>
<b>21</b>	<b>No Plumbing or Pipes (Compliance)</b>
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the northern external elevation of the building hereby approved.</p> <p>REASON: To ensure that such plumbing and pipes would not detract from the appearance of the building, the character and historic significance of the area.</p>
<b>22</b>	<b>No obscure glazing or vinyl graphics (Compliance)</b>
	<p>CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the front elevation.</p> <p>REASON: To ensure that the approved elevation would provide clear views onto the street from inside, and to ensure the building would provide an active frontage and natural surveillance to the area.</p>
<b>23</b>	<b>Energy (Details)</b>

	<p>CONDITION: Prior to <b>first occupation</b> updated Energy information shall be submitted to the Local Planning Authority and approved in writing:</p> <ol style="list-style-type: none"> <li>a) Potential improvements to energy efficiency specifications;</li> <li>b) Potential increase to solar PV capacity and additionally to secure the following details (solar PVs): <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels;</li> <li>- Design (including elevation plans);</li> <li>- PV specification / efficiency; and</li> <li>- How the design of the PVs would not adversely affect the provisions of green roofs on site</li> </ul> </li> </ol> <p>The updated Energy efficiency measures and increased solar photovoltaic panel capacity shall be installed prior to the first occupation of the development in accordance with the updated details so approved and retained as such permanently thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO2 emission reduction targets by energy efficient measures/features are met</p>
<b>24</b>	<b>BREEAM (Compliance)</b>
	<p>CONDITION: All business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than “Excellent”.</p> <p>REASON: In the interests of sustainable development and addressing climate change.</p>
<b>25</b>	<b>Inclusive Design Principles (Details)</b>
	<p>CONDITION: Prior to occupation of the development, to ensure compliance with the principles of Inclusive Design, the following amendments/details shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing:</p> <ol style="list-style-type: none"> <li>a) The glazed entrance doors shall visually contrast with their frames, with a contrast of at least 30 LRV points.</li> <li>b) The cycle lift will have dimensions of 2300mm x 1200mm. The door to the cycle store will be power assisted and the secure entrance key fob will be located at height accessible to wheelchair users.</li> <li>c) Audio-loops will be included within the reception desks.</li> <li><b>d) <u>Turning spaces within lab and office space</u></b></li> <li><b>e) <u>Locations and details of kitchenette provision</u></b></li> <li><b>f) <u>Details of signage and internal wayfinding</u></b></li> <li><b>g) <u>Details of all ramp gradients and handrails</u></b></li> </ol> <p>The development shall be designed in accordance with the principles of Inclusive Design and the measures shown in the drawings hereby approved shall be implemented prior to first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be installed prior to first occupation of the relevant building shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>26</b>	<b>Servicing and Delivery Plan (Non-office use units) (Details)</b>
	<p>DELIVERY &amp; SERVICING: A Delivery and Servicing Plan (DSP) detailing servicing arrangements for the proposed non-office uses, including the <b><u>Retail (Class E(a)) units and the Flexible Class E(b) Food &amp; Drink Sui Generis – Bar &amp; Drinking Establishment</u></b></p>

	<p><b>units</b>, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the unit hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>27</b>	<p><b>Crime Prevention (Details)</b></p> <p>CONDITION: Details of measures to prevent crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority prior to occupation including:</p> <ul style="list-style-type: none"> <li>a) Access into the site is required to be gated and access controlled overnight. Security rated gates are to be used at the key entry points. LPS 1175 SR2 (issue 8 B3) or STS 202 BR 2 (issue 9) are the preferred specification.</li> <li>b) Details of any internal gates within the site.</li> <li>c) Details of the proposed London Cycle stands.</li> <li>d) Details of external lighting (including emergency lighting).</li> <li>e) Details of any externally accessed refuse stores should be LPS 1175 SR1 or STS 202 BR2 security rated doors. They should be single leaf and have an auto close feature.</li> <li>f) Details of the basement level cycle store door should be either PAS24:2016 or LPS 2081 security rated. Accessed through encrypted key fob with data logging facility (not a digital key pad). Auto-close and lock feature to prevent tail gating.</li> <li>g) Details of CCTV coverage and lighting strategy and design shall be submitted. The lighting should comply with BS 5489-1:2020. The CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB). Images should be retained for a minimum of 30 days. This system would need to be registered with the Information Commissioner's Office, as it would be recording public areas. Appropriate signage indicating this fact needs to be displayed.</li> <li>h) Details of Anti-graffiti treatments for exposed gable ends where appropriate.</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
<b>28</b>	<p><b>Wildlife friendly planting (Details)</b></p> <p>CONDITION: Prior to first occupation of the development hereby approved, details of the wildlife friendly shrub/perennial planting including species type and location, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>29</b>	<p><b>Public Realm Improvements (Details)</b></p>

	<p>CONDITION: Details of the proposed public realm improvements shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The proposed improvements to the public realm shall include the following works:</p> <ul style="list-style-type: none"> <li>a) Reconfiguration of the ground floor of Times House to open up the pedestrian link to Bravington's walk and removal of the gate and replacement of paving slabs within courtyard;</li> <li>b) Installation of a new bin store enclosure with planter;</li> <li>c) Reinstatement of the entrance to Laundry Building from Caledonia Street, including associated passages and new Times Yard;</li> <li>d) Installation of new paving to the threshold of Times House south elevation on Bravington's Walk;</li> <li>e) Installation of circular light reflectors to all covered passages, and light reflectors and painting the wall in the passage way from Caledonia Street;</li> <li>f) Addition of planters adjacent to Bravington's Walk and vertical planting within Laundry Yard;</li> <li>g) Installation of wall mounted lighting to Laundry Building and Times House;</li> <li>h) Installation of cycle stands across courtyards and on Caledonia Street southern pavement, including 4 located on surrounding highway (outside of red-line);</li> <li>i) Replacement railings to the railway cutting adjacent to Bravington's Walk.</li> </ul> <p>The public realm improvements shall be implemented strictly in accordance with the details so approved within six months of first occupation, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the scheme brings forward sufficient provide public realm improvements.</p>
<b>30</b>	<b>Network Rail – Construction Methodology</b>
	<p>CONDITION: Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail.</p> <p>The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The safety, operational needs and integrity of the railway. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>31</b>	<b>Network Rail – Ground investigation</b>
	<p>CONDITION: No development should take place in proximity to a tunnel or tunnel shafts without prior submission of details of ground investigation and foundations of the works.</p> <p>Such details to be approved in writing by the local planning authority in conjunction with Network Rail.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the LPAs approval in writing.</p>

	<p>REASON: To ensure the maintenance of the safety, operational needs and integrity of the railway. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<p><b>32</b></p>	<p><b>Tree Protection</b></p>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an Arboricultural Method Statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ul style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage.</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.</li> <li>c. Details of construction within the RPA or that may impact on the retained trees.</li> <li>d. a full specification for the installation of boundary treatment works.</li> <li>e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</li> <li>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</li> <li>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.</li> <li>h. a specification for scaffolding and ground protection within tree protection zones.</li> <li>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</li> <li>j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires</li> <li>k. Boundary treatments within the RPA</li> <li>l. Methodology and detailed assessment of root pruning</li> <li>m. Reporting of inspection and supervision</li> </ul>



	<p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>33</b>	<b>Roof-Top Plant &amp; Lift Overrun (Details)</b>
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding, including colour palette and shall relate to:</p> <p>a) roof-top plant; b) ancillary enclosures/structure; and c) lift overrun</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
<b>34</b>	<b>Site Waste Management and Circular Economy (Compliance)</b>
	<p>CONDITION: The details and measures regarding the Site Waste Management and Circular Economy Statement within the submitted <b><u>Sustainability Statement dated 1 February 2023</u></b> shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>35</b>	<b>Fire Strategy (Compliance)</b>
	<p>CONDITION: The details and measures set out in the Fire Planning Statement ref: <b><u>DOC-1922839-5A-AS-20230228-THLB London Planning Statement-Rev01.docx</u></b> shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) be required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Safety Strategy would need to be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the Fire Safety Strategy under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>

<b>36</b>	<b>Noise Management Plan (Details)</b>
	<p>CONDITION: Prior to the first use of the first, and fifth floor level roof terraces hereby approved and indicated on drawings <b>Proposed First Floor Plan ref: 13601-A-02-L01-07-101-P2; and Proposed Fifth Floor Plan ref: 13601-A-02-L05-07-105-P4;</b> a Noise Management Plan for use of the terraces, covering management of the space, controls of noise and numbers shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The use of these terraces shall take place strictly in accordance with the details so approved (and condition 14).</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity.</p>
<b>37</b>	<b>Obscure Glazing and Privacy Screens (Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking from the windows on the eastern elevation of the proposed roof extension (Times House) to the neighbouring properties at Joiners Yard shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking, to protect the amenity and privacy of residents.</p>
<b>38</b>	<b>Future connection to a district energy network (Compliance)</b>
	<p>CONDITION: The details of the plant room allocated for the future connection to a district energy network shall be provided prior to first occupation of the development hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p>
<b>39</b>	<b>Surface Water Discharge (Compliance)</b>
	<p>CONDITION: Prior to the occupation of the development hereby approved, in accordance with the submitted details, flow restrictors will be installed on the rainwater outlets from the blue and green attenuated roofs to reduce the surface water discharge flow rate into the sewer, and maintained as such throughout the lifetime of the development.</p> <p>REASON: To improve sustainability, reduce flood risk and reduce water runoff rates.</p>
<b>40</b>	<b>Air Quality Assessment</b>
	<p>CONDITION: During the construction of the development hereby approved, the proposals shall achieve a Non-Road Mobile Machinery score of at least Stage IV as outlined in the Air Quality Assessment and dust management plan, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the construction of the development would not adversely affect the air quality of the local area.</p>
<b>41</b>	<b>Hours of opening – Gates (Details)</b>

	<p>CONDITION: The opening hours of the gates to Block B shall continue to operate as outlined in the decision notice for P000434(S106A) unless revised opening hours are submitted to and agreed in writing by the Local Planning Authority.</p> <p>For the avoidance of doubt, the permitted hours of opening of the gates to Block B are as follows:</p> <p>0800 to 2100 hours on Monday to Saturday; 1000 to 2000 hours on Sundays (but excluding in both cases Christmas Day, Boxing Day and New Year's Day) or such other periods as may arise from time to time be agreed in writing between the Developer and the Council such agreement not to be unreasonably withheld or delayed by either party.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>42</b>	<b>Secure Residential Cycle Parking (Details)</b>
	<p>CONDITION: Prior to the first occupation of the development hereby approved, details of the location of 10 no. secure cycle parking spaces to be provided within the basement of Times House for use by the residents of the Regents Quarter estate, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>43</b>	<b>Estate Management Plan (Details)</b>
	<p>(a) Prior to first occupation of the development hereby approved, an Estate Management Agreement (to be prepared in consultation with residents) shall be submitted to and approved in writing by the LPA. This Estate Management Agreement should include, but not be limited to, the following details:</p> <p>(i) The commitment to at least 2 meetings with residents per year to discuss estate management matters and details of how this will be arranged.</p> <p>(ii) Restrictions on hours of use of the roof terraces at first, fourth and fifth floor levels to office hours only (08:00 - 18:00 hours Monday to Friday).</p> <p>(iii) Restrictions on the hours of use of Laundry Yard and Times Yard by office <b>and research and development</b> occupiers for any purposes other than access, to office hours only (08:00 - 18:00 hours Monday to Friday) other than for access to and from the site, except for up to 2 private hire events a year. Any private events by office occupiers can only operate between the hours of 6pm and 10:30pm with all guests being off the site by 11pm.</p> <p>(iv) Details on the times for servicing vehicles to access the site.</p> <p>(v) Details of security measures on site, prepared in consultation with Toren (appointed Security Consultants).</p> <p>(vi) Prohibition of cycling within the estate and details of how this will be upheld.</p> <p>(vii) Management arrangements inclusive of private hire arrangements for the ground floor commercial uses within Times House and Laundry Buildings.</p> <p>(b) The measures proposed by the Estate Management Agreement shall be implemented as approved and retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring residential occupiers.</p>
<b>44</b>	<b>Introduction of Research and development use (Class E(g)(ii)) (Compliance)</b>

	<p><b><u>CONDITION:</u></b> <i>The development will provide additional office (Class E(g)(i)) <b>and research and development (Class E(g)(ii))</b> floorspace in accordance with <b>plan no's:</b></i>  <b><u>Proposed Ground Floor Plan ref: 13601-A-02-L00-07-100-P5;</u></b>  <b><u>Proposed First Floor Plan ref: 13601-A-02-L01-07-101-P2;</u></b>  <b><u>Proposed Second Floor Plan ref: 13601-A-02-L02-07-102-P2;</u></b>  <b><u>Proposed Third Floor Plan ref: 13601-A-02-L03-07-103-P2;</u></b>  <b><u>Proposed Fourth Floor Plan ref: 13601-A-02-L04-07-104-P4;</u></b>  <b><u>Proposed Fifth Floor Plan ref: 13601-A-02-L05-07-105-P4;</u></b></p> <p><b><u>REASON:</u></b> <i>To secure an approximately 60/40 split in floorspace between the approved research and development use (60 percent) and the office use (40 percent).</i></p>
45	<p><b>Air Quality Report (Details)</b></p> <p><b><u>CONDITION:</u></b> <i>An air quality report assessing the impact of the laboratory use shall be submitted to and approved in writing by the Local Planning Authority prior to the laboratory use commencing on site. The report shall assess impacts from odours, fumes and emissions during the operational phase of the laboratory use on nearby residents and other occupiers together with means of mitigating any identified impacts. The laboratory shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</i></p> <p><b><u>REASON:</u></b> <i>To ensure the operation of the development would not adversely affect the air quality of the local area.</i></p>
46	<p><b>Emergency Plant (Details)</b></p> <p><b><u>CONDITION:</u></b> <i>This approval is subject to the prior written approval by the Local Planning Authority of a written code for the management of noise from emergency plant and equipment, the subject of this consent. The code shall be submitted to and approved prior to the commencement of the use to which this consent relates. The code shall be fully implemented and operated at all times in accordance with the approved details. The management code shall identify measures to reduce the impact of the noise on the community.</i></p> <p><b><u>REASON:</u></b> <i>To ensure that the operation of the generator does not impact on residential amenity.</i></p>

**List of Informatives:**

<p><b>1</b></p>	<p><b>S106</b></p> <p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<p><b>2</b></p>	<p><b>Definition of ‘Superstructure’ and ‘Practical Completion’</b></p> <p>A number of conditions attached to this permission have the time restrictions ‘prior to superstructure works commencing on site’ and/or ‘following practical completion’. The council considers the definition of ‘superstructure’ as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of ‘practical completion’ to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<p><b>4</b></p>	<p><b>Rooftop Plant</b></p> <p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
<p><b>5</b></p>	<p><b>Construction Works</b></p> <p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<p><b>6</b></p>	<p><b>Highway Requirements</b></p> <p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. All agreements relating to the above need to be in place prior to works commencing.</p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>.</p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. 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 <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a>.</p>

<b>7</b>	<b>Highways Requirements (2)</b>
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <a href="mailto:highways.maintenance@islington.gov.uk">highways.maintenance@islington.gov.uk</a> Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from <a href="mailto:streetworks@islington.gov.uk">streetworks@islington.gov.uk</a>. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing. Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
<b>8</b>	<b>Highways Requirement (3)</b>
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site.</p> <p>Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a> Any damage or blockages to drainage will be repaired at the cost of the developer.</p> <p>Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980. Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980 Public highway footway cross falls will not be permitted to drain water onto private land or private drainage</p>
<b>9</b>	<b>Secured by Design</b>
	<p>You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.</p>
<b>10</b>	<b>Fire Safety</b>

	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on <a href="mailto:BuildingControl@islington.gov.uk">BuildingControl@islington.gov.uk</a>.</p>
<b>10</b>	<b>Thames Water – Ground Water</b>
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section</p>
<b>11</b>	<b>Thames Water– Surface Water</b>
	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a>.</p>
<b>12</b>	<b>Thames Water - WASTE WATER NETWORK and SEWAGE TREATMENT WORKS</b>
	<p>The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.</p> <p><a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-ourpipes</a>.</p> <p>Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a></p> <p>Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a> Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p> <p>There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check</p>

that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes>

As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

The proposed development is located within 15 metres of our underground waste water assets and as such we would like the following informative attached to any approval granted. "The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures.

<https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>

Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water, Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB

As the proposed refurbishment scheme of the existing warehouse, with alterations, extensions and partial change of use to create mixed use (Classes B8 and E(g)) buildings arranged over ground, first, second, part third, part fourth and part fifth floors and associated plant delivered in two phases and not major redevelopment or demolition. And Based on the Foul Water Drainage Strategy; The foul drainage system will utilise the existing network. The foul water drainage strategy will involve the collection of drainage stacks through laterals



and connect to the existing foul water network and continue to use the existing outlet into the Thames Water public combined sewer in Vale Royal and York Way.

And based on The development does not propose to alter the existing drainage network as there is limited opportunity to include SuDS into the development with the entire site occupied by the existing building which is being retained. The surface water run-off rate of the proposed development will however be lower than that of the existing building due to the inclusion of green roof.

The discharge wizard from Microdrainage indicates that the existing brownfield run-off volume of a 6 hour storm with 100-year return period for the site is 164.45m<sup>3</sup> (See Appendix D). The proposed greenfield run-off volume will be approximately reduced by 3-5% due to the inclusion of a green roof.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk) . Application forms should be completed on line via [www.thameswater.co.uk](http://www.thameswater.co.uk). Please refer to the Wholesale; Business customers; Groundwater discharges section.

#### Water

#### Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths, private swimming pools and canteens). Typical Trade Effluent processes include: -

Laundrette/Laundry, PCB manufacture, commercial swimming pools, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc may be required before the Company can give its consent. Applications should be made at

	<p><a href="https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent">https://wholesale.thameswater.co.uk/Wholesale-services/Business-customers/Trade-effluent</a>  or alternatively to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 3577 9200.</p> <p>As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel.</p> <p>Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information :  <a href="http://www.thameswater.co.uk/help">www.thameswater.co.uk/help</a></p> <p><u>Water Comments</u></p> <p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes">https://www.thameswater.co.uk/developers/larger-scale-developments/planning-your-development/working-near-our-pipes</a></p> <p>On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend the following informative be attached to this planning permission.</p>
13	<p><b>Fire Safety</b></p> <p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings.</p> <p>Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on <a href="mailto:Building_Control@islington.gov.uk">Building_Control@islington.gov.uk</a>.</p>
14	<p><b>Network Rail Informatives</b></p> <p>Item 1. Issues - Environmental pollution (Dust, noise etc.) to the operational railway.  Reasons/Mitigations:  Any designs, construction and locations of installations / equipment on the outside party land should take into account possible effects of noise, vibration and generation of airborne dust in regard to the operational railway. Contractors are expected to use the 'best practical means' for controlling pollution and environmental nuisance complying all current standards and regulations. Design and construction methodologies should consider mitigation measures to minimise the generation of airborne dust, noise and vibration in regard to the operational railway. Demolition work shall be carried out behind</p>

hoardings and dust suppression systems are to be employed to risk to the operational line.

Item 2. Issues - Proximity of the development to the Network Rail infrastructure and boundary fence and adequate space for future maintenance of the development.

Reasons/Mitigations:

It is recommended that all works be situated at least 3 metres from NR boundary fence or wall, to allow construction and any future maintenance work to be carried out without involving entry or encroachment onto Network Rail's land. Where trees exist on Network Rail land, design of any foundations close to the boundary must take into account the effects of root penetration in accordance with the relevant guidelines.

Item 3. Issues - Encroachment on the boundary fence, interference with sensitive equipment, space for inspection and maintenance of the railway infrastructure.

Reasons/Mitigations:

The developer / contractor must ensure that the construction foot print is secured by a new fence, set back from the existing Network Rail boundary fence line to achieve sufficient clearance for inspection and maintenance of Network Rail fence line as well as provide access for inspection and maintenance of the site in future without importing risks to the operational railway. This would normally be minimum 3.0m – 5.0m from the boundary fence depending on the adjacent NR assets.

Item 4. Issues - Collapse of lifting equipment adjacent to the boundary fence/line.

Reasons/Mitigations:

Operation of mobile cranes shall comply with CPA Good Practice Guide 'Requirements for Mobile Cranes Alongside Railways Controlled by Network Rail'. Operation of Tower Crane shall also comply with CPA Good Practice Guide 'Requirements for Tower Cranes Alongside Railways Controlled by Network Rail'. Operation of Piling Rig shall comply with Network Rail standard 'NR-L3-CIV-0063 regarding piling, crane operations and elevated platforms adjacent to the railway'. Collapse radius of equipment (including compound collapse radius) shall not fall within 4m from the railway boundary unless possession and isolation of NR lines have been arranged or agreed with Network Rail prior to works commencing.

Item 5. Issues - Effect of artificial lighting and human factor effects from glare on Train Drivers, Glint/glare from reflective surfaces to signals affecting train movements.

Reasons/Mitigations:

Lightings associated with the proposed works must not interfere with sighting of signalling apparatus and/or train drivers' line of sight. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. A Glint & Glare Assessment will be required for submission to Network Rail following for which the developer shall obtain Network Rail's Asset Protection Engineer's consent following acceptance reviews of the assessment report.

Item 6. Issues - Effects of development on Biodiversity

Reasons/Mitigations:

The outside party shall consider the effects of their proposed works on the environment in close proximity to Network Rail land, such as effects on protected birds, invasive plants and protected trees.

Item 7. Issues - Potential impact on the adjacent railway infrastructure from the construction activities.

	<p>Reasons/Mitigations:  The developer /contractor shall provide applicable construction methodologies relating to the works that may import risks to the railway and potential disruption to railway services and infrastructure for acceptance reviews prior to works commencing. All works shall be risk assessed so that necessary risk control and mitigation measures are put in place to avoid adverse effect to adjacent NR infrastructure. Railway infrastructure including embankment and bridges shall not be loaded with additional surcharge from the proposed development. Increased surcharge on railway embankment and / cutting imports risks of ground instability which can cause settlement on Network Rail infrastructure (Overhead Line Equipment / gantries, track, embankment, boundary fence, etc.). Where applicable, works, both temporary and permanent, shall be designed and constructed, subject to acceptance reviews of the designs so that they will have no influence on stability of any adjacent NR asset.</p> <p>Item 8. Issues - Collapse of structural temporary works elements on to adjacent Network rail assets and property  Reasons/Mitigations:  Where structural collapse of temporary works including scaffolding and access towers could result in any element falling within minimum 4.0m of the railway boundary or a NR asset.</p> <p>Item 9. Issues - Ground induced vibration from demolition, general groundworks, causing displacement to impact on NR Track Support Zone.  Reasons/Mitigations:  The contractor shall be aware that any proposal which may require works to be carried out adjacent to NR's track support zone and other NR assets at risk of displacement from ground induced vibration as a consequence of the construction equipment and works shall be identified so that required measures to safeguard NR assets in accordance with Network Rail's standard; NR/L2/CIV/177 – Monitoring Track over or adjacent to building or civil engineering works are adopted so that risks to the operational railway are properly addressed.</p> <p>Item 10. Issues - Effects of electrical plant or transformers on Network Rail signals or communications systems due to electromagnetic compatibility.  Reasons/Mitigations:  The contractor will be required to undertake an Electromagnetic Compatibility (EMC) risk assessments to determine potential impact the project may have on Network Rail assets, where there is a proposal to install (or upgrade existing) transmitter / telecoms equipment located within 100.0m of the operational railway. In addition, any project that will be within 20m (buffer zone) of the operational railway (with OLE) is urged by NR to undertake an EMC (Electro Magnetic Compatibility) and EMF (Electromagnetic Frequency) assessments, carried out in accordance with Network Rail standards 'NR/L1/RSE/30040 &amp; 'NR/L1/RSE/30041' and NR/L2/TEL/30066' for safety assurance in regard to occupants of the proposed developments.</p>
<b>15</b>	<b>Draft Travel Plan</b>
	<p>The draft Travel Plan to be submitted as part of the discharge of the Planning Obligations shall include measures to remind cyclists that cycling is prohibited within the block, and to promote responsible cycling to the site, and to discourage inappropriate cycling the wrong way down York Way and Balfe street.</p>
<b>16</b>	<b>Network Rail</b>

Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.

Given the proximity of the site to operational railway tunnels and the nature of the works proposed, it is imperative that the below requirements are met prior to any work commencing on site.

The relationship between the work proposed and the York Road Cure railway tunnel is unclear from the information submitted. The developer must provide a survey showing the position of this work in relation to the tunnel. Additionally, the documentation provided in support of this application indicates that the design will result in increases in loads on Network Rail assets beneath and adjacent to the site. Detail relating to this design and loading must be agreed with our Asset Protection Team (details below) prior to work commencing on site. The developer will also be required to liaise with our Asset Protection Team during construction works. Early engagement with Network Rail to address these points is strongly recommended.

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations

" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary. Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.

The above details should be submitted to the Council and only approved in conjunction with Network Rail.

Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rail's tunnels or railway land.

#### Works in Proximity to the Operational Railway Environment Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

#### Additional Requirements

##### Tunnels

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations

" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary.

	<p>Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.</p> <p>The above details should be submitted to the Council and only approved in conjunction with Network Rail.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rails tunnels or railway land.</p>
<b>17</b>	<b>Network Rail</b>
	<p><b>Fail Safe Use of Crane and Plant</b></p> <p>All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following.</p> <p>Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.</p> <p><b>Excavations/Earthworks</b></p> <p>All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.</p> <p>Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.</p> <p><b>Security of Mutual Boundary</b></p> <p>Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.</p> <p><b>Demolition</b> Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.</p> <p><b>Vibro-impact Machinery</b></p> <p>Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the</p>

Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

#### Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

#### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.

#### ENCROACHMENT

The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal. Access to the Railway

All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.

<b>18</b>	<p><b>Trees</b></p> <p>With regards to the works to protect trees, the following British Standards should be referred to:</p> <p>a. BS: 3998:2010 Tree work – Recommendations.</p> <p>b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</p>
<b>19</b>	<p><b>Transport for London</b></p> <p>To be in line with London Plan policy T1 (Strategic Approach to Transport) and T2 (Healthy Streets), the surrounding footways and carriageways on York Road, Pentonville Road and Caledonia Street and Road must not be blocked during the construction. Temporary obstruction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, bus passengers and cyclists or obstruct the flow of traffic.</p> <ul style="list-style-type: none"> <li>- All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.</li> <li>- Any hoarding for the proposed development would be subject to a separate Section 172 licence application under the Highways Act 1980 to the Asset Operations team at TfL.</li> </ul>
<b>20</b>	<p><b>Emergency Plant Management Code</b></p> <p>The Management code shall include measures to address the following matters:</p> <ol style="list-style-type: none"> <li>1. The testing of equipment not to take place between the hours of 1800 and 0800 on any day, and not at any time on Sundays, Bank Holidays or after 1300 on a Saturday.</li> <li>2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour.</li> <li>3. A list of potential residential receptors to be drawn up and those receptors to be given advance written notification of the time and date of the test.</li> <li>4. The acoustic design and control of the fixed plant and equipment to meet a criterion of a rating level, measured or calculated at 1m from the façade of the nearest noise sensitive premises, of not more than 5dB(A) above the existing background noise level (<math>L_{A90}</math>). The rating level to be determined as per the guidance provided in BS 4142:2014+A1:2019.</li> <li>5. A report to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the plant and machinery. The report is to be submitted to, and approved in writing by the Local Planning Authority, and any noise mitigation measures shall be installed before the commencement of the use hereby permitted and permanently retained thereafter.”</li> </ol>



## **APPENDIX 2: RELEVANT POLICIES**

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

### **1 National Guidance**

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

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

### **2. Development Plan**

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

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

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

#### **B) Islington Core Strategy (2011)**

- Policy CS6 Kings Cross and Pentonville Road
- Policy CS8 Enhancing Islington's character
- Policy CS9 Protecting and enhancing Islington's built and historic environment
- Policy CS10 Sustainable design
- Policy CS11 Waste
- Policy CS13 Employment spaces
- Policy CS18 Delivery and infrastructure

#### **C) Islington Development Management Policies (2013)**

##### Design and Heritage

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

##### Employment

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

##### Energy and Environmental standards

- Policy DM7.1- Sustainable design and construction
- Policy DM7.3 – Decentralised Energy Networks
- Policy DM7.4 – Sustainable Design Standards
- Policy DM7.5 – Heating and Cooling

Transport

- Policy DM8.4- Walking and cycling
- Policy DM8.5- Vehicle parking
- Policy DM8.6 – Delivery and servicing for new developments

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

The following SPGs and/or SPDs are relevant:

London Plan

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

Islington SPG/SPD

- Urban Design Guide 2017
- Environmental Design 2012
- Inclusive Design SPD

Emerging policies relevant to this application are set out below:

Strategic and Development Management Policies

- Policy PLAN1: Site appraisal, design principles and process
- Policy SP2 - King's Cross and Pentonville Road
- Policy SC3 - Health Impact Assessment
- Policy B1 - Delivering business floorspace
- Policy B2 - New business floorspace
- Policy B3 - Existing business floorspace
- Policy B4 - Affordable workspace
- Policy G4 – Biodiversity, landscape design and trees
- Policy G5 – Green Roofs and vertical greening
- Policy S1- Delivering sustainable design
- Policy S2 - Sustainable design and construction
- Policy S4 - Minimising greenhouse gas emissions
- Policy S6 – Managing heat risk
- Policy S7 – Improving Air Quality
- Policy T2 - Sustainable transport choices
- Policy T4 – Public realm
- Policy T5 - Delivery, servicing and construction
- Policy DH1 - Fostering innovation and conserving and enhancing the historic environment
- Policy DH2 - Heritage assets
- Policy DH3 – Building heights

**APPENDIX 3 – Daylight and Sunlight Impacts – BRE Tables - Consented scheme vs Proposed Scheme**

			Consented Scheme				Proposed Scheme Feb 2023				
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Existing VSC	Proposed VSC	Loss	%Loss	Additional %loss
<b>1-15 Joiners Yard</b>											
R1/220	BEDROOM	W1/220	0.98	0.98	0.00	0.00	0.98	0.98	0.00	0.00	0.00
R1/221	BEDROOM	W1/221	2.85	2.85	0.00	0.00	2.85	2.85	0.00	0.00	0.00
R2/221	BEDROOM	W2/221	22.80	20.85	1.95	8.55	22.80	20.85	1.95	8.55	0.00
R3/221	BEDROOM	W3/221	18.09	17.87	0.22	1.22	18.09	17.87	0.22	1.22	0.00
R1/222	BEDROOM	W1/222	3.96	3.96	0.00	0.00	3.96	3.96	0.00	0.00	0.00
R2/222	BEDROOM	W2/222	27.06	24.25	2.81	10.38	27.06	24.25	2.81	10.38	0.00
R3/222	BEDROOM	W3/222	21.66	21.43	0.23	1.06	21.66	21.43	0.23	1.06	0.00
R1/223	BEDROOM	W1/223	22.62	17.67	4.95	21.88	22.62	17.67	4.95	21.88	0.00
R2/223	BEDROOM	W2/223	31.39	27.86	3.53	11.25	31.39	27.86	3.53	11.25	0.00
R3/223	BEDROOM	W3/223	27.14	26.93	0.21	0.77	27.14	26.93	0.21	0.77	0.00
R1/224		W1/224	31.46	25.19	6.27	19.93	31.46	25.19	6.27	19.93	0.00
R3/224		W3/224	32.00	32.00	0.00	0.00	32.00	32.00	0.00	0.00	0.00
<b>13-17 Caledonian Road</b>											
R1/231	LD	W1/231	12.21	11.25	0.96	7.86	12.21	11.25	0.96	7.86	0.00
R1/231	LD	W2/231	13.82	12.29	1.53	11.07	13.82	12.29	1.53	11.07	0.00
R1/231	LD	W3/231	14.41	12.75	1.66	11.52	14.41	12.75	1.66	11.52	0.00
R2/231	KITCHEN	W4/231	16.36	14.14	2.22	13.57	16.36	14.14	2.22	13.57	0.00
R1/232	LD	W1/232	19.53	18.48	1.05	5.38	19.53	18.48	1.05	5.38	0.00
R1/232	LD	W2/232	21.91	19.97	1.94	8.85	21.91	19.97	1.94	8.85	0.00
R2/232	KITCHEN	W3/232	23.37	20.84	2.53	10.83	23.37	20.84	2.53	10.83	0.00
R1/233	KD	W1/233	29.03	26.59	2.44	8.41	29.03	26.59	2.44	8.41	0.00
R1/233	KD	W2/233	30.47	27.39	3.08	10.11	30.47	27.39	3.08	10.11	0.00
R1/241	LKD	W1/241	19.58	15.89	3.69	18.85	19.58	15.89	3.69	18.85	0.00
R1/241	LKD	W2/241	19.86	16.13	3.73	18.78	19.86	16.13	3.73	18.78	0.00
R1/241	LKD	W3/241	21.76	17.69	4.07	18.70	21.76	17.69	4.07	18.70	0.00
R1/241	LKD	W4/241	22.37	18.45	3.92	17.52	22.37	18.45	3.92	17.52	0.00
R1/242	LKD	W1/242	25.25	21.17	4.08	16.16	25.25	21.17	4.08	16.16	0.00
R1/242	LKD	W2/242	28.92	24.34	4.58	15.84	28.92	24.34	4.58	15.84	0.00
R1/243	LKD	W1/243	32.71	28.37	4.34	13.27	32.71	28.37	4.34	13.27	0.00
R1/243	LKD	W2/243	33.29	28.66	4.63	13.91	33.29	28.66	4.63	13.91	0.00
<b>11 Caledonian Road</b>											
R1/251		W1/251	23.13	19.08	4.05	17.51	23.13	19.08	4.05	17.51	0.00
R2/251		W2/251	18.12	14.56	3.56	19.65	18.12	14.56	3.56	19.65	0.00
R1/252		W1/252	30.16	25.45	4.71	15.62	30.16	25.45	4.71	15.62	0.00
R2/252		W2/252	30.76	26.20	4.56	14.82	30.76	26.20	4.56	14.82	0.00
R1/253		W1/253	33.71	29.15	4.56	13.53	33.71	29.15	4.56	13.53	0.00

			Consented Scheme				Proposed Scheme Feb 2023				
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Existing VSC	Proposed VSC	Loss	%Loss	Additional %loss
R2/253		W2/253	33.93	29.57	4.36	12.85	33.93	29.57	4.36	12.85	0.00
<b>9 Caledonian Road</b>											
R2/262		W2/262	31.59	27.74	3.85	12.19	31.59	27.74	3.85	12.19	0.00
R2/263		W2/263	34.25	30.49	3.76	10.98	34.25	30.48	3.77	11.01	0.03
<b>7-7A Caledonian Road</b>											
R1/271		W1/271	26.46	24.18	2.28	8.62	26.46	24.17	2.29	8.65	0.04
R1/272		W1/272	32.15	28.78	3.37	10.48	32.15	28.77	3.38	10.51	0.03
R1/273		W1/273	34.50	31.23	3.27	9.48	34.50	31.22	3.28	9.51	0.03
R1/280		W1/280	3.85	3.55	0.30	7.79	3.85	3.55	0.30	7.79	0.00
R1/280		W2/280	1.29	1.04	0.25	19.38	1.29	1.04	0.25	19.38	0.00
R1/280		W3/280	1.90	1.80	0.10	5.26	1.90	1.80	0.10	5.26	0.00
R1/281		W1/281	17.70	14.98	2.72	15.37	17.70	14.96	2.74	15.48	0.11
R1/282		W1/282	32.34	29.35	2.99	9.25	32.34	29.33	3.01	9.31	0.06
R1/283		W1/283	34.57	31.72	2.85	8.24	34.58	31.70	2.88	8.33	0.08
R1/285		W1/285	2.43	2.43	0.00	0.00	2.43	2.43	0.00	0.00	0.00
R1/285		W2/285	3.10	3.10	0.00	0.00	3.10	3.10	0.00	0.00	0.00
R1/285		W3/285	4.23	4.23	0.00	0.00	4.23	4.23	0.00	0.00	0.00
R1/285		W4/285	4.31	4.24	0.07	1.62	4.31	4.24	0.07	1.62	0.00
R1/285		W5/285	4.56	4.42	0.14	3.07	4.56	4.42	0.14	3.07	0.00
R1/285		W6/285	5.80	5.57	0.23	3.97	5.80	5.57	0.23	3.97	0.00
R1/285		W7/285	4.68	4.39	0.29	6.20	4.68	4.39	0.29	6.20	0.00
R1/285		W8/285	4.48	4.18	0.30	6.70	4.48	4.18	0.30	6.70	0.00
R1/286		W1/286	9.21	9.21	0.00	0.00	9.21	9.21	0.00	0.00	0.00
R1/286		W2/286	9.13	8.48	0.65	7.12	9.13	8.48	0.65	7.12	0.00
R1/286		W3/286	8.56	7.84	0.72	8.41	8.56	7.84	0.72	8.41	0.00
R1/286		W4/286	64.50	63.12	1.38	2.14	64.50	63.12	1.38	2.14	0.00
R1/286		W5/286	79.38	75.65	3.73	4.70	79.38	75.64	3.74	4.71	0.01
R1/286		W6/286	57.28	56.62	0.66	1.15	57.28	56.61	0.67	1.17	0.02
R1/286		W7/286	79.02	77.49	1.53	1.94	79.02	77.48	1.54	1.95	0.01
<b>5 Caledonian Road</b>											
R2/292		W2/292	28.59	26.26	2.33	8.15	28.59	26.24	2.35	8.22	0.07
R2/293		W2/293	30.95	28.75	2.20	7.11	30.95	28.73	2.22	7.17	0.06
R2/294		W2/294	34.33	32.44	1.89	5.51	34.33	32.41	1.92	5.59	0.09
R1/295		W1/295	7.90	7.89	0.01	0.13	7.90	7.89	0.01	0.13	0.00
R1/295		W2/295	61.05	59.71	1.34	2.19	61.05	59.71	1.34	2.19	0.00
R1/295		W3/295	50.35	50.18	0.17	0.34	50.35	50.18	0.17	0.34	0.00
R1/296		W1/296	26.54	23.96	2.58	9.72	26.54	23.94	2.60	9.80	0.08
<b>1-3 Caledonian Road</b>											
R1/301		W1/301	11.94	11.73	0.21	1.76	11.94	11.72	0.22	1.84	0.08
R1/302		W1/302	32.04	29.90	2.14	6.68	32.04	29.88	2.16	6.74	0.06
R1/302		W2/302	31.75	29.86	1.89	5.95	31.75	29.84	1.91	6.02	0.06
R1/303		W1/303	34.51	32.50	2.01	5.82	34.51	32.47	2.04	5.91	0.09

			Consented Scheme				Proposed Scheme Feb 2023				
Room	Room Use	Window	Existing VSC	Proposed VSC	Loss	%Loss	Existing VSC	Proposed VSC	Loss	%Loss	Additional %loss
R1/303		W2/303	34.41	32.64	1.77	5.14	34.42	32.62	1.80	5.23	0.09
R1/304		W1/304	35.86	34.09	1.77	4.94	35.86	34.06	1.80	5.02	0.08
R1/304		W2/304	35.87	34.31	1.56	4.35	35.87	34.28	1.59	4.43	0.08
R1/305		W1/305	6.83	6.83	0.00	0.00	6.83	6.83	0.00	0.00	0.00
R2/305		W2/305	5.18	5.16	0.02	0.39	5.18	5.16	0.02	0.39	0.00
R1/306		W1/306	17.39	17.39	0.00	0.00	17.39	17.39	0.00	0.00	0.00
R1/306		W2/306	22.13	21.51	0.62	2.80	22.13	21.51	0.62	2.80	0.00
R2/306		W3/306	20.27	18.11	2.16	10.66	20.27	18.10	2.17	10.71	0.05
<b>24 York Way</b>											
R1/332		W1/332	16.71	16.71	0.00	0.00	16.71	16.71	0.00	0.00	0.00
R2/332		W2/332	16.57	16.53	0.04	0.24	16.57	16.53	0.04	0.24	0.00
R1/333		W1/333	26.54	25.82	0.72	2.71	26.54	25.81	0.73	2.75	0.04
R2/333		W2/333	29.36	28.65	0.71	2.42	29.36	28.64	0.72	2.45	0.03

Room	Room Use	Whole Room sq ft	Consented Scheme				Proposed Scheme Feb 2023				Additional % loss
			Existing sq ft	Proposed sq ft	Loss sq ft	%Loss	Existing sq ft	Proposed sq ft	Loss sq ft	%Loss	

### 1-15 Joiners Yard

R1/220	BEDROOM	192.9	17.6	17.6	0.0	0.0	17.6	17.6	0.0	0.0	0.0
R1/221	BEDROOM	167.4	152.5	152.5	0.0	0.0	152.5	152.5	0.0	0.0	0.0
R2/221	BEDROOM	123.1	118.1	117.6	0.5	0.4	118.1	117.6	0.5	0.4	0.0
R3/221	BEDROOM	128.1	123.0	122.7	0.3	0.2	123.0	122.7	0.3	0.2	0.0
R1/222	BEDROOM	167.4	164.0	164.0	0.0	0.0	164.0	164.0	0.0	0.0	0.0
R2/222	BEDROOM	123.1	120.7	120.3	0.4	0.3	120.7	120.3	0.4	0.3	0.0
R3/222	BEDROOM	128.1	123.1	123.1	0.0	0.0	123.1	123.1	0.0	0.0	0.0
R1/223	BEDROOM	167.4	165.9	164.9	1.0	0.6	165.9	164.9	1.0	0.6	0.0
R2/223	BEDROOM	123.1	120.7	120.6	0.1	0.1	120.7	120.6	0.1	0.1	0.0
R3/223	BEDROOM	128.1	123.5	123.5	0.0	0.0	123.5	123.5	0.0	0.0	0.0
R1/224		267.8	265.5	238.6	26.9	10.1	265.5	238.6	26.9	10.1	0.0
R3/224		158.0	152.2	151.4	0.8	0.5	152.2	151.4	0.8	0.5	0.0

### 13-17 Caledonian Road

R1/231	LD	219.2	161.5	133.3	28.1	17.4	161.5	133.3	28.1	17.4	0.0
R2/231	KITCHEN	66.7	24.1	17.5	6.5	27.0	24.1	17.5	6.5	27.0	0.0
R1/232	LD	219.2	202.7	163.4	39.3	19.4	202.7	163.4	39.3	19.4	0.0
R2/232	KITCHEN	66.7	37.5	27.9	9.6	25.6	37.5	27.9	9.6	25.6	0.0
R1/233	KD	149.1	134.2	118.0	16.2	12.1	134.2	118.0	16.2	12.1	0.0
R1/241	LKD	238.2	231.5	188.8	42.7	18.4	231.5	188.8	42.7	18.4	0.0
R1/242	LKD	191.2	184.6	170.1	14.5	7.9	184.6	170.1	14.5	7.9	0.0
R1/243	LKD	191.2	184.6	184.6	0.0	0.0	184.6	184.6	0.0	0.0	0.0

### 11 Caledonian Road

R1/251		66.8	64.6	53.5	11.0	17.0	64.6	53.5	11.0	17.0	0.0
R2/251		119.2	108.8	97.1	11.8	10.8	108.8	97.1	11.8	10.8	0.0
R1/252		66.8	64.6	54.3	10.3	15.9	64.6	54.3	10.3	15.9	0.0
R2/252		119.2	114.0	102.0	12.1	10.6	114.0	102.0	12.1	10.6	0.0
R1/253		66.8	64.6	51.6	12.9	20.0	64.6	51.6	12.9	20.0	0.0
R2/253		119.2	114.5	99.7	14.8	12.9	114.5	99.7	14.8	12.9	0.0

### 9 Caledonian Road

R2/262		118.9	114.7	108.5	6.2	5.4	114.7	108.5	6.2	5.4	0.0
R2/263		118.9	115.2	93.0	22.2	19.3	115.2	93.0	22.2	19.3	0.0

### 7-7A Caledonian Road

R1/271		116.2	112.3	100.8	11.5	10.2	112.3	100.6	11.8	10.5	0.3
R1/272		116.2	112.2	98.2	14.0	12.5	112.2	97.9	14.3	12.7	0.3
R1/273		116.2	112.2	104.8	7.4	6.6	112.2	104.5	7.7	6.9	0.3
R1/280		329.4	77.9	77.8	0.1	0.1	77.9	77.8	0.1	0.1	0.0
R1/281		110.5	95.6	95.6	0.0	0.0	95.6	95.6	0.0	0.0	0.0
R1/282		110.5	106.7	105.7	1.0	0.9	106.7	105.6	1.1	1.0	0.1
R1/283		110.5	106.7	102.5	4.2	3.9	106.7	102.2	4.5	4.2	0.3
R1/285		511.0	155.0	151.7	3.3	2.1	155.0	151.7	3.3	2.1	0.0
R1/286		572.2	572.2	572.2	0.0	0.0	572.2	572.2	0.0	0.0	0.0

Room	Room Use	Whole Room sq ft	Consented Scheme				Proposed Scheme Feb 2023				Additional % loss
			Existing sq ft	Proposed sq ft	Loss sq ft	%Loss	Existing sq ft	Proposed sq ft	Loss sq ft	%Loss	

#### 5 Caledonian Road

R2/292		133.2	122.5	120.8	1.7	1.4	122.5	120.5	1.9	1.6	0.2
R2/293		133.2	124.6	119.1	5.5	4.4	124.6	118.7	5.9	4.7	0.3
R2/294		120.8	110.0	110.0	0.0	0.0	110.0	110.0	0.0	0.0	0.0
R1/295		174.5	164.2	164.2	0.0	0.0	164.5	164.5	0.0	0.0	0.0
R1/296		97.8	88.3	83.8	4.4	5.0	88.3	83.7	4.6	5.2	0.2

#### 1-3 Caledonian Road

R1/301		221.6	87.5	77.8	9.7	11.1	87.5	77.8	9.7	11.1	0.0
R1/302		221.6	213.1	213.1	0.0	0.0	213.1	213.1	0.0	0.0	0.0
R1/303		221.6	214.3	214.3	0.0	0.0	214.3	214.3	0.0	0.0	0.0
R1/304		181.7	174.8	174.8	0.0	0.0	174.8	174.8	0.0	0.0	0.0
R1/305		118.3	51.0	51.0	0.0	0.0	51.0	51.0	0.0	0.0	0.0
R2/305		123.9	53.1	52.0	1.1	2.1	53.1	52.0	1.1	2.1	0.0
R1/306		118.3	109.4	101.4	8.0	7.3	109.4	101.4	8.0	7.3	0.0
R2/306		123.9	113.3	90.9	22.3	19.7	113.3	90.8	22.5	19.9	0.2

#### 24 York Way

R1/332		131.2	66.1	66.1	0.0	0.0	66.1	66.1	0.0	0.0	0.0
R2/332		152.4	114.9	114.5	0.4	0.3	114.9	114.5	0.4	0.3	0.0
R1/333		110.9	61.4	61.4	0.0	0.0	61.4	61.4	0.0	0.0	0.0
R2/333		148.8	130.6	129.5	1.1	0.8	130.6	129.5	1.1	0.8	0.0



**APPENDIX 4 - P2021.2269.FUL - Times House. Laundry Building Committee Report Addendum**

**PLANNING COMMITTEE REPORT ADDENDUM**

 Development Management Service  
 Planning and Development Division  
 Community Wealth Building Department

<b>PLANNING COMMITTEE</b>		<b>AGENDA ITEM</b>
<b>Date:</b>	7 June 2022	<b>NON-EXEMPT</b>

Application number	P2021/2269/FUL
Application type	Full Application
Ward	Caledonian
Listed building	None on site. Close proximity to Kings Cross Station (Grade I), 7 Caledonian Road (Grade II) and 295-297 Pentonville Road (Grade II)
Conservation area	Kings Cross Conservation Area (CA21) Close proximity to Keystone Crescent Conservation Area (CA14), and Kings Cross Conservation Area (LB Camden)
Development Plan Context	Core Strategy Key Area – Kings Cross and Pentonville Road Central Activities Zone Employment Growth Areas (General) Article 4 Direction A1-A2 (Borough wide) Article 4 Direction B1(c) to C3 (CAZ) Rail Safeguarding Area (Crossrail 2)
Licensing Implications	Kings Cross - Cumulative Impact Areas
Site Address	Times House and Laundry Building, Regent Quarter, Kings Cross, Islington, London, N1 9AW
Proposal	Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.

Case Officer	Tom Broomhall
Applicant	Endurance Land LLP
Agent	Savills

## 1. RECOMMENDATION

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

- A) conditional on the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in **Appendix 1**; and
- B) Subject to the conditions set out in Appendix 1

## 2. BACKGROUND OF DEFERRAL

- 2.1 Planning application P2021/2269/FUL was presented at the Planning Committee meeting on 22 February 2022. The Planning Committee Report for this meeting is appended as **Appendix 2** for reference.
- 2.2 During the 22 February 2022 Committee Meeting, Members expressed concerns that the building is a floor too high and that a removal of a floor would give better proportion and reduce daylight and sunlight concerns. Members also commented that an improved affordable workspace, possibly with an extended lease from 10 to 20 years would be welcomed. The views of committee members is captured in the agreed minutes from this meeting. The minutes are appended to this report (see **Appendix 3**).
- 2.3 As such, the item was deferred in order for the applicant to review the massing of the building in order for betterments to the daylight and sunlight transgressions, in order to reduce perceived harm to neighbouring amenity and to reduce the heritage impacts.
- 2.4 Since the 22 February 2022 Committee Meeting, the Applicant has submitted revised documents as follows:
  - 13601-A-02-L00-07-050-P2 – Proposed Site Plan
  - 13601-A-02-L00-07-100-P3 – Proposed Ground Floor Plan
  - 13601-A-02-L04-07-104-P3 – Proposed Fourth Floor Plan
  - 13601-A-02-L05-07-105-P3 – Proposed Fifth Floor Plan
  - 13601-A-02-L06-07-106-P3 – Proposed Roof Plan – Lower
  - 13601-A-02-LRF-07-107-P3 – Proposed Roof Plan – Upper
  - 13601-A-02-LXX-07-150-P3 – Street Elevations – Proposed
  - 13601-A-02-LXX-07-160-P3 – Context Section North-South - Proposed
  - 13601-A-02-LXX-07-161-P1 – Context Section East-West – Proposed
  - 13601-A-02-LXX-07-200-P3 – Proposed North Elevation
  - 13601-A-02-LXX-07-201-P3 – Proposed West Elevation
  - 13601-A-02-LXX-07-202-P1 – Proposed South Elevation
  - 13601-A-02-LXX-07-203-P3 – Proposed East Elevation
  - 13601-A-02-LXX-07-300-P2 – Proposed Section AA
  - 13601-A-02-LXX-07-301-P3 – Proposed Section BB
  - 13601-A-02-LXX-07-302-P3 – Proposed Section CC
  - 13601-A-02-LXX-07-304-P3 – Proposed Section EE
  - 13601-A-02-LXX-07-305-P1 – Proposed Section FF
  - 13601-A-02-LXX-07-306-P1 – Proposed Section GG
  - 13601-A-02-LXX-07-307-P2 – Proposed Section HH
  - 13601-A-02-LXX-07-308-P2 – Proposed Section II

- 0182c\_PR3-P-GA-LY-01\_RevC – Laundry Yard + Times Yard Proposed Ground Floor Plan
- 0182C-PR3-P-DT-LY-02\_RevC - Laundry Yard + Times Yard Proposed Services Plan
- Design & Access Statement Addendum B – May 2022
- Heritage and Townscape Statement Addendum April 2022
- Daylight, Sunlight and Overshadowing Report – May 2022 Version V1 – Ref: P2593
- Letter from Savills dated 5 May 2022

2.5 As a result of the amendments to the scheme the description of development has been revised to reflect the removal of one storey to the proposed roof extension and removal of the proposed flexible (Class E) unit within Laundry Building. The description of development should now read as follows:

*“Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and one storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.”*

2.6 This addendum report addresses the reasons for the committee’s deferral of this application and the consequential amendments to the proposal to address these. As such, the areas of assessment in regards to this application which have not been directly addressed in the addendum report still stand. The February Committee report has been appended. A period of approximately 4 months has passed since this application was last presented to members on 22<sup>nd</sup> February 2022. Officers have had due consideration to the most up-to-date Development Plan, as well as the Draft Local Plan which currently going through the Examination process. There have been no changes to the Development Plan or Draft Local Plan which would alter Officers’ assessment of material planning considerations as outlined in the February Committee Report. There have also been no other material changes to the site nor its surroundings which was alter the Council’s assessment.

### **3. FURTHER CONSULTATION UNDERTAKEN**

#### **Public Consultation Responses**

3.1 The Council has chosen to reconsult on the applications following receipt of amendments to the proposals. Given the previous consultation where the applications have previously been subject to statutory consultation including site and press notices, the Council has exceeded its statutory requirements for consultation through reconsulting at this stage.

3.2 The amendments to the applications amount to reductions to the proposals and therefore are not considered to be significant in the overall context of the applications. As such the 14-day reconsultation period is in line with the Council’s Statement of

Community Involvement. The 14-day re-consultation on the application began on 10 May 2022 until 24 May 2022.

- 3.3 Notwithstanding this, it is the Council's practice to continue to consider representations made up until the date of a decision. Any representations received after the publication of the Committee Report will be given due consideration, will be provided to Members prior to the Committee Meeting and a verbal update will be provided as part of the Officer's presentation.
- 3.4 Objections were received from 22 residents during this latest re-consultation period.
- 3.5 Representations have been received from a total of 40 residents forming objections to the proposal during the course of the application. Further correspondence has been received by the Case Officer from a number of these objectors. Officers consider as the amendments amount to reductions, no new material planning considerations have been raised, which haven't already been addressed in the 22 February 2022 Committee Report (e.g. relating to building heights, impact on heritage assets, reductions to daylight and sunlight etc.). This is outlined in section 8.8 of the appended committee report. However, given that the scheme has been revised, officers have responded to the planning considerations that have been raised during the latest period of reconsultation. The main issues raised relate to:
- Impact on heritage assets of the height and massing (**Officer comment:** In the committee report dated 22 February 2022 officers have given a detailed and careful consideration of the impact of the proposals on the surrounding heritage assets in accordance with the requirements of paragraphs 195, 200 and 202 of the NPPF and given special regard to the impact on the setting of the listed buildings and the conservation areas. Officers have concluded that the impact of the proposals would cause less than substantial harm to these heritage assets. The scheme has been reduced in height and massing and officers note the reductions in the visibility as indicated in the images indicating the views from Euston Road, Caledonian Road, Caledonia Street, and York Way (As demonstrated in the Design and Access Statement Addendum and the Heritage and Townscape Statement Addendum) and the overall reductions in height and massing. The Council's Design and Conservation Officers and Historic England raised no objections to the previous scheme and have continued to raise no objections to the revised scheme. Officers consider the amendments to the scheme reduce the impact on heritage assets and provide an increased level of public benefits with increases in the percentage and lease terms of the proposed affordable workspace. Therefore the scheme is acceptable in accordance with the requirements of the NPPF and the development plan.)
  - Loss of daylight (**Officer comment:** In the committee report dated 22 February 2022 officers have considered the impacts of the proposals on the daylight, sunlight and overshadowing to the neighbouring residential properties. The amendments to the scheme result in a significant reduction in the impact of the proposals on the levels of daylight and sunlight to the neighbouring residential properties. Officers consider the impacts are acceptable. This is considered in detail below, in the reductions in impacts to Daylight section of this report.)
  - Applicant's consultation with residents; (**Officer comment:** The Council notes the comments made by the applicant and has undertaken its own reconsultation to obtain the views of residents which have been considered in this latest assessment of the application.)

- Reduced cycle parking for residents from 65 to 10 secure spaces (**Officer comment:** Given that the lack of any formal consent or allocation for residential cycle parking, the provision of 10 dedicated cycle parking spaces for residents is considered to amount to an improvement on the existing situation and an overall benefit. This is considered in more detail in the assessment of this report and would be secured by condition 41.)
- Requests additional elements are added to the wording of the CEMP condition to include construction across the site should be restricted to 0900-16.00 only on weekdays and no Saturday working in addition to no working on Sundays and Bank Holidays. (**Officer comment:** The details of the Construction Environmental Management Plan are required to be submitted by condition (5) and will be discharged in consultation with the Council's Environmental Health Officer and Highways officers.)
- Has undertaken research to suggest there is a lack of demand for office accommodation in this area. (**Officer comment:** The adopted and emerging planning policy basis for the land use for the site has been considered in detail in the committee report dated 22 February 2022. There has been no material change to the Council's land use policies relevant to the scheme, since the publication of this report.)
- Lack of consultation with residents of Keystone Crescent (**Officer comment:** During the course of the application the Council has undertaken a number of rounds of public consultation and has exceeded its statutory requirements and accords with the requirements of the Council's Statement of Community Involvement.)

#### Islington Society:

3.6 In response to the further re-consultation and the revised description of the two planning applications P2021/2269 and P2021/2270 The Islington Society wishes to resubmit its objections to these schemes. The society believes that the revised submissions by the applicant do not address its concerns about the application's contraventions of the Conservation Area Guidelines, in particular the additional height and mass above the roof line of the surrounding historic locally listed buildings. The society accepts that the developer has made some effort to reduce the height of the new developments but these are insufficient to address its concerns. For example, while the developer has reduced the number of floors in the redeveloped "Times House" by one, the height of the proposed new building is only cut by a single metre. The society is also concerned that the application still does not retain the spirit of the highly successful early 2000s redevelopment of the area, particularly around Albion Yard and behind the Laundry Building. (**Officer comment:** In the committee report dated 22 February 2022 officers have given a detailed and careful consideration of the impact of the proposals on the surrounding heritage assets in accordance with the requirements of paragraphs 195, 200 and 202 of the NPPF and given special regard to the impact on the setting of the Listed Buildings and the conservation areas. Officers have concluded that the impact of the proposals would cause less than substantial harm to these heritage assets. Officers consider the amendments to the scheme reduce the impact on heritage assets. The impact on the conservation area is considered in the assessment below, in the reductions to roof extensions section.)

3.7 Transport for London - With regards to the proposed residential cycle parking spaces, the applicant should provide a minimum of 5% larger cycle parking spaces and should meet the design standards set out in Chapter 8 of the London Cycle Design Standards (LCDS) and London Plan policy T5 (cycling). (**Officer comment:** Officers note that the

proposed scheme does not propose any residential units, there are no residential units within the site, and there is no policy requirement for the provision of residential cycle parking within the site. The provision of dedicated cycle parking for residential use amounts to a benefit of the scheme. Notwithstanding this, it is proposed to attach an additional condition (42) to secure details of the proposed residential cycle parking to be submitted to and approved by the Local Planning Authority.)

## **UPDATED ASSESSMENT**

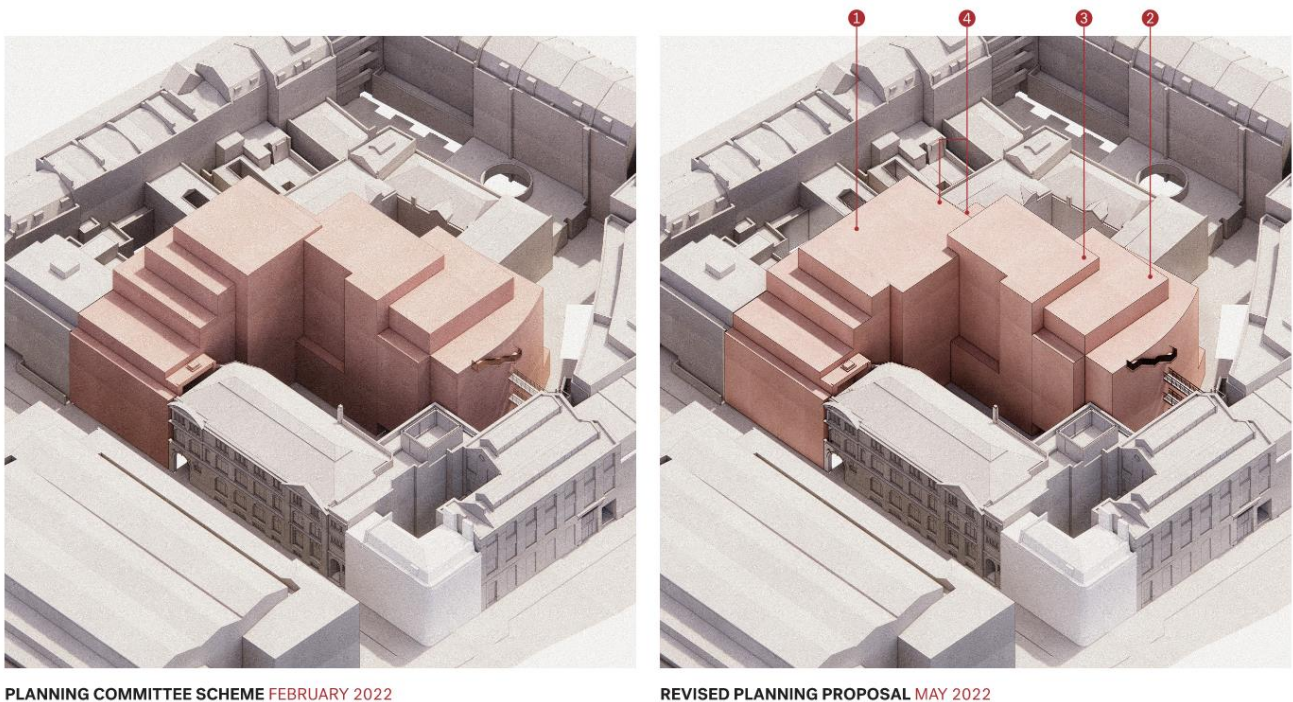
- 3.8 Following the deferral, the Applicant submitted revised elevation/floorplan/section drawings, revised landscape drawings, revised 'Daylight & Sunlight' reports, a Design & Access Statement Addendum, a Heritage and Townscape Statement Addendum and a cover letter setting out the extent of the amendments.
- 3.9 It should be noted that the scheme has not been amended beyond the following revisions outlined in this addendum report.
- 3.10 A summary of the amendments are as follows:
- The massing of the proposed roof extensions has been reduced at various levels as follows:
    - The overall height of the proposed development across the scheme has been reduced by 0.5 metres.
    - Removal of one floor from the east wing of Times House, resulting in a 3.3 metre reduction in height.
    - Height of fifth floor reduced by 0.3 metres.
    - A minor additional single storey infill extension on the southern part of the site at fourth floor level, leading to a minor reduction in the extent of the proposed fourth floor roof terrace.
  - As a result of the amendments to the application, the proposed uplift in GIA floorspace has been reduced from 1,723sqm to 1,559sqm which equates to a reduction of 164sqm of floorspace from the previous scheme. This is not considered to raise conflict with the Council's land use policies.
  - The affordable workspace offer of 207.7sqm is to be provided within Laundry Building on the ground floor. As part of the latest amendments this has now been separated from the Jahn Court application. The proposed offer has increased to 13.3% of the uplift in floor area, relating only to this application, for a period of 20 years on a peppercorn rent (increased from the previous offer of 10 years).
  - Provision of 10 dedicated secure cycle spaces within the basement of Times House for the residents of Regents Quarter to be secured by condition.
- 3.11 These amendments are assessed in the following sections of this report.

### **Reductions to Roof Extensions**

- 3.12 The reductions made to the height and massing are considered to respond to the concerns raised at Planning Committee.
- 3.13 The proposed height and massing is slightly reduced within the views to Kings Cross Station. Importantly, it should be emphasised that the existing roof of Times House is already visible in this view and whilst the proposed development will be more visible,

the impact of this is considered to be acceptable as the height of the extension is in line with the shoulder height of Kings Cross Station. Furthermore, the design/materials blend in with the skyline and are an improvement to the existing roofline design.

- 3.14 In addition, the view of the east wing of the development is now significantly reduced and blends in with the existing modern roof top extensions of the surrounding buildings. The development is also now not visible from York Way or Caledonia Street.
- 3.15 Following this reduction in the height and massing, the southern area of the fourth floor level has been slightly extended by reducing the extent of the proposed fourth floor roof terrace, to mitigate the loss of some floor area elsewhere. The extent of this addition is minor, and is located adjacent to commercial properties, and is not in close proximity to residential properties.



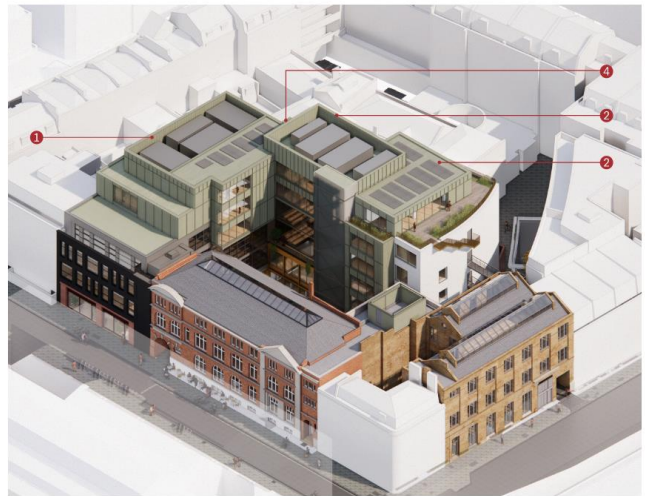
***Image 1 – Proposed and Revised changes to massing***

- 3.16 Image 1 shows a comparison between the massing of the proposed roof extensions on the previous scheme and those now proposed as part of the revised scheme.





PLANNING COMMITTEE SCHEME FEBRUARY 2022



REVISED PLANNING PROPOSAL MAY 2022

**Image 2 – Proposed and Revised – Axonometric View**

3.17 Image 2 shows a comparison between the visual massing of the proposed roof extensions on the previous scheme and those now proposed as part of the revised scheme.



PLANNING COMMITTEE SCHEME FEBRUARY 2022



REVISED PLANNING PROPOSAL MAY 2022

**Image 3 - Proposed and Revised View 10 south from Caledonian Road**

3.18 Image 3 shows a comparison between the visibility of the proposed roof extension to Times House as shown from Caledonian Road, between the previously proposed scheme and the revised scheme. The images demonstrate that the visibility of the massing of the roof extension has been significantly reduced in this view.

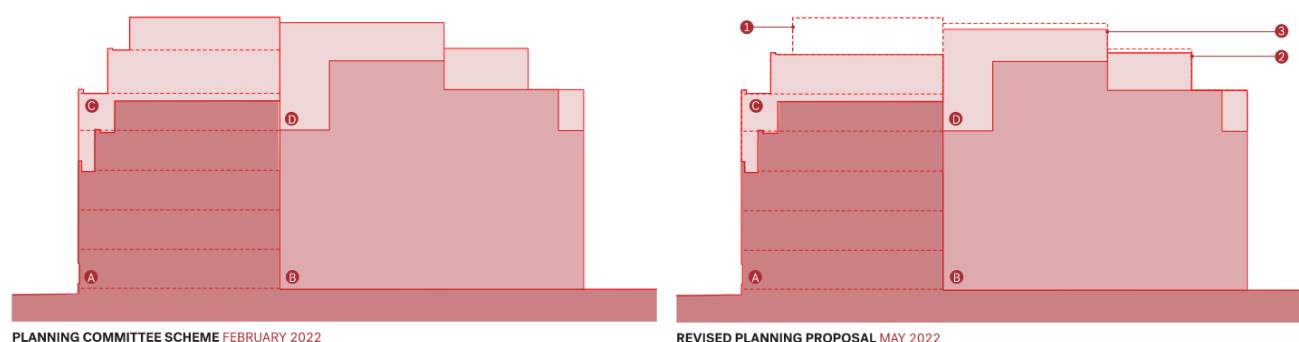
3.19 The proposed total height of the building following the proposed roof extensions has been reduced. The eastern wing is now proposed to increase in height from 17.2m (east wing) to 21.6m to the top of the roof plant (down from 24.9m as previously proposed) and to increase the height of the west wing from 20.9m to 23.9m to the top of plant (down from 24.4m as previously proposed). The proposed heights to the top of the roof have also been reduced. The west wing roof rises from 17.9m to 21.6m (down from 21.9m as previously proposed) and for the east wing roof rises from 14.4m to 21.6m (down from 21.9m as previously proposed). The overall height reduction of

the east wing is 3.3m (43% of the extension height), and the overall reduction in height of the west wing is 0.5m (15% of the extension height).

- 3.20 The revised massing incorporates an uplift in the proposed provision of blue and green roofs from the previous scheme, now providing 288.2sqm of blue roof and 256.3sqm of blue/green roof.
- 3.21 While there were no design or heritage objections from officers to the earlier iteration that was considered at committee, given the proposed reductions to height and mass, and the resulting beneficial impact to the amenity of the adjacent properties, together with the high quality of architecture demonstrated within the detailed designs, including innovative materiality, there are no design objections to the amended scheme design.
- 3.22 Overall, the height and massing of the proposed extensions have been sufficiently reduced in scale resulting in the building being less prominent from the public realm. Further to the design changes, a revised Heritage and Townscape Statement has been prepared which outlines that the proposals will have an even lesser impact than the previous scheme which was considered to be acceptable in heritage terms.
- 3.23 It is worth reiterating that no objections have been raised by the Council's Design and Conservation Officers, the Design Review Panel and Historic England. The proposals therefore positively respond to the local context and heritage assets within the area and improve the heritage case. The proposals remain acceptable in heritage terms in line with the NPPF, London Plan Policy D3 and Policy HC1 and Emerging Local Plan policies, PLAN1, SP2, DH1, DH2, and DH3.

### Reductions in impacts to Daylight

- 3.24 The reduction in mass to the fourth storey has led to betterments, in the reductions to daylight and sunlight to neighbouring properties.



**Image 4 – Proposed and Revised East West Section**

- 3.25 In image 4, parts A and B indicate existing massing, and parts C and D indicate the proposed additional massing.
- 3.26 In the scheme presented to the planning committee on 22 February 2022, a total of 84 windows and 54 rooms to neighbouring properties were assessed, 3 (3.6%) of the windows and 3 (5.56%) of the rooms would see reductions beyond the BRE guidance criteria (when using the VSC criteria for the windows and the daylight distribution (the NSL test) criteria for the rooms).

3.27 Following the latest amendments to the scheme, the revised Daylight, Sunlight and Overshadowing Assessment confirms that of the same windows and rooms tested, now only 1 (1.2%) of the windows and 2 (3.7%) of the rooms would see reductions beyond the BRE guidance criteria (when using the VSC criteria for the windows and the daylight distribution (the NSL test) criteria for the rooms).

3.28 It is important to note that a number of windows and rooms would see a betterment to the reductions to neighbouring properties, albeit the reductions would remain beyond the BRE guidance. The reduced transgressions are reported to neighbouring properties at the Joiners Yard and Caledonian Road. These are outlined further below with a comparison between the impacts of the previous scheme and the revised scheme:

**Table 1 – 8-15 Joiners Yard**

		Vertical Sky Component				No Skyline (Daylight Distribution)				
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme
<i>Third floor</i>										
R1/223 - W1	Bedroom	22.6	17.7	22.24%	21.9%	15.3	15.4	15.3	0.6%	0.6%
<i>Fourth floor</i>										
R1/224 - W1	LKD	31.5	25.2	20.28%	19.9%	24.9	24.7	22.1	10.1%	10.1%

**Table 2 - 1-3 Caledonian Road**

		Vertical Sky Component				No Skyline (Daylight Distribution)				
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme
<i>First Floor</i>										
R2/306 - W3	Bedroom (assumed)	20.3	18.1	11.7%	10.7%	11.5	10.5	8.4	20.7%	19.7%

**Table 3 – 11 Caledonian Road**

		Vertical Sky Component				No Skyline (Daylight Distribution)				
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme
<i>First Floor</i>										
R2/251 - W2	Bedroom (assumed)	18.1	14.6	20.97%	19.7%	11.1	10	9	10.1%	10.8%

**Table 4 - 13-17  
Caledonian Road**

		Vertical Sky Component				No Skyline (Daylight Distribution)				
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme	Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%) Previous scheme	Reduction (%) Revised Scheme
<i>First Floor</i>										
R2/231 – W4	Kitchen	16.4	14.1	14.4%	13.6%	6.2	2.2	1.6	33.6%	27%
<i>Second Floor</i>										
R2/232 – W3	Kitchen	23.4	20.8	12.4%	10.8%	6.2	3.5	2.6	29.1%	25.6%

3.29 Now only one window and two rooms would continue to see transgressions beyond the BRE criteria and the extent of the impacts have been significantly reduced. The greatest impacts under this revised scheme with regards to daylight are considered to be acceptable given the site’s central, dense and urban context.

### Impacts to Sunlight

3.30 In the scheme presented to the planning committee on 22 February 2022, the submitted report indicated that there were no reported sunlight transgressions and all neighbouring properties met BRE guidance. Given that the scheme has been reduced in height and massing, this situation remains the same and all neighbouring properties continue to meet BRE guidance with regards to sunlight impacts.

### Summary

3.31 A comprehensive assessment of the revised proposed development on surrounding windows and rooms to nearby dwellings has been undertaken in accordance with BRE guidance and practice. Regarding the transgressions beyond BRE guidance with regard to daylight and sunlight, the overall quantum is minimal and the reductions themselves are considered to be minor given the circumstances and site context.

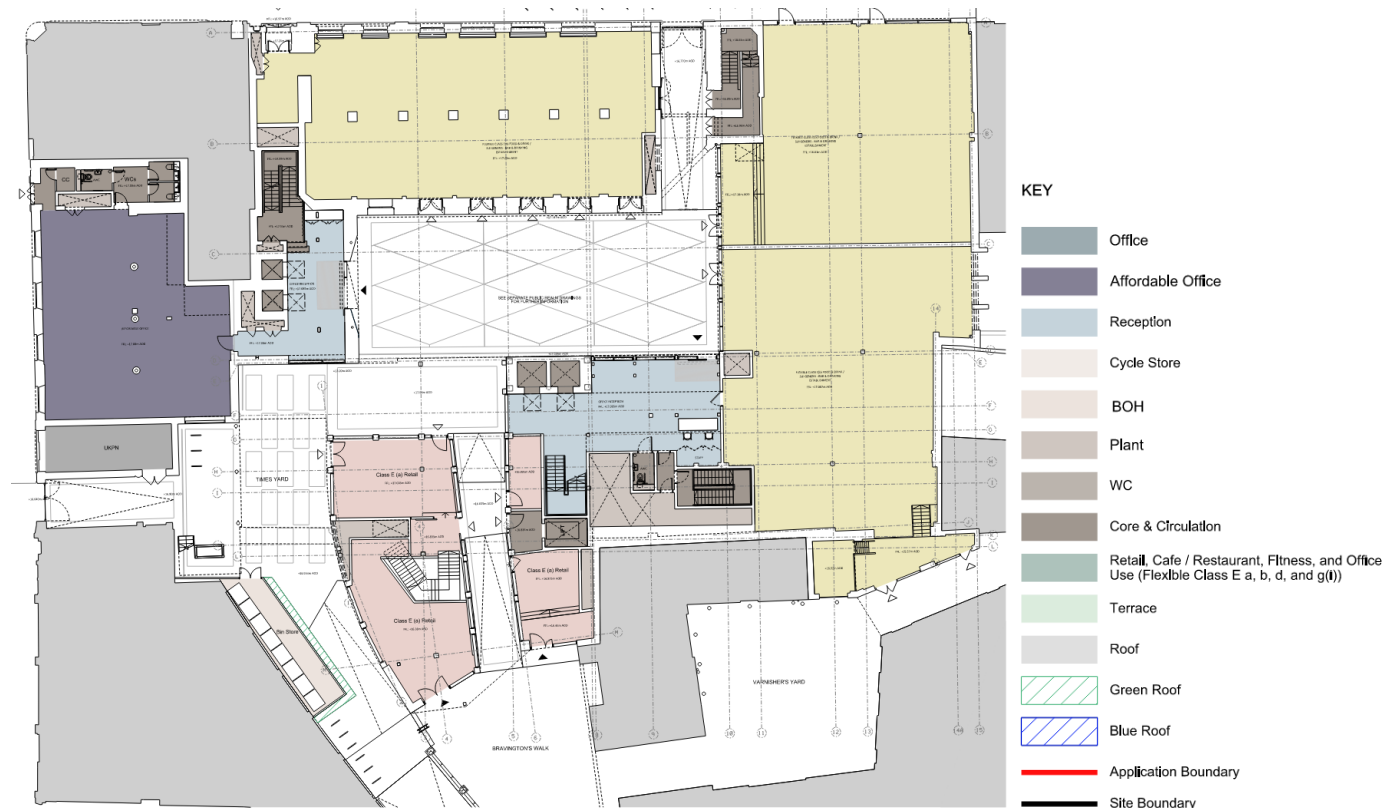
3.32 Overall, there has been a significant reduction in the impacts on the daylight levels to the surrounding residential properties as result of the amended scheme. The proposals are considered to be in line with BRE standards and guidelines and Policy DM2.1.

### Changes to Affordable Workspace

3.33 The scheme previously presented to committee, proposed to provide affordable workspace within the Hub Building at 34b York Way with an allocation of 388sqm (GIA) of floorspace, representing 10.4% of the combined uplift of office floorspace across both the Jahn Court application scheme and the Times House and Laundry Building application scheme under Ref: P2021/2269/FUL. It was proposed to provide this affordable workspace on a peppercorn rent for a period of 10 years.

3.34 Following amendments to both applications, the affordable workspace is now proposed to be provided separately for each application and is to be located on-site within each application scheme. It should be noted that cumulatively, should both schemes be approved, the total floorspace to be provided separately across each application amounts to 448.7sqm which is an uplift in the total provision of affordable workspace from that proposed previously at 388sqm.

- 3.35 As a result of the revisions to the applications, the Hub Building at 34b York Way is intended to remain as market office accommodation.
- 3.36 For the current application, the affordable workspace is proposed to be located on the ground floor of the Laundry Building. The area of this allocated space will be 207.7sqm and this represents 13.3% of the uplift in office floorspace proposed by the application. This is shown below on the revised ground floor plan.



**Image 5 – Revised proposed ground floor plan – Provision of Affordable Workspace**

- 3.37 The space will be open plan and is proposed to be fit out to a Category A standard. The location on the ground floor of the main building enables access to the basement cycle storage and ground floor WC's. The lease length of the proposed affordable workspace offer has been increased from 10 years to 20 years on a peppercorn rent.
- 3.38 LB Islington's adopted affordable workspace Policy DM5.4 requires 5% of employment floorspace to be provided on a peppercorn rent for 10 years. The emerging Policy B4 requires 10% of floorspace to be provided for 20 years.
- 3.39 The revised offer therefore exceeds the adopted planning policy requirements as set out by London Plan Policy E3 and Policy DM5.4 and will be compliant with emerging planning policy.
- 3.40 The Council's Inclusive Economy Team has been consulted on the revisions to the proposals and have met with the applicant to discuss the amendments. The Inclusive Economy Team accepts the revised provision of affordable workspace.

### **Green Roof and Urban Green Factor**

- 3.41 As the roof levels have been reduced and reconfigured from the previous proposals, it is understood that a review of the green and blue roofs has been undertaken, in this respect the roof of Times House will now comprise 260sqm of green roof (23sqm increase), whilst the blue roof will also increase in area to 552sqm (131sqm increase). This is considered to improve the sustainable drainage of the site, whilst also improving the urban greening factor and biodiversity net gain results, which now sit at 0.17% and 125.3 % respectively.

### **Cycle Parking**

- 3.42 It is understood that some of the residents in the Regents Quarter have had access to the existing bike store within the courtyard in Block B which contains up to 65 spaces. However, there is no evidence of a formal allocation provided to residents as part of any previous planning consent and there is no evidence of a formal arrangement for residents.
- 3.43 In response to comments from residents, the applicant has provided the following statement (via email submitted by Nicola Forster dated 23 May 2022):

*'The residents within Regent Quarter do not have a formal allocation or quantum of dedicated cycle parking spaces within the Estate or under their lease agreements. However, Endurance Land are aware that some residents have been using an external cycle store on an informal basis within Block B of the Estate which services the commercial units.'*

*This facility is being removed as part of the proposals for the Times House and Laundry Building scheme and will be re-provided within the basement of the new development. Whilst this will not result in a loss of formally allocated cycle spaces for residents, Endurance Land are proposing to formally allocate 10 of these new cycle spaces for residents. These spaces will be provided within a secure location for the benefit of the residents.'*

*Other locations for the residents cycle parking were considered, including the basement of The Copperworks and the car park of Joiners Yard. However, these options were not considered to be appropriate by residents. Other options in the courtyards were also explored which were constrained in design and heritage terms.'*

*Endurance Land has confirmed that if there is additional demand for residents cycle spaces, they will continue to work with the residents to consider where additional provision can be provided within the Estate.'*

- 3.44 It is now proposed to provide 10 secure cycle parking spaces for residents which will be located within the basement of Times House to be secured by condition. Based on the revised scheme, the secure cycle parking provision remains at a total of 105 spaces to be provided for office workers, retail workers and now 10 of the spaces are to be allocated to the residents of the Regents Quarter.
- 3.45 As a result this would reduce the provision for the office and retail floorspace to 95 spaces. A London Plan policy compliant provision would require 103 spaces and therefore the scheme would provide 8 spaces less than this policy requirement. However, given the restrictions on the site and the attempts to find an alternative provision for residents, the minor shortfall for office and retail staff is not considered to

harmfully undermine the sustainable transportation measures of the proposal. As such, the scheme remains acceptable in this regard.

- 3.46 Given that the lack of formal allocation for residential cycle parking, and the lack of any policy requirement for such a provision, the provision of 10 dedicated cycle parking spaces for residents, is considered to amount to an improvement on the existing situation and an overall benefit of the scheme beyond the requirements of the development plan. This would be secured by condition 42 attached to the grant of consent.

#### **4. CONSULTATION**

- 4.1 The applicant's submission provides details of further engagement with residents. It is understood that Endurance Land has held four further meetings with the Regent Quarter Residents Group since the 22 February Planning Committee meeting. It is understood that these meetings took place on:

- 29 March 2022
- 21 April 2022
- 28 April 2022
- 4 May 2022.

- 4.2 The applicant states that the purpose of the meetings was to further consider resident's concerns relating to the development and to review whether any additional changes could be made to the scheme. The discussions have led to various changes being made to the scheme including:

- Reductions to the height and massing of the proposed roof extensions.
- Improvements to the Daylight and Sunlight impacts on the neighbouring residential properties from the previous scheme.
- Provision of new dedicated secure cycle parking spaces for residents.
- A commitment by Endurance Land to consider further management arrangements to improve the residential amenity of residents.

- 4.3 The Council notes the comments made by the applicant and has undertaken its own reconsultation to obtain the views of residents. These are reported in paragraphs 3.1 – 3.6 of this report.

#### **5. CONCLUSION**

- 5.1 Following the deferral of the application at 22 February 2022 Committee Meeting, the applicant has revised the proposal by making reductions to the height and massing of the proposed roof extensions. This has led to betterments in the reductions in both the number and level of impacts to daylight and sunlight and reductions in the visibility of the roof extensions, reducing the impacts on the surrounding heritage assets.

- 5.2 The scheme has been amended to relocate the position of the proposed affordable workspace from The Impact Hub at 34b York Way to Laundry Yard. The provision of affordable workspace is policy compliant with the adopted and emerging local plan including an increase to the length of the lease from 10 to 20 years.

- 5.3 In light of the amendments, officers have revisited the planning balance, noting the reduced impact on heritage assets as a result of the reduced height and massing which has reduced the visibility of the extensions, the reduced impacts on neighbouring amenity, the additional public benefits of an increase in the percentage of affordable

workspace and the extension to the length of the lease, and a formal provision of secure cycle parking for residents. Overall, there is less conflict with policy DM2.1, and the increase public benefits outweigh the limited harm to heritage assets caused by the development. As a result, the proposals are considered to be acceptable in accordance with the requirements of the NPPF and the development plan.

- 5.4 Overall the amendments to the scheme are considered to have addressed the reasons for the deferral of the application at the planning committee on 22 February 2022.
- 5.5 It is recommended that planning permission be granted subject to conditions and Section 106 agreement Heads of Terms as set out in **Appendix 1 – RECOMMENDATIONS**.
- 5.6 These replicate the original conditions, save for amended wording to some conditions as follows:
- Condition 2 has been amended to include the revised drawings and documents received since the 22 February 2022 Committee Meeting (those in **bold** are the revised drawings).
  - Condition 4 – Cycle parking compliance has been amended to include the revised drawings.
  - Condition 17 – reference to Class E flexible use unit has been removed to reflect this amendment to the application to incorporate the provision of Affordable Workspace within the Laundry Building.
  - Condition 18 – Accessible Showers/WC has been amended to include the revised plan drawings.
  - Condition 36 – Noise Management Plan - has been amended to include the revised drawings.
- 5.7 It is proposed to add a further condition (42) relating to the provision of secure cycle parking for residents.



## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations in relation to application P2021/2269/FUL to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service (those in **bold** have been revised from the previous committee report):

- A contribution towards provision of off-site affordable housing of: **£207,920.**
- **Provision of 207.7sqm of Affordable Workspace within the Laundry Building for 20 years at peppercorn rent.**
- A contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Employment and training contribution of **£24,582** to improve the prospects of local people accessing new jobs created in the proposed development.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount for this application is £145,176.00. This amount may be reduced in the event that through addressing condition 23 further energy efficiency is obtained and the financial contribution can be reduced accordingly.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. This placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of **£2,679** and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 4 accessible parking bays or a contribution of £8,000 towards accessible transport measures.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Compliance with the Council's Code of Local Procurement.
- Connection to a local energy network, if technically and economically viable

(burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.

- Submission of, and compliance with, a Green Performance Plan.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Locations of 16 short stay cycle parking stands (32 spaces) to be accommodated within the Highway at locations that will serve the development, to be agreed through the S278 Agreement.
- Changes to the hours of opening of Block B entrance gates to Pentonville Road and Caledonian Road. The gates at Pentonville Road and Caledonian Road to close between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk.
- Engagement Plan to be agreed with Local Schools prior to implementation of the development.
  - During construction – Endurance Land will host site visits and seminars on construction and property matters for two local schools where there is an existing relationship with the developer:
    - Winton Primary School; and
    - Hugh Myddelton Primary School.
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 4 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

## RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

### LIST OF CONDITIONS:

1	<p><b>Commencement (compliance)</b></p> <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	<p><b>Approved plans list (compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Site location Plan - 13601-A-Z2-LXX-00-001; Existing Site Plan (1:500) - 13601-A-02-LXX-00-020; Existing Site Plan (1:200) - 13601-A-02-L00-01-050; Existing Basement Plan - 13601-A-02-LG1-01-099; Existing Ground Floor Plan - 13601-A-02-L00-01-100; Existing First Floor Plan - 13601-A-02-L02-01-101; Existing Second Floor Plan - 13601-A-02-L02-01-102; Existing Third Floor Plan - 13601-A-02-L03-01-103; Existing Fourth Floor Plan - 13601-A-02-L04-01-104; Existing Roof Plan - Lower - 13601-A-02-L05-01-105; Existing Roof Plan - Upper - 13601-A-02-L06-01-106; Street Elevations - Existing (North and West) - 13601-A-02-LXX-01-150; Context Section - Existing (North - South) - 13601-A-02-LXX-01-160; Context Section - Existing (East - West) - 13601-A-02-LXX-01-161; Existing North Elevation - 13601-A-02-LXX-01-200; Existing West Elevation - 13601-A-02-LXX-01-201; Existing South Elevation - 13601-A-02-LXX-01-202; Existing East Elevation - 13601-A-02-LXX-01-203; Existing Section AA - 13601-A-02-LXX-01-300; Existing Section BB - 13601-A-02-LXX-01-301; Existing Section CC - 13601-A-02-LXX-01-302; Existing Section DD - 13601-A-02-LXX-01-303; Existing Section EE - 13601-A-02-LXX-01-304; Existing Section FF - 13601-A-02-LXX-01-305; Existing Section GG - 13601-A-02-LXX-01-306; Existing Section HH - 13601-A-02-LXX-01-307; Existing Section II - 13601-A-02-LXX-01-308;</p> <p>Basement Plan - Demolition - 13601-A-02-LG1-02-099; L00 Plan - Demolition - 13601-A-02-L00-02-100; L01 Plan - Demolition - 13601-A-02-L02-02-101; L02 Plan - Demolition - 13601-A-02-L02-02-102; L03 Plan - Demolition - 13601-A-02-L03-02-103; L04 Plan - Demolition - 13601-A-02-L04-02-104; Lower Roof Plan - Demolition - 13601-A-02-L05-02-105; Upper Roof Plan - Demolition - 13601-A-02-L06-02-106; Times House North Elevations - Demolition - 13601-A-02-LXX-02-200; Times House West Elevations - Demolition - 13601-A-02-LXX-02-201; Times House South Elevation - Demolition - 13601-A-02-LXX-02-202; Times House East Elevation - Demolition - 13601-A-02-LXX-02-203; Laundry Buildings North Elevation - Demolition - 13601-A-02-LXX-02-204; Laundry Buildings West Elevation - Demolition - 13601-A-02-LXX-02-205; Laundry Buildings South Elevation - Demolition - 13601-A-02-LXX-02-206; Laundry Buildings East Elevation - Demolition - 13601-A-02-LXX-02-207;</p> <p>Proposed Site Plan (1:500) - 13601-A-02-LXX-07-020 P1; <b><u>Proposed Site Plan (1:200) - 13601-A-02-L00-07-050 P2; Proposed Basement Plan - 13601-A-02-LB1-07-099 P2; Proposed Ground Floor Plan - 13601-A-02-L00-07-100 P3;</u></b> Proposed First Floor Plan - 13601-A-02-L01-07-101 P1; Proposed Second Floor Plan - 13601-A-02-L02-07-102 P1; Proposed Third Floor Plan - 13601-A-02-L03-07-103 P1; <b><u>Proposed Fourth Floor Plan - 13601-A-02-L04-07-104 P3; Proposed Fifth Floor Plan - 13601-A-02-</u></b></p>

**L05-07-105 P3; Proposed Roof Plan - Lower - 13601-A-02-L06-07-106 P3; Proposed Roof Plan - Upper - 13601-A-02-LRF-07-107 P3; Street Elevations - Proposed (North and West) - 13601-A-02-LXX-07-150 P3; Context Section - Proposed (North - South) - 13601-A-02-LXX-07-160 P3; Context Section - Proposed (East - West) - 13601-A-02-LXX-07-161 P1; Proposed North Elevation (Caledonia Street) - 13601-A-02-LXX-07-200 P3; Proposed West Elevation - 13601-A-02-LXX-07-201 P3; Proposed South Elevation - 13601-A-02-LXX-07-202 P1; Proposed East Elevation - 13601-A-02-LXX-07-203 P3; Proposed Section AA - 13601-A-02-LXX-07-300 P2; Proposed Section BB - 13601-A-02-LXX-07-301 P3; Proposed Section CC - 13601-A-02-LXX-07-302 P3; Proposed Section DD - 13601-A-02-LXX-07-303; Proposed Section EE - 13601-A-02-LXX-07-304 P3; Proposed Section FF-13601-A-02-LXX-07-305 P1; Proposed Section GG-13601-A-02-LXX-07-306 P1; Proposed Section HH - 13601-A-02-LXX-07-307 P2; Proposed Section II-13601-A-02-LXX-07-308 P2;**

Laundry Yard and Times Yard Existing Plan - 0182c\_PR3-P-X-LY-01 rev B; Laundry Yard Existing Sections AA, BB, CC + DD - 0182c\_PR3-P-X-LY-02 rev A; Laundry Yard Existing Sections EE, FF, GG + HH - 0182c\_PR3-P-X-LY-03 rev A; **Laundry Yard + Times Yard Proposed Plan - 0182c PR3-P-GA-LY-01 rev C;** Times Yard Proposed Sections AA, BB, CC + DD - 0182c\_PR3-P-GA-LY-02 rev A; Laundry Yard Proposed Sections EE, FF, GG + HH - 0182c\_PR3-P-GA-LY-03 rev A; **Laundry Yard and Times Yard Proposed Services Plan - 0182c PR3-P-DT-LY-02 rev C;** 0182c-PR3-P-GA-BlockB Rev B; 0182c-PR3-P-GA-LY-04 Rev B; Laundry Yard Proposed Detail Plan + Isometric - 0182c\_PR3-P-DT-LY-01 rev A; Laundry Yard Proposed Plan - 0182c\_PR3-P-DT-LY-03 rev A;

Air Quality Assessment - Tetra Tech July 2021; Air Quality Dust Management Plan - Tetra Tech July 2021; Arboricultural Impact Assessment - TMA July 2021; Archaeological Desk Based Assessment - Savills August 2021; Biodiversity Net Gain Assessment and Urban Greening Factor Review - MKA Ecology July 2021; Construction Traffic Management Plan - RGP July 2021; Cover letter - Savills 2 Aug 2021; Delivery and Servicing Management Plan - RGP July 2021; Design and Access Statement - Piercy and Company July 2021; Economic Benefits and Social Value Infographic July 2021; Flood Risk Assessment and Drainage Strategy Report - Arup July 2021; Framework Travel Plan - RGP July 2021; Geo-environmental and Geotechnical Report - Campbell Reith July 2021; Health Impact Assessment Screening Form - Savills July 2021; Heritage and Townscape Statement - Turley July 2021; Noise Impact Assessment - Scotch Partners July 2021; Planning Statement - Savills July 2021; Preliminary Ecological Appraisal and Preliminary Roost Assessment - MKA Ecology July 2021; Public Realm report - Publica July 2021; Statement of Community Involvement - London Communications Agency July 2021; Sustainable Design and Construction Statement - Normal Disney and Young July 2021; Transport Statement - RGP July 2021; DRP Response Schedule 27.08.21; Letter from Point2 dated 8 October 2021; Noise Impact Assessment Addendum Revision 02 27 October 2021; Transport Statement Addendum October 2021 Ref: 19/4978/TN11; Energy Statement Responses to Planning Comments 18 October 2021; Heritage and Townscape Statement October 2021; NDY-G-SK-048[1.0]; MKA Ecology-Regents Quarter-Bat Mitigation Close Down Report 1.0; Letter from Savills 8 December 2021; Regent Quarter - Affordable Workspace Statement November 2021; Letter from Savills 26 January 2022; Times House - Massing & Materiality Progression Summary January 2022; Design & Access Statement Addendum January 2022; Fire Planning Statement dated 28 January 2022 ref: 14220-004; **Design & Access Statement Addendum B – May 2022; Heritage and Townscape Statement Addendum April 2022; Daylight, Sunlight and Overshadowing Report – May 2022 Version V1 – Ref: P2593; Letter from Savills dated 5 May 2022;**

	<p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
<p><b>3</b></p>	<p><b>Materials and Samples (Details)</b></p>
	<p>CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Precast red entrance elements with complementary rendered facades;</li> <li>b) Pale yellow brickwork;</li> <li>c) Gold coloured metal work;</li> <li>d) White render;</li> <li>e) Articulated green coloured metal cladding;</li> <li>f) Profiled glass cladding;</li> <li>g) Metal cladding;</li> <li>h) Window treatment (including sections and reveals);</li> <li>i) Roofing materials including roof extension facing;</li> <li>j) Balustrading treatment (including sections);</li> <li>k) Green Procurement Plan</li> <li>l) Paving slabs and any other materials to be used as part of works to public realm in Laundry Yard and Times Yard</li> <li>m) Any other materials to be used</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p><b>4</b></p>	<p><b>Cycle Parking (Compliance)</b></p>
	<p>CONDITION: The bicycle storage area(s) hereby approved and shown on drawings Proposed Basement Plan 13601-A-02-LB1-07-99-P1 and Proposed Ground Floor Plan <u>13601-A-02-L00-07-100-P3</u>, shall be covered, secure and comprise of no less than</p> <ul style="list-style-type: none"> <li>- <u>95</u> secure cycle spaces with associated shower, changing facilities, lockers and mobility scooter charging points.</li> <li>- 25 short stay cycle spaces;</li> </ul> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<p><b>5</b></p>	<p><b>Construction and Environmental Management Plan (Details)</b></p>
	<p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The Construction and Environmental Management Plan shall include details and arrangements regarding:</p>

- 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 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;
- e) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from construction works;
- f) 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;
- 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 neighbouring 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)
- l) 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.

The report shall assess the impacts during the preparation and construction phases of the development, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The CEMP must refer to the new LBI Code of Practice for Construction Sites. The CEMP shall specify the hours of construction, vehicle movements are restricted to take place outside of the peak times of 8am-10am and 4pm and 6pm. It should also provide details on method of demolition, quiet periods and noise mitigation.

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

	<p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>6</b>	<b>Green/Blue roofs (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, details of all proposed green/blue/brown roofs across the approved development shall be submitted and approved by the Local Planning Authority prior the commencement of superstructure works on site. The proposed green/blue/brown roofs shall be designed, installed and maintained in a manner that meets the following criteria:</p> <p>a) green roofs shall be biodiversity based with extensive substrate base (depth 120 - 150mm);</p> <p>b) laid out in accordance with plans hereby approved; and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>d) Details of Blue Roof.</p> <p>e) Submission of a maintenance plan demonstrating how it will be maintained.</p> <p>The green roofs hereby shall not be used as an amenity or sitting out spaces of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site, help boost biodiversity and minimise run-off.</p>
<b>7</b>	<b>Lighting (Details)</b>
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> <li>- Automated roller blinds;</li> <li>- Lighting strategies that reduce the output of luminaires closer to the façades;</li> <li>- Light fittings controlled through the use of sensors.</li> </ul> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p>

	<p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
<b>8</b>	<p><b>Refuse and Recycling (Details)</b></p> <p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite.</p> <p>The details shall include:</p> <p>a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);  b) a waste management plan  c) Any additional or separate refuse storage required for the flexible commercial uses, including Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) uses.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>9</b>	<p><b>Bird and Bat Nesting Boxes (Details)</b></p> <p>CONDITION: Notwithstanding the approved plans, prior to commencement of superstructure works, details of a minimum of 12 bird and bat boxes shall be submitted and approved by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>10</b>	<p><b>Extract ventilation for restaurant use (Details)</b></p> <p>CONDITION: Notwithstanding the approved plans, the restaurant uses (Class E(b)) as part of the flexible uses hereby permitted shall not commence operation unless details of extraction/ventilation system and odour assessment in relation to such use, is submitted to and approved by the Local Planning Authority.</p> <p>The approved extraction/ventilation system shall be fully installed and operational prior to the occupation of the restaurant use, and shall be maintained in perpetuity.</p> <p>REASON: To protect the neighbouring occupiers and ensure that the restaurant operation would have an acceptable impact in terms of noise and odour control.</p>
<b>11</b>	<p><b>Plant Equipment (Compliance)</b></p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq,T}</math> arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level</p>



	<p>LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>The development shall be carried out strictly in accordance with the scheme prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>12</b>	<p><b>Plant equipment - Post-Installation Verification (Details)</b></p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced and competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 11. The report shall include site measurements of the plant insitu.</p> <p>The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>13</b>	<p><b>Scheme for the Management of Uses (Details)</b></p> <p>CONDITION: A scheme for the management of the Class E(b) Café/restaurant / Sui Generis uses within the development shall be submitted and approved by the Local Planning Authority prior to first occupation of the units hereby approved. The Scheme of Management shall include:</p> <ul style="list-style-type: none"> <li>a) sound insulation measures including walls/floors, glazing, ventilation, doors and lobbies;</li> <li>b) hours of use;</li> <li>c) a full dispersal policy and procedure;</li> <li>d) a door policy;</li> <li>e) signs to request patrons to leave in a quiet manner and not to loiter in the surrounding streets;</li> <li>f) servicing and delivery times/arrangements as part of a site wide plan;</li> <li>g) bottling out and waste management noise and times as part of a site wide plan;</li> <li>h) control and levels of noise from any amplified music within the unit;</li> <li>i) control of any noise from any designated smoking areas;</li> <li>j) control of noise from any external areas;</li> <li>k) close down policy with amplified music shut-off and increased lighting;</li> <li>l) security, including any additional proposed CCTV;</li> <li>m) any additional external or security lighting;</li> <li>n) capacity (of each use);</li> <li>o) private hire facilities/functions;</li> <li>p) any use of roll cages/trolleys</li> </ul> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>14</b>	<p><b>Restricted use - roof terraces (Compliance)</b></p> <p>CONDITION: The roof terraces at first, fourth and fifth floor levels hereby approved shall not be used for any purpose except as an ancillary outdoor space in association with the office use (Class E(g)(i)).</p>

	<p>The roof terraces hereby approved shall not operate outside the hours of:</p> <ul style="list-style-type: none"> <li>- 0800 to 1800 hours Monday to Friday</li> </ul> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>15</b>	<b>Restriction of PD rights - Class E to residential (Compliance)</b>
	<p>Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>16</b>	<b>Restriction of office use (upper levels) (Compliance)</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office use. With the exception of the ground floor level uses specified under condition 18, the upper floors of Times House building and Laundry Building hereby approved shall only be used for office use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>17</b>	<b>Restriction of commercial uses (ground floor) (Compliance)</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible units on the ground and first floor levels, except the permitted use(s) hereby approved (as shown on plan no. <b><u>13601-A-02-L00-07-100-P3</u></b>):</p> <p>A) Times House - 4no. Ground floor retail units only - Class E (a) – retail</p> <p>B) Times House – 2 No. Ground floor Flexible Use Units Class E (b) – Food and Drink Sui Generis Bar &amp; Drinking Establishment</p> <p>C) Laundry Building 1no. Ground floor Flexible Use Unit Class E (b) – Food and Drink Sui Generis Bar &amp; Drinking Establishment</p>

	<p>and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (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 ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future.</p>
<b>18</b>	<p><b>Accessible Showers/WC's (Compliance)</b></p> <p>CONDITION: For the hereby approved development the accessible showers and WC's shall be installed in accordance with drawing no's 13601-A-02-LB1-07-099-P1; <b><u>13601-A-02-L00-07-100-P2</u></b>; 13601-A-02-L01-07-101 P1; 13601-A-02-L02-07-102 P1; 13601-A-02-L03-07-103 P1; <b><u>13601-A-02-L04-07-104 P3</u></b>; <b><u>13601-A-02-L05-07-105-P3</u></b>; and shall be available for users upon the first occupation of the development.</p> <p>The layout shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To provide an accessible environment for future occupiers.</p>
<b>19</b>	<p><b>Lifts (Compliance)</b></p> <p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>20</b>	<p><b>Hours of Operation (Compliance)</b></p> <p>CONDITION: The flexible uses on the ground and first floor levels hereby approved shall only operate between the following hours:</p> <p><u>Class E (a) – Retail:</u></p> <p>7am - 10pm Monday to Saturday 8am - 8pm Sundays</p> <p><u>Class E (b) – Restaurant:</u></p> <p>7am to 11pm - Monday to Thursday 7am to midnight - Friday and Saturday 8am to 9pm Sundays</p> <p><u>Sui Generis – Bar &amp; Drinking Establishment</u></p> <p>8am to 11pm - Monday to Thursday 8am to midnight - Friday and Saturday 8am to 10pm Sundays</p> <p>The restrictions shall be applied and permanently adhered to unless otherwise agreed with the Local Planning Authority.</p>

	REASON: In the interests of protecting neighbouring residential amenity.
<b>21</b>	<b>No Plumbing or Pipes (Compliance)</b>
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the northern external elevation of the building hereby approved.</p> <p>REASON: To ensure that such plumbing and pipes would not detract from the appearance of the building, the character and historic significance of the area.</p>
<b>22</b>	<b>No obscure glazing or vinyl graphics (Compliance)</b>
	<p>CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the front elevation.</p> <p>REASON: To ensure that the approved elevation would provide clear views onto the street from inside, and to ensure the building would provide an active frontage and natural surveillance to the area.</p>
<b>23</b>	<b>Energy (Details)</b>
	<p>CONDITION: Prior to commencement of superstructure works the following updated Energy information shall be submitted to the Local Planning Authority and approved in writing:</p> <ul style="list-style-type: none"> <li>a) Potential improvements to air permeability for Times House and the Laundry Buildings (U-values), including internal wall insulation for the Laundry Building;</li> <li>b) Potential improvements to luminous efficacies;</li> <li>c) Potential increase to solar PV capacity and additionally to secure the following details (solar PVs): <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels;</li> <li>- Design (including elevation plans);</li> <li>- PV specification / efficiency; and</li> <li>- How the design of the PVs would not adversely affect the provisions of green roofs on site</li> </ul> </li> </ul> <p>The updated Energy efficiency measures and increased solar photovoltaic panel capacity shall be installed prior to the first occupation of the development in accordance with the updated details so approved and retained as such permanently thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that C02 emission reduction targets by energy efficient measures/features are met.</p>
<b>24</b>	<b>BREEAM (Compliance)</b>
	<p>CONDITION: All business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than "Excellent".</p> <p>REASON: In the interests of sustainable development and addressing climate change.</p>
<b>25</b>	<b>Inclusive Design Principles (Details)</b>

	<p>CONDITION: Prior to occupation of the development, to ensure compliance with the principles of Inclusive Design, the following amendments/details shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing:</p> <p>a) The glazed entrance doors shall visually contrast with their frames, with a contrast of at least 30 LRV points.</p> <p>b) The cycle lift will have dimensions of 2300mm x 1200mm. The door to the cycle store will be power assisted and the secure entrance key fob will be located at height accessible to wheelchair users. Details shall be submitted to demonstrate this for approval.</p> <p>c) Audio-loops will be included within the reception desks.</p> <p>The development shall be designed in accordance with the principles of Inclusive Design and the measures shown in the drawings hereby approved shall be implemented prior to first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be installed prior to first occupation of the relevant building shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>26</b>	<b>Servicing and Delivery Plan (Flexible Use Unit) (Details)</b>
	<p>DELIVERY &amp; SERVICING: A Delivery and Servicing Plan (DSP) detailing servicing arrangements for the proposed non-office uses, including the flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the units hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>27</b>	<b>Crime Prevention (Details)</b>
	<p>CONDITION: Details of measures to prevent crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority prior to occupation including:</p> <p>a) Access into the site is required to be gated and access controlled overnight. Security rated gates are to be used at the key entry points. LPS 1175 SR2 (issue 8 B3) or STS 202 BR 2 (issue 9) are the preferred specification.</p> <p>b) Details of any internal gates within the site.</p> <p>c) Details of the proposed London Cycle stands.</p> <p>d) Details of external lighting (including emergency lighting).</p> <p>e) Details of any externally accessed refuse stores should be LPS 1175 SR1 or STS 202 BR2 security rated doors. They should be single leaf and have an auto close feature.</p> <p>f) Details of the basement level cycle store door should be either PAS24:2016 or LPS 2081 security rated. Accessed through encrypted key fob with data logging facility (not a digital key pad). Auto-close and lock feature to prevent tail gating.</p>

	<p>g) Details of CCTV coverage and lighting strategy and design shall be submitted. The lighting should comply with BS 5489-1:2020. The CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB). Images should be retained for a minimum of 30 days. This system would need to be registered with the Information Commissioner's Office, as it would be recording public areas. Appropriate signage indicating this fact needs to be displayed.</p> <p>h) Details of Anti-graffiti treatments for exposed gable ends where appropriate.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
<b>28</b>	<b>Wildlife friendly planting (Details)</b>
	<p>CONDITION: Prior to first occupation of the development hereby approved, details of the wildlife friendly shrub/perennial planting including species type and location, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
<b>29</b>	<b>Public Realm Improvements (Details)</b>
	<p>CONDITION: Details of the proposed public real improvements shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The proposed improvements to the public realm shall include the following works:</p> <ul style="list-style-type: none"> <li>a) Reconfiguration of the ground floor of Times House to open up the pedestrian link to Bravington's walk and removal of the gate and replacement of paving slabs within courtyard;</li> <li>b) Installation of a new bin store enclosure with planter;</li> <li>c) Reinstatement of the entrance to Laundry Building from Caledonia Street, including associated passages and new Times Yard;</li> <li>d) Installation of new paving to the threshold of Times House south elevation on Bravington's Walk;</li> <li>e) Installation of circular light reflectors to all covered passages, and light reflectors and painting the wall in the passage way from Caledonia Street;</li> <li>f) Addition of planters adjacent to Bravington's Walk and vertical planting within Laundry Yard;</li> <li>g) Installation of wall mounted lighting to Laundry Building and Times House;</li> <li>h) Installation of cycle stands across courtyards and on Caledonia Street southern pavement, including 4 located on surrounding highway (outside of red-line);</li> <li>i) Replacement railings to the railway cutting adjacent to Bravington's Walk.</li> </ul> <p>The public realm improvements shall be implemented strictly in accordance with the details so approved within six months of first occupation, and shall be maintained as such thereafter.</p>

	<p>REASON: To ensure the scheme brings forward sufficient provide public realm improvements.</p>
<b>30</b>	<p><b>Network Rail – Construction Methodology</b></p> <p>CONDITION: Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: The safety, operational needs and integrity of the railway. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>31</b>	<p><b>Network Rail – Ground investigation</b></p> <p>CONDITION: No development should take place in proximity to a tunnel or tunnel shafts without prior submission of details of ground investigation and foundations of the works.</p> <p>Such details to be approved in writing by the local planning authority in consultation with Network Rail.</p> <p>REASON: The safety, operational needs and integrity of the railway. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>32</b>	<p><b>Tree Protection</b></p> <p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage.</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.</li> <li>c. Details of construction within the RPA or that may impact on the retained trees.</li> <li>d. a full specification for the installation of boundary treatment works.</li> <li>e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</li> <li>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is</li> </ol>

	<p>proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</p> <ul style="list-style-type: none"> <li>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.</li> <li>h. a specification for scaffolding and ground protection within tree protection zones.</li> <li>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</li> <li>j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires</li> <li>k. Boundary treatments within the RPA</li> <li>l. Methodology and detailed assessment of root pruning</li> <li>m. Reporting of inspection and supervision</li> <li>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</li> </ul> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality. The imposition of this prior to commencement planning condition is considered necessary to prevent commencement of works until the requirements have been met because the timing of compliance is fundamental to the decision to grant planning permission.</p>
<b>33</b>	<b>Roof-Top Plant &amp; Lift Overrun (Details)</b>
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <ul style="list-style-type: none"> <li>a) roof-top plant;</li> <li>b) ancillary enclosures/structure; and</li> <li>c) lift overrun</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
<b>34</b>	<b>Site Waste Management and Circular Economy (Compliance)</b>



	<p>CONDITION: The details and measures regarding the Site Waste Management and Circular Economy Statement within the submitted Sustainable Design and Construction Statement dated July 2021 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>35</b>	<b>Fire Strategy (Compliance)</b>
	<p>CONDITION: The details and measures set out in the Fire Statement dated 28 January 2022 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Safety Strategy would need to be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the Fire Safety Strategy under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
<b>36</b>	<b>Noise Management Plan</b>
	<p>CONDITION: Prior to the first use of the first, fourth and fifth floor level roof terraces hereby approved and indicated on drawings 13601-A-02-L01-07-101 P1, <b><u>13601-A-02-L04-07-104 P3</u></b> and <b><u>13601-A-02-L05-07-105 P3</u></b>, a Noise Management Plan for use of the terraces, covering management of the space, controls of noise and numbers shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The use of these terraces shall take place strictly in accordance with the details so approved (and condition 14).</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity.</p>
<b>37</b>	<b>Obscure Glazing and Privacy Screens (Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking from the windows on the eastern elevation of the proposed roof extension (Times House) to the neighbouring properties at Joiners Yard shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking, to protect the amenity and privacy of residents.</p>
<b>38</b>	<b>Future connection to a district energy network (Compliance)</b>
	<p>CONDITION: The details of the plant room allocated for the future connection to a district energy network shall be provided prior to first occupation of the development hereby approved.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility is provided and allows for the future connection to a district heating system.</p>
<b>39</b>	<b>Surface Water Discharge (Compliance)</b>
	<p>CONDITION: Prior to the occupation of the development hereby approved, in accordance with the submitted details, flow restrictors will be installed on the rainwater outlets from the blue and green attenuated roofs to reduce the surface water discharge flow rate into the sewer, and maintained as such throughout the lifetime of the development.</p> <p>REASON: To improve sustainability, reduce flood risk and reduce water runoff rates</p>
<b>40</b>	<b>Air Quality Assessment (Compliance)</b>
	<p>CONDITION: During the construction of the development hereby approved, the proposals shall achieve a Non-Road Mobile Machinery score of at least Stage IV as outlined in the Air Quality Assessment and dust management plan, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the construction of the development would not adversely affect the air quality of the local area.</p>
<b>41</b>	<b>Hours of opening – Gates (Details)</b>
	<p>CONDITION: The opening hours of the gates to Block B shall continue to operate as outlined in the decision notice for P000434(S106A) unless revised opening hours are submitted to and agreed in writing by the Local Planning Authority.</p> <p>For the avoidance of doubt, the permitted hours of opening of the gates to Block B are as follows:</p> <p>0800 to 2100 hours on Monday to Saturday;</p> <p>1000 to 2000 hours on Sundays (but excluding in both cases Christmas Day, Boxing Day and New Year's Day) or such other periods as may arise from time to time be agreed in writing between the Developer and the Council such agreement not to be unreasonably withheld or delayed by either party.</p> <p>REASON: For the protection of neighbouring residential amenity.</p>
<b>42</b>	<b>Secure Residential Cycle Parking (Details)</b>
	<p>CONDITION: Prior to the first occupation of the development hereby approved, details of the location of 10 no. secure cycle parking spaces to be provided within the basement of Times House for use by the residents of the Regents Quarter estate, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>

## List of Informatives:

<b>1</b>	<b>S106</b>
	<b>SECTION 106 AGREEMENT</b>  You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
<b>2</b>	<b>Definition of 'Superstructure' and 'Practical Completion'</b>
	A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.
<b>3</b>	<b>Car-Free Development</b>
	All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
<b>4</b>	<b>Roof top plant</b>
	The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.
<b>5</b>	<b>Construction works</b>
	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 <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a> ) 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.
<b>6</b>	<b>Highways Requirements (1)</b>
	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

	<p>through <u>. All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <u>streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through <u>streetworks@islington.gov.uk.</u></p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact <u>streetworks@islington.gov.uk.</u></p>
<b>7</b>	<b>Highways Requirements (2)</b>
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <u>highways.maintenance@islington.gov.uk</u> Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from <u>streetworks@islington.gov.uk.</u> Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council's Highways Service with six months' notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council's Highways contractors.</p>
<b>8</b>	<b>Highways Requirements (3)</b>

	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a></p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
<b>9</b>	<b>Secured by Design</b>
	<p>You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.</p>
<b>10</b>	<b>Fire Safety</b>
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on <a href="mailto:BuildingControl@islington.gov.uk">BuildingControl@islington.gov.uk</a>.</p>
<b>11</b>	<b>Thames Water – Ground Water</b>
	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of</p>

	<p>the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section</p>
<b>12</b>	<b>Thames Water – Surface Water</b>
	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a>.</p>
<b>13</b>	<b>Thames Water - WASTE WATER NETWORK and SEWAGE TREATMENT WORKS</b>
	<p>The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. “No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.” Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide ‘working near our assets’ to ensure your workings will be in line with the necessary processes you need to follow if you’re considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>
<b>14</b>	<b>Draft Travel Plan</b>
	<p>The draft Travel Plan to be submitted as part of the discharge of the Planning Obligations shall include measures to remind cyclists that cycling is prohibited</p>

	<p>within the block, and to promote responsible cycling to the site, and to discourage inappropriate cycling the wrong way down York Way and Balfe street.</p>
<b>15</b>	<p><b>Thames Water</b></p> <p><u>Waste Comments</u>  As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section. Thames Water would advise that with regard to the COMBINED WASTE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p><u>Water Comments</u>  There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a></p>
<b>16</b>	<p><b>Network Rail</b></p> <p>Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis. Given the proximity of the site to operational railway tunnels and the nature of the works proposed, it is imperative that the below requirements are met prior to any work commencing on site. The relationship between the work proposed and the York Road Cure railway tunnel is unclear from the information submitted. The developer must provide a survey showing the position of this work in relation to the tunnel. Additionally, the</p>

documentation provided in support of this application indicates that the design will result in increases in loads on Network Rail assets beneath and adjacent to the site. Detail relating to this design and loading must be agreed with our Asset Protection Team (details below) prior to work commencing on site. The developer will also be required to liaise with our Asset Protection Team during construction works. Early engagement with Network Rail to address these points is strongly recommended.

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations

" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary.

Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.

The above details should be submitted to the Council and only approved in conjunction with Network Rail.

Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rail's tunnels or railway land.

#### Works in Proximity to the Operational Railway Environment

##### Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

#### Additional Requirements

##### Tunnels

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations



	<p>" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary.</p> <p>Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.</p> <p>The above details should be submitted to the Council and only approved in conjunction with Network Rail.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rails tunnels or railway land.</p>
<b>17</b>	<b>Network Rail</b>
	<p><u>Fail Safe Use of Crane and Plant</u></p> <p>All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following.</p> <p>Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.</p> <p><u>Excavations/Earthworks</u></p> <p>All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.</p> <p>Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.</p>

#### Security of Mutual Boundary

Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the applicant must contact Network Rail's Asset Protection Project Manager.

#### Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

#### Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

#### Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

#### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from

	<p>Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.</p> <p><b><u>ENCROACHMENT</u></b></p> <p>The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.</p> <p><b><u>Access to the Railway</u></b></p> <p>All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.</p>
<b>18</b>	<b>Trees</b>
	<p>With regards to the works to protect trees, the following British Standards should be referred to:</p> <ul style="list-style-type: none"> <li>. BS: 3998:2010 Tree work – Recommendations.</li> <li>. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</li> </ul>
<b>19</b>	<b>Transport for London</b>
	<ul style="list-style-type: none"> <li>- To be in line with London Plan policy T1 (Strategic Approach to Transport) and T2 (Healthy Streets), the surrounding footways and carriageways on York Road, Pentonville Road and Caledonia Street and Road must not be blocked during the construction. Temporary obstruction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, bus passengers and cyclists or obstruct the flow of traffic.</li> <li>- All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.</li> </ul>

	<ul style="list-style-type: none"><li>- Any hoarding for the proposed development would be subject to a separate Section 172 licence application under the Highways Act 1980 to the Asset Operations team at TfL.</li></ul>
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## APPENDIX 2: 22 FEBRUARY 2022 COMMITTEE REPORT

## PLANNING COMMITTEE REPORT

Development Management Service  
Planning and Development Division  
Community Wealth Building Directorate  
PO Box 333  
Town Hall  
LONDON N1 2UD

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

Application number	P2021/2269/FUL
Application type	Full Planning Application
Site Address	Times House and Laundry Building, Regent Quarter, Kings Cross, Islington, London, N1 9AW
Ward	Caledonian
Listed building	None on site. Close proximity to Kings Cross Station (Grade I), 7 Caledonian Road (Grade II) and 295-297 Pentonville Road (Grade II)
Conservation area	Kings Cross Conservation Area (CA21) Close proximity to Keystone Crescent Conservation Area (CA14), and Kings Cross Conservation Area (LB Camden)
Development Plan Context	Core Strategy Key Area – Kings Cross and Pentonville Road Central Activities Zone Employment Growth Areas (General) Article 4 Direction A1-A2 (Borough wide) Article 4 Direction B1(c) to C3 (CAZ) Rail Safeguarding Area (Crossrail 2)
Licensing Implications	Kings Cross - Cumulative Impact Areas
Proposal	Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and part one, part two storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of one flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i) unit, three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement

	and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.
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Case Officer	Tom Broomhall
Applicant	Endurance Land LLP
Agent	Savills

**1. RECOMMENDATION**

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

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

**1. SITE PLAN**

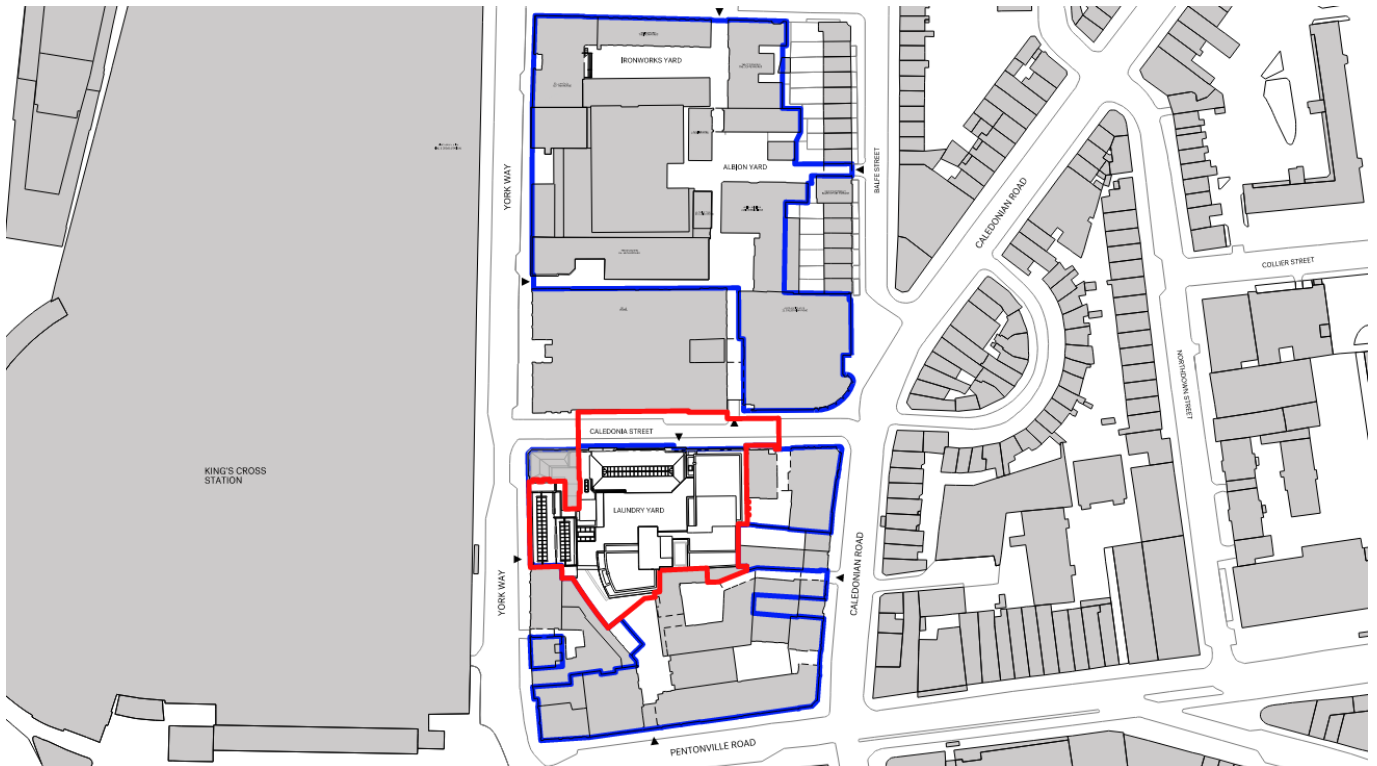
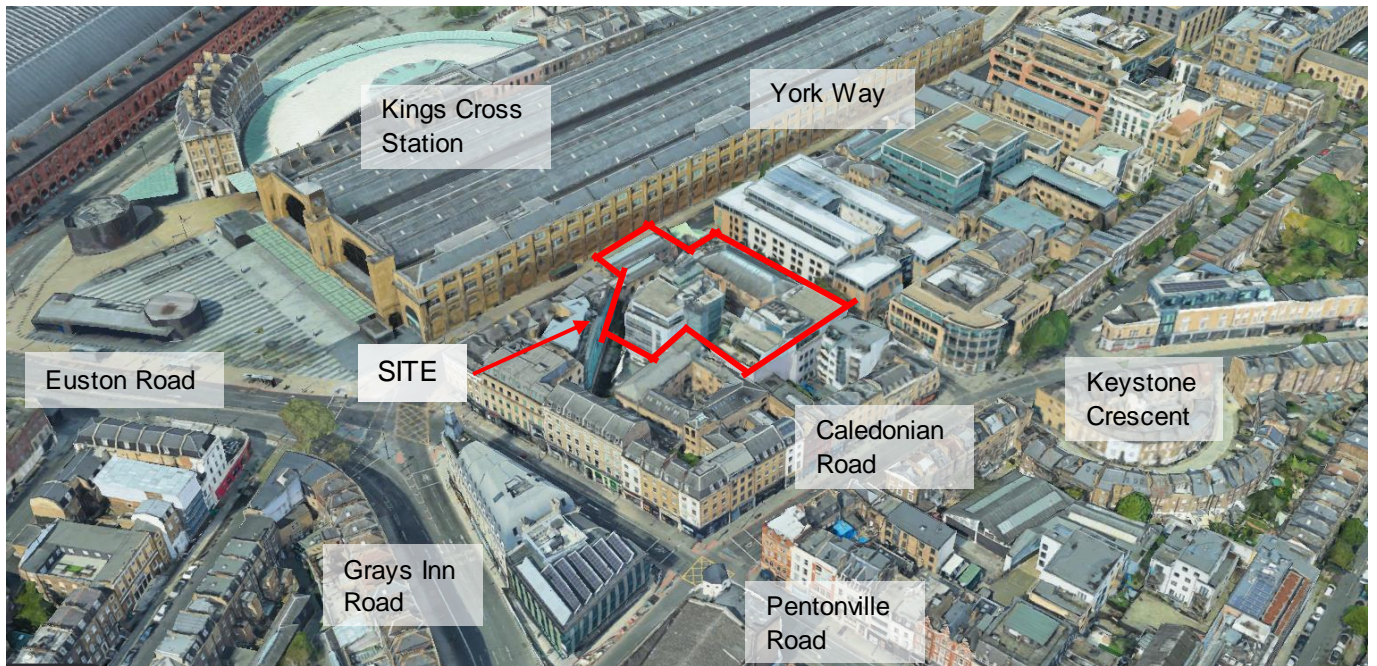
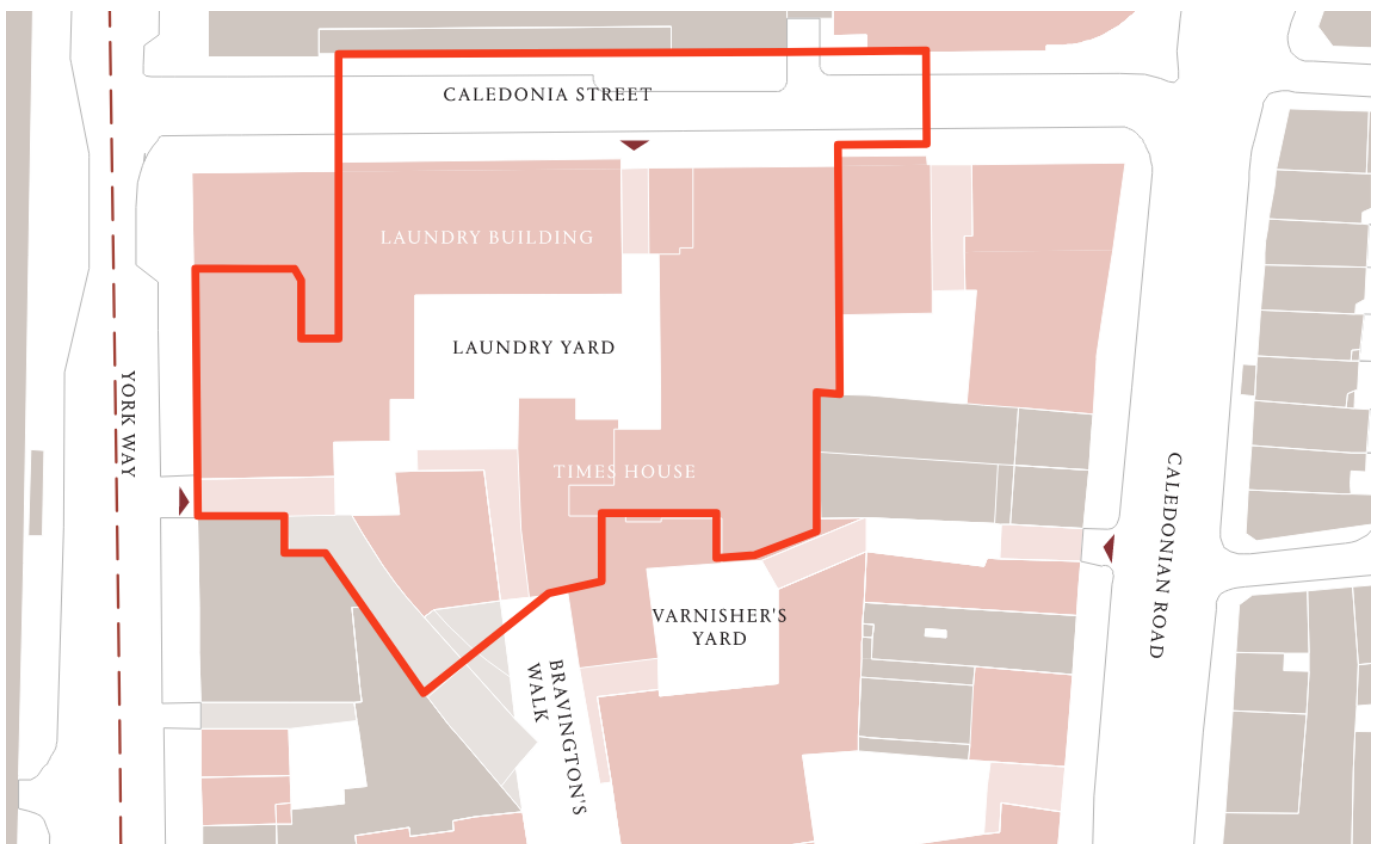


Fig 2.1 Location Plan. Application site outlined in red.

## 2. PHOTOS OF SITE AND SURROUNDINGS

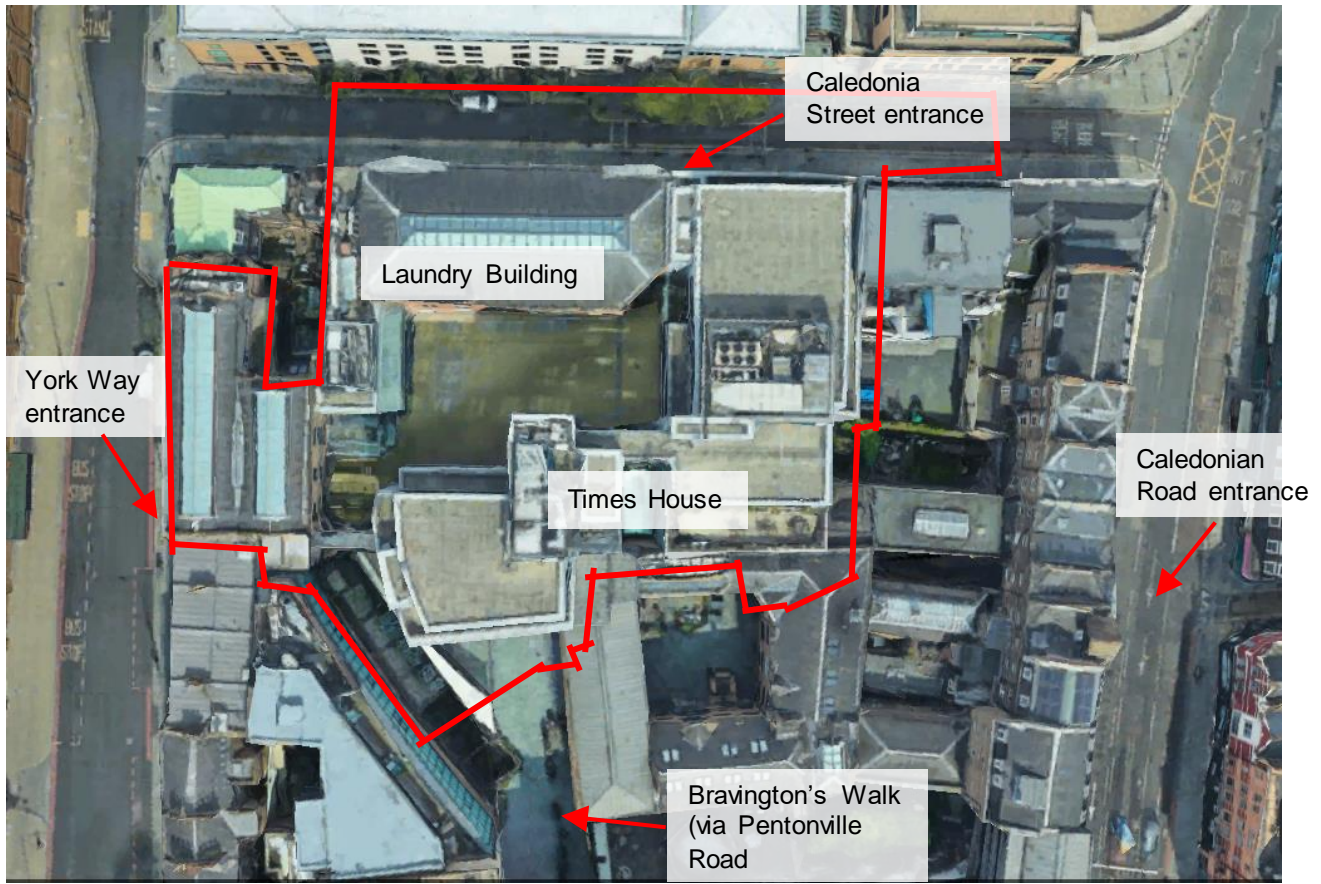


**Image 1: Aerial view**



**Image 2: Site Plan**





***Image 3: Site aerial view***



***Image 4: Caledonia Street looking west***



***Image 5: Entrance to Regent Quarter from Caledonia Street***



***Image 6: Laundry Yard: Laundry Building***



***Image 7: Laundry Yard: Times House (left) and Laundry Building (right)***



***Image 8: Laundry Yard: Times House***



***Image 9: Laundry Yard: Times House***



***Image 10 – Existing Times Yard View South***

### 3. SUMMARY

- 4.1 This planning application seeks permission to refurbish and extend the existing buildings in this city block within the Regent's Quarter to provide additional commercial floorspace. It comprises of part 1 and 2 storey extensions at roof level, and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth level. The proposal would provide 1,723.6 sqm (GIA) of additional office floorspace and refurbish the existing office accommodation to provide a total of 7594.2sqm of office floorspace.
- 4.2 The development also proposes to introduce eight commercial units on the ground floor comprising of :
- 1no. flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit (296.4sqm),
  - 3no. flexible Class E(b) use (restaurant) and Sui Generis (bar/drinking establishment) units (887.7sqm in total); and
  - 4no. Class E(a) retail units (172.3sqm in total)
- to provide a greater degree of active uses and frontages to the Laundry Yard and Bravington's Walk semi-public realm as well as providing greater animation to York Way.
- 4.3 The site is located within the designated Central Activities Zone (CAZ) and the Employment Growth Area within the Development Plan, the principle of the proposed commercial development with provision of additional employment floorspace is considered to be acceptable and accords with the spatial strategies of the Development Plan within the Kings Cross area. Officers consider that the proposed development would positively contribute to the commercial character of Kings Cross and support the strategic priority of the CAZ to maximise delivery of office floorspace where appropriate.
- 4.4 The application is one of two linked applications for the redevelopment of the Regent's Quarter. A separate application (ref: P2021/2270/FUL) has been submitted for the redevelopment of the northern block, adjacent to this site, to provide additional office and commercial floorspace. The applications are under consideration at the same time with separate (but linked) s106 Agreements. Each agreement secures high quality affordable workspace on site at 34b York Way. The level of floorspace proposed (388.7sqm (GIA)) exceeds the requirement within the adopted Development Plan (representing 10% of the floorspace uplift across the two planning applications) and is considered to weigh in favour of both applications. A s106 restriction is imposed to ensure that occupation of this development (if approved) does not take place until the delivery of the affordable workspace within the Jahn Court proposal to ensure this application complies with its policy requirements, particularly in light of the harm caused to heritage assets and the benefit relied on within the affordable workspace to make this development acceptable in planning terms.
- 4.5 The proposed development would create additional height and massing on site and would inevitably increase its visual prominence within this part of Kings Cross. Following careful assessment, amendments have been made during the application

to address the visual and heritage impact of the proposals on the surrounding conservation areas including in view 10. It is considered that whilst the proposed development would not cause undue harm to the character and appearance of the area, it would cause less than substantial harm to the character and appearance of the King's Cross Conservation Area and the surrounding heritage assets, including the Grade I Kings Cross Station, however ground level views could be considered to enhance the character of the conservation areas. In design terms, the proposed extensions and alterations to the existing buildings would result in improvements to its overall appearance that are considered to be acceptable and comply with the relevant design policy objectives. It should be noted that no buildings exceed 30m in height.

- 4.6 The proposal would also include energy and sustainability measures including the increased fabric efficiency of extended and new areas, the creation of green/blue roofs, installation of 61 no. solar panels, and future proofing for connection to a district energy network, to ensure that the proposal would maximise energy efficiency and the sustainable design of the site. Further examination of opportunities to improve on energy efficiency within the scheme are secured by planning condition and securing net zero carbon via off-setting contributions are secured by financial planning contributions.
- 4.7 The proposed development would have an acceptable impact on nearby residential properties and the area in terms of loss of privacy, overlooking, or noise impacts, subject to imposition of appropriate planning conditions. The daylight/sunlight assessment shows that a small number of the neighbouring properties would be affected by the development, however these reductions are minimally above the BRE Guidelines and are viewed as acceptable taking into account the location of the site within the dense urban and built up surrounding context.
- 4.8 The application is linked to the redevelopment of the Jahn Court Block C (application ref: P2021/2270/FUL). The provision of high quality affordable workspace is provided within this linked application at 34b York Way. The level of floorspace provided exceeds the requirement within the adopted Development Plan and is considered to weigh in favour of both applications as it is tied to the separate S106 Agreement for each application. A planning obligation will require the delivery of the affordable workspace prior to first occupation of any of the floorspace secured within this permission.
- 4.9 The servicing arrangements propose amendments to the existing bays on York Way to create 2no. dedicated loading bays. Refuse collection is to be undertaken twice weekly from the loading bays on York Way by a private waste removal contractor outside of peak hours. The development is otherwise car free and would be secured as such. Additionally, a financial contribution towards improvements to the public realm surrounding the site has been agreed with the applicant.
- 4.10 Officers consider that the public benefits of the scheme including the provision of affordable workspace which exceeds the requirement within the adopted Development Plan, and public realm improvements, outweigh the less than substantial harm caused to the setting of adjacent listed buildings and to the character and appearance of the Kings Cross Conservation Area and Keystone Crescent Conservation Area.

4.11 Overall, the application is considered to be in accordance with the relevant policies within the Development Plan (having regard to the balance of public benefits outweighing the less than substantial harm caused to nearby heritage assets), and is therefore recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

#### **4. SITE AND SURROUNDINGS**

5.1 The site is part of the Regent Quarter estate, which comprises two city blocks of buildings within the Kings Cross area.

5.2 The application site is located within the city block known as 'Block B', is irregular in shape and sits immediately north of Pentonville Road (A501), south of Caledonia Street, east of York Way (A5200) and west of Caledonian Road. The site as identified by the red line boundary (not the whole city block) measuring approximately 60 – 70 metres wide by 70 metres deep with a northern and western street frontage.

5.3 The site comprises of Times House which is a mixed use building on the eastern and southern elevations to Laundry Yard and Laundry Buildings which is also a mixed use building located on the northern and western elevations. These buildings comprise of a mixture of modern four to five storey office buildings with gym and 2no. flexible commercial uses at the ground floor of Times House.

5.4 The site is accessed via gated pedestrian entrances from York Way from the west, Caledonia Street from the north and Caledonian Road (A5203) from the east and Bravington's Walk to the south which links to Pentonville Road.

5.5 The site is located within the Kings Cross Conservation Area (CA21) and lies adjacent to the Keystone Crescent Conservation Area (CA14) to the east, and the St Pancras Conservation Area which is located to the west of the site, in the London Borough of Camden. The site boundary sits adjacent to the Grade II Listed Building at 7 Caledonian Road. The site is located within the setting of a Grade I Listed building at Kings Cross Station. Other listed buildings are located adjacent to the site on Caledonian Road, Keystone Crescent and to the north of the site on Balfe Street.

5.6 The Laundry Buildings within the site at 6 Bravington's Walk is Locally Listed Grade B, and there are numerous locally listed buildings surrounding the site, on York Way, Caledonian Road and Pentonville Road.

5.7 The site is located within the Central Activities Zone (CAZ), and is in an Employment Growth Area. Part of the site is located within the Archaeological Priority Area (Battlebridge Medieval Settlement).

5.8 The site has a Public Transport Accessibility Level (PTAL) rating of 6(b) (best) (on a scale of 1 to 6 where 1 representing the lowest levels of accessibility to public transport and 6 the highest). Kings Cross and St Pancras Station is the closest underground station and is adjacent to the site on the opposite side of York Way, to the west of the site.

- 5.9 The site is surrounded by a mixture of commercial and residential uses including offices, with some retail and restaurant uses as well as community uses dispersed locally and some residential uses at upper levels. Residential uses are located within Block B at Joiners Yard which adjoins the eastern boundary of the site, and at 1-11 Caledonian Road.
- 5.10 The prevailing character of the surrounding buildings is typically mixed with some late Victorian and Georgian buildings along the main eastern arterial routes of Balfe Street. This southern block (Block B), has a more vibrant and commercial character. The northern block (within the concurrent planning application) (Block C) has a quieter and more residential character.
- 5.11 The site is located adjacent to the administrative boundary with London Borough of Camden which lies immediately to the west of the site on the opposite side of York Way. Part of the north-eastern corner of the site falls within a Local Flood Risk Zone.

## **5. PROPOSAL (IN DETAIL)**

- 6.1 The proposals comprise of various extensions, alterations and changes of use, to the commercial units around Laundry Yard.
- 6.2 The proposals include the creation of 1,723.6sqm of additional office floorspace under (Class E(g)(i)) through extensions and internal alterations to Times House. This is largely provided through the combination of partial demolition, infill extensions and roof extensions, to create additional office floorspace at first to fifth floor levels, with roof terraces at first, fourth and fifth floors.
- 6.3 The proposed extensions comprise of:
- The partial demolition of existing ground floor structures to the northern and western elevations of Times House, and erection of a five storey infill extension and roof extension at fifth floor level and reconfiguration.
  - A single storey infill extension to the southern elevation of Times House at third floor to provide additional office floorspace.
  - Roof extensions at fourth and fifth floors to the eastern part of Times House behind the rear of 8 Caledonia Street to provide additional office floorspace.
- 6.4 The proposals also include the following changes of use:
- Change of use from office to provide 1no. active flexible use unit for Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit (296.4sqm),
  - Change of use from gym to provide 4no. retail units totaling 172.3sqm of Class E(a) Retail floorspace at ground floor;
  - Creation of 3no. flexible use units for Class E(b) Food and Drink/Sui Generis Bar and drinking establishment uses, through changes of use. These are located at the ground floor of Times House located on the eastern side of Laundry Yard, through the change of use from Sui Generis flexible retail, restaurant, bar, gym or event space, and also at the ground floor of the Laundry Building through the change of use from office. This represents an uplift of 226.5sqm and 877.7sqm of floorspace in total.



- 6.5 Various external façade alterations and minor internal reconfigurations are proposed to the office floorspace around Laundry Buildings and Times House buildings around the courtyard.
- 6.6 The works also include alterations to the elevations and enlargement of existing windows and reinstatement of the entrance to the Laundry Building on to Caledonia Street.
- 6.7 The works also include the provision of outdoor terraces for the occupiers of the office use at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.
- 6.8 Also proposed is the creation of plant room, blue roof, green roof and PVs at rooftop to Times House.
- 6.9 The works include the removal of the existing gym from the basement and its reconfiguration to provide 105 cycle spaces, 25 short stay cycle stands for 50 cycle spaces, and associated shower and changing facilities and mobility scooter charging points. The reconfiguration also includes alterations to the layouts of the existing stores and plant rooms and the creation of water tanks.
- 6.10 Proposals for improvement to the network of courtyards and passages with new hard landscaping and new cycle parking facilities to support the commercial use.
- 6.11 The proposals also include the removal of ground floor plant room in Times House and entrance from Laundry Yard. Bin storage is also located at basement level. The proposal would be car free.

Revisions:

- 6.12 During the course of the application, in response to comments from ward Councillors', the scheme has been revised to provide greater animation to York Way through the introduction of 1no. active flexible use unit for Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit (296.4sqm). The unit is located on the ground floor of Laundry Building and fronts onto York Way. As part of these works, the frosted glazing on the ground floor windows facing York Way will also be removed to improve the active frontage and interface with York Way.
- 6.13 The scheme has also seen further minor revisions through the repositioning of short stay cycle stand locations on the highway in Caledonia Street, York Way and Caledonian Road.
- 6.14 Further minor internal alterations have taken place in response to comments from the Inclusive Design Officer to provide improved accessibility.
- 6.15 In response to concerns over the visibility of the roofline of the proposed roof extension to Times House from public views in the surrounding conservation area to the north of the site, and in relation to the materiality of the proposed roof extension generally, the following amendments have been made:

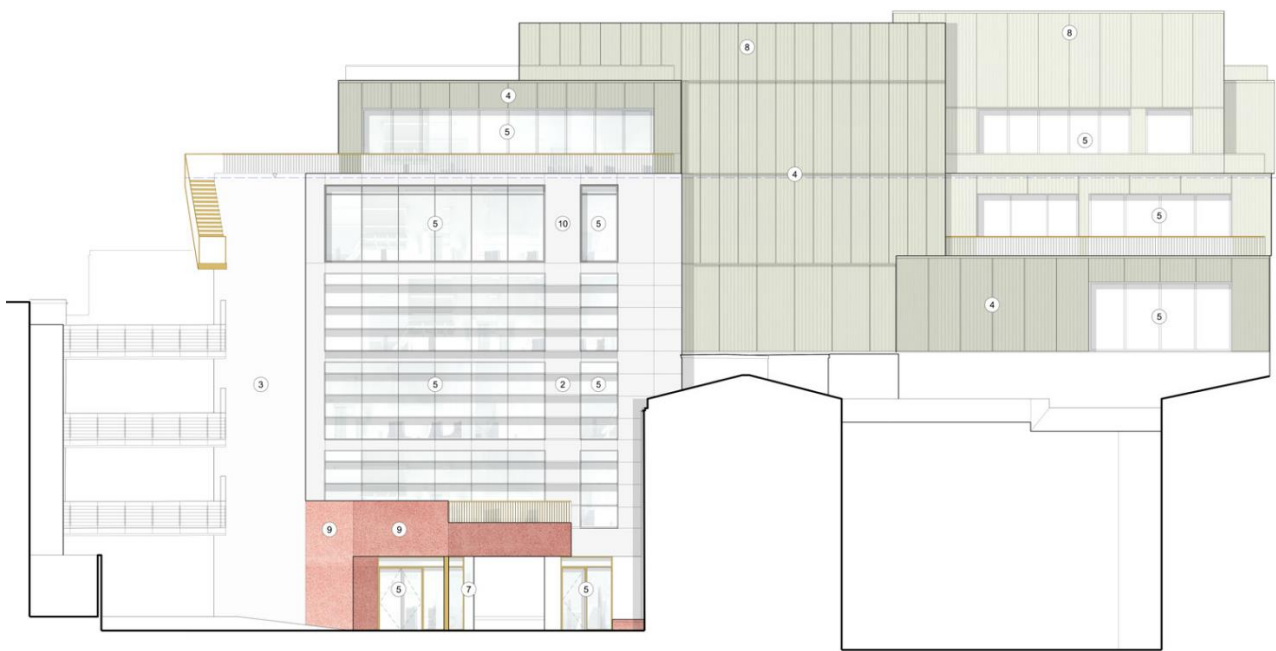
- A reduction of the massing of the northern element of the fifth floor roof extension of Times House by setting back the massing from Caledonia Street by 3.3m from that initially proposed, in order to reduce the visibility of the building from nearby views.
  - Revisions to the colour palette of the proposed roof extension and how it responds to the heritage buildings and the sensitive context, by altering the proposed green metal cladding to a paler colour.
- 6.16 The applicant has submitted amended views 10 and 20, revised CGI and aerial massing view, reflecting the revision to the massing at fifth floor.
- 6.17 An updated Daylight and Sunlight report has been submitted indicating the improved figures associated with the fifth floor set-back.
- 6.18 An amended Fire Statement has been submitted in response to comments from the Council's Building Control Officer.



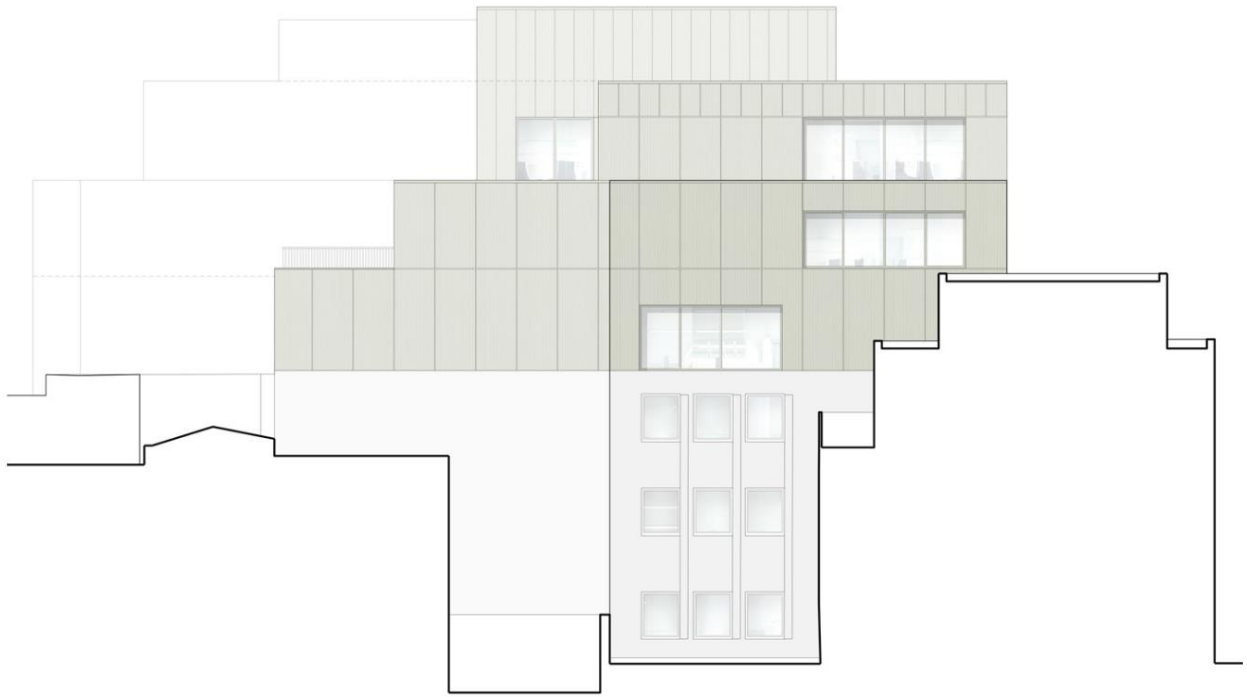
***Image 11 – Proposed Laundry Building Northern Elevation***



***Image 12 – Proposed Laundry Building Western Elevation***



***Image 13 – Proposed Times House Southern Elevation***



***Image 14 – Proposed Times House Eastern Elevation***



***Image 15 – Proposed Laundry Yard Southern Elevation***



***Image 16 – Proposed Laundry Yard Northern Elevation***



***Image 17 – Proposed Laundry Yard Western Elevation***



***Image 18 – Proposed Laundry Yard Eastern Elevation (link to Bravington's Walk)***

## RELEVANT HISTORY

7.1 The following history is considered most relevant to the application site.

### Planning Permission

7.2 **Application ref:** 831277

*New building for purposes of restaurant/shops 4 squash courts a public right of way over a landscaped deck offices and change of use of 17 Balfe Street for a community centre.*

**At:** 20-22 28 & 30 York Way 1 3 21 23 25-31 Caledonian, Road 1 3 & 17 Balfe Street 278 280, Pentonville Road & 2-4 Caledon

**Decision:** Approved 25/11/1983

7.3 **Application ref:** 851255

*Extension of period for submission of details pursuant to Condition (2) of the outline permission dated 25th November 1983. The period of extension shall be until 25th November 1989.*

**At:** 1 (North Site) 28/30 York Way 21 23 and sites of, 25-31 Caledonian Road Sites of 1 Balfe Street, Caledonia Street, 2 (South Site) 20 22 & 22A York Way.

**Decision:** Approved 17/02/1986

7.4 **Application ref:** P000434

*Redevelopment and refurbishment in connection with provision of 8,815 sq.m. of B1 office space, erection of 266 bed hotel, 138 residential units, two no live/work units, A1, A2, A3 uses, gymnasium and gallery, 19 car parking spaces, pedestrian links and security gates, including demolition, refurbishment, associated landscaping and traffic works.*

**At:** Bravington's & Albion Yard Railway block, (site bounded by: Pentonville Road, Caledonian Road, Balfe Street, Railway Street & York, 39-45 (odd) Wharfdale Road), N 1

**Decision:** Approved 10/06/2002

7.5 **Application ref:** P022525

*Revisions and extensions to the previously approved redevelopment and refurbishment scheme approved on 10th June 2002 (Ref: P000434) to provide 5020m<sup>2</sup> of B1 office accommodation in two buildings (one a refurbished basement and three storey building; one a new basement and five storey building); a range of food and drink and mixed use commercial and showroom accommodation (A1, A2, A3, Sui- generis); nine residential units (five x 1 bed and four x 2 bed) and elevational alterations to ground floor of 13-17 Caledonian Road.*

**At:** 2-10 CALEDONIA STREET, AND GROUND FLOOR 13-17 CALEDONIAN RD, N1

**Decision:** Approve 04/04/2003

7.6 **Application ref:** P031100

*Part refurbishment and part redevelopment for office (Class B1), retail (A1,A2 and A3) and showroom (sui-generis) uses and associated new access plant landscaping and other related works - variation to scheme approved 4th April 2003 Ref: P022525.*

**At:** 10, Caledonia Street, and rear 7 Caledonian Road London, N1

**Decision:** Approved 05/12/2003

7.7 **Application ref:** P050311

*Revisions to planning permissions P000434 (as amended by P022525 and P031100) to provide revised restaurant and office accommodation and public space.*

**At:** York Curve Buildings B11 & B12 Block B, Land bounded by York Way, Caledonian Road, Pentonville Road and Caledonia Street, London N1

**Decision:** Approved 09/05/2005

7.8 **Application ref:** P000434(S106A)

*S106A application to modify planning obligations of S106 Agreement P000434, dated 5th June 2002, to vary the definition of the Prescribed Hours of the Block C Internal Walkways.*

**At:** Block C, Regent Quarter, Kings Cross (site formerly known as Albion Yard, bound by Caledonia Street, Caledonian Road, Balfe Street, Railway Street and York Way), Islington, London, N1 9DB

**Decision:** Approved 29/11/2012

7.9 **Application ref:** P101970

*Change of use from A3 (restaurant) to A4 (bar/drinking establishment) on semi-basement floor.*

**At:** Restaurant, 8, Caledonia Street, Islington, London, N1 9DZ

**Decision:** Approved 15/12/2010

7.10 **Application ref:** P2019/3116/FUL

*Change of use of the ground floor from restaurant (Class A3) and bar (Class A4) to flexible mix of uses, including as retail, restaurant and bar, gym or event space (sui generis), for a temporary period of two years.*

**At:** 8 Caledonia Street

**Decision:** Approved 10/12/2019

7.11 **Application ref:** P062489

*Change of use to health club.*

**At:** Basement & Ground Floors, 4, Bravington's Walk, Islington, London, N1 9GA

**Decision:** Approved 16/03/2007

7.12 **Application ref:** P071269

*Change of use of basement and ground floor to D2 Health Club with ancillary Cafe.*

**At:** 4 Bravington's Walk, Islington, London, N1 9GA

**Decision:** Approved 04/07/2007

7.13 **Application ref:** P121572

*Erection of a single storey extension to the south for use as additional gym space.*

**At:** 4 Bravington's Walk, Islington, London, N1 9GA

**Decision:** Approved 28/09/2012

Pre-application

7.14 In 2020, the applicant for the current proposals, submitted a pre-application advice request (ref Q2020/3318/PPA) for the proposed redevelopment of both sites within the Regent's Quarter that are now subject to the two linked planning applications. The pre-application request sought advice relating to 3- 4 storey roof extensions to the principal buildings known as Jahn Court (Block C) and Laundry & Times House buildings (Block B) as well as substantial alterations to the internal layouts, reconfiguration of internal space and public realm improvements and other minor alterations to provide approximately 4,000 sqm of additional B1(a) office floor space and 400 sqm of additional café/ restaurant (Class E) floorspace.

7.15 The first PPA pre-application meeting took place on 17 December 2020 and sought to set out the proposals at high level detail. Discussions related to:

- Outline of the massing proposals for both Jahn Court and Times House & Laundry Building;
- A heritage-led approach to the relevant assets;
- The permeability of Regent Quarter and how this can be improved through pedestrian routes;



- High level discussions on highways and relevant roads and public realm that needed to be considered.

7.16 Design workshops took place on 21 January 2021; 8 April 2021 and 7 May 2021. The workshops were set up to discuss the design proposals for Jahn Court and Times House and Laundry Buildings in more detail. Discussions relating to Times House and Laundry Buildings included:

- Height and massing of Times House and how it would sit within the surrounding context;
- Clear justification is required on how the proposal effects the setting of the Grade I listed Kings Cross Station;
- The external spaces within the site and how they are intrinsic to the urban block and key connections to the surrounding streets.

The following points were noted:

- The public realm story is positive and all of the frontages are active;
- Welcomed the introduction of railway arches;
- The material palette introduced was appreciated;
- Any artwork in the courtyards and building cores needs to be clever and subtle;
- The accessibility, diversity and neurodiversity of the Laundry yard needs to be explored in more detail; and
- An understanding is needed on the existing residential and commercial uses on the site

7.17 Public Realm and Highways Workshops took place on 4 May 2021 and 22 July 2021. A Sustainability Workshop took place on 4 February 2021. An Environmental Impact Workshops took place on 21 May 2021. Inclusive Economy Workshops took place on 18 May 2021, 5 July 2021 and 14 July 2021.

7.18 A meeting was held with Historic England, with formal advice being received on 8 April 2021. The advice confirmed that they did not wish to raise any objections to the proposals and would recommend continued engagement with the local planning authority.

7.19 Following the above meetings, the final pre-application advice letter was issued on 1 July 2021. Advice was provided that the extension and adaption of the existing buildings is considered to be acceptable in principle, on the basis that the new buildings will demonstrate a high level of design quality and sustainability credentials and be sensitive to the surrounding heritage assets.

7.20 Advice was provided that the architectural approach is welcomed and in particular, the materials palette is considered very high quality and appealing. Similarly, care has been demonstrated to minimise harmful impacts of the extensions to the Times House & Laundry Building on the setting of Kings Cross and St Pancras Station, a primary Grade I listed heritage asset. Officers consider that the harm is less than substantial (rather than substantial) and that it will have to be balanced against all of the other planning considerations / benefits.

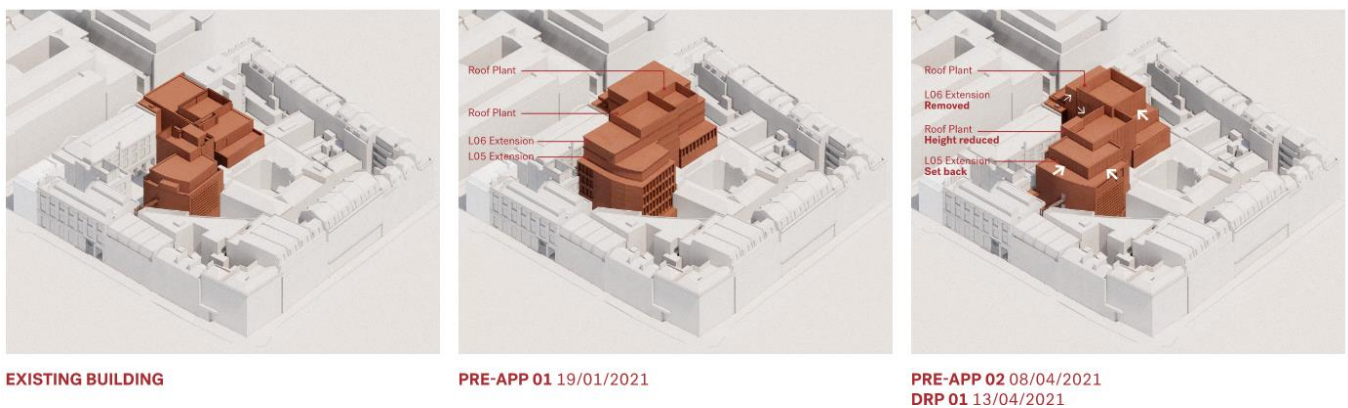
7.21 The pre-application advice notes the CADG (Conservation Area Design Guidelines) has regard to height, mass and scale thus: paragraph 21.7: the existing scales of the area must be particularly respected with reference to: (i) the hierarchy of scales northwards from Pentonville Road. The Times House and Laundry

Building complex has been architecturally simplified with a more refined detailing. It has been demonstrably reduced in height and mass. The pre-application advice concludes that at this stage the Council's view is that there is still harm to the setting of heritage assets. However, this harm is now considered to be less than substantial.

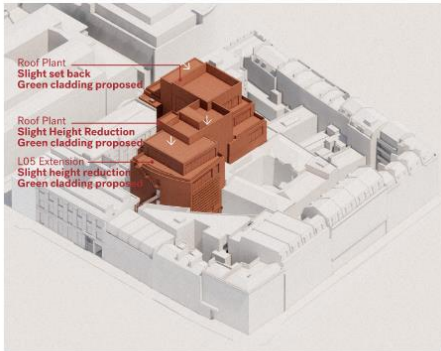
7.22 Advice was provided that whilst the proposed B1(a) office and 'non-business' A1 and A3 uses (Class E) are generally acceptable within this location, marketing evidence such as a retail impact assessment and needs assessment may be required in order to ensure the non-business uses are viable and sustainable in the long term and do not detract from the function of local town centres.

7.23 Further advice was provided that given the more intensive use of the site as proposed, and the high density and variety of commercial occupants, opportunities to improve user amenity of the internal spaces and courtyards is essential. The assessment of acceptable height and bulk at the upper levels will be informed by the impacts on neighbouring residents. The proposal may present challenges in terms of servicing and deliveries whilst ensuring safe pedestrian, cycle and vehicle movements in and around the site.

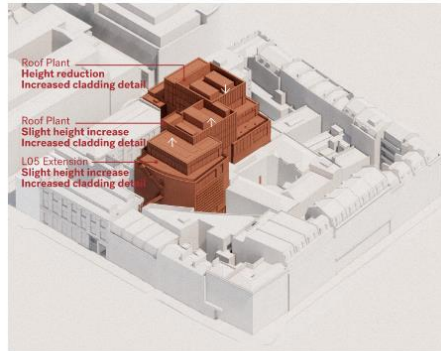
7.24 The scheme has been revised since the initial submission (pre-application 01) as demonstrated by images 19 and 20, below. In summary, there have been reductions in height leading to a reduction of the top of the plant equipment to Times House by 4.59m on the west wing of the building and by 4.09m on the eastern wing of the building. The scheme has been reduced in height by 3.29m by removing the L06 floor of the extension. The massing of the roof extension has been reduced on western, northern and southern façades in response to key townscape views.



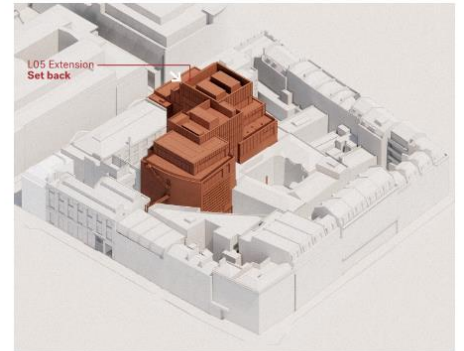
**Image 19 – Initial Pre-application scheme and revisions**



PRE-APP 03 07/05/2021



PLANNING SUBMISSION 05/08/2021  
DRP 02 17/12/2021

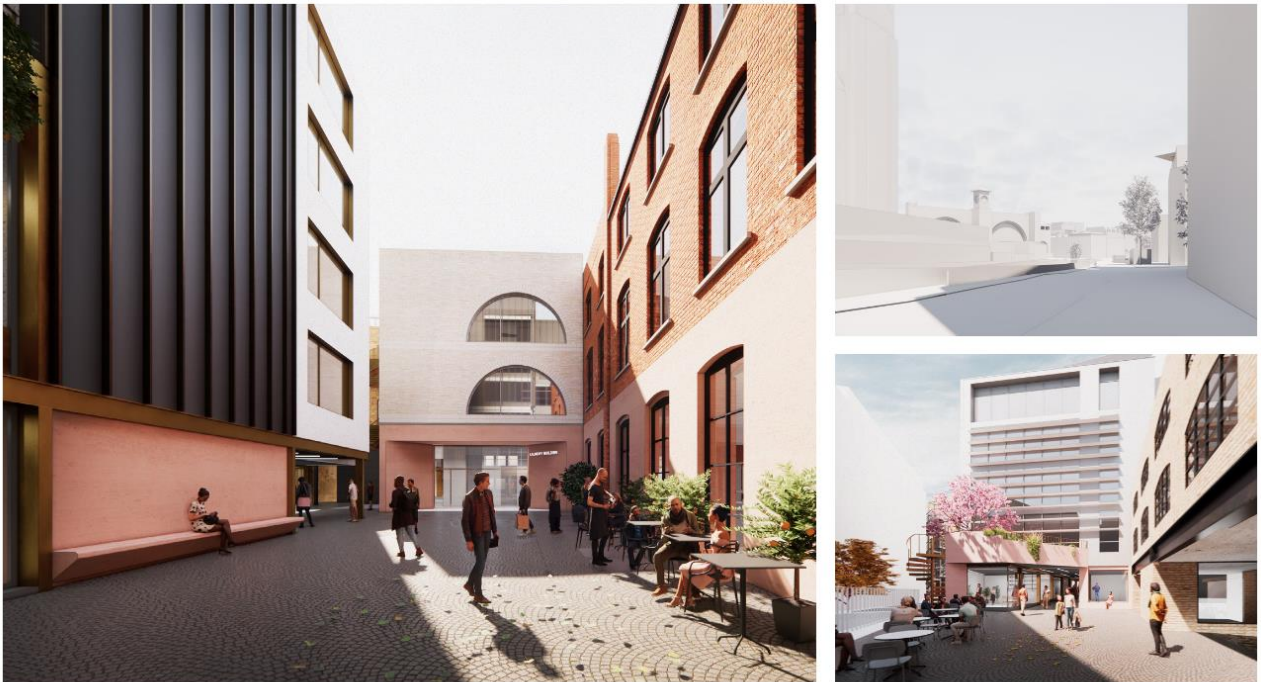


FINAL UPDATES 14/01/2022

## Image 20 – Further revised pre-application scheme and final application scheme

### Design Review Panel

7.25 As part of the pre-application process in 2021, the proposals for both linked schemes were presented to the Design Review Panel on 13 April 2021 (ref Q2021/0820/DRP).



**Image 21 – Times House/Laundry Buildings - Scheme presented to DRP April 2021**

7.26 The following comments were made (relevant to this application), with the full DRP response provided as **Appendix 3**:

- *The Panel sought clarification with regard to cycle infrastructure and connectivity to cycle routes and the hierarchy of movement through and adjacent to the site – existing and proposed*

**Officer's Comment:** Cycle Infrastructure, connectivity to cycle routes and the hierarchy of movement through and adjacent to the sites have been considered in detail in the public realm strategy. The sites are in close proximity to a number of cycle routes, including Pentonville Road, Caledonian Road, Euston Road and York Way. The scheme includes the provision of cycle parking within the courtyards and on the footway on adjacent streets. This improved cycle provision is considered to facilitate increased cycling, as well as connectivity with the wider cycling routes. Entrances to the cycle stores have been positioned and designed for ease of use and help to promote cycling by the building users. All stores feature direct, step-free access routes, spaces for non-standard cycles, charging points, and changing and amenity spaces.

- *How has the applicant arrived at the phasing strategy? Queried the benefits of first investing in the heart of the blocks and not the periphery given the latter more likely to draw people in. The pedestrianisation of Caledonia Street seems an obvious 'early win'.*

**Officer's Comment:** It is understood that the phasing strategy has been determined by the leases of the properties within Regent Quarter as the leases for Jahn Court and Times House and Laundry Building are understood to be expiring in 2021. It is understood that Caledonia Street is outside the ownership of the applicant. Officers are advised that the pedestrianisation of Caledonia Street would require input from several stakeholders to agree plans for its future development which is intended to take place as a later phase of development.

- *Concerned at the claim that some buildings are wrongly identified as Locally Listed Buildings. Clarification was sought*

**Officer's Comment:** The site includes a locally listed Grade A building at Laundry Building. All designated and non-designated have been assessed in line with National Planning Policy Framework (NPPF) and London Borough of Islington (LBI) Local Plan Policies.

- *Was it the design team's intention to create a unified identity for the whole masterplan area as well as an inter-relationship between the 2 sites? The two buildings are quite different in their approach – the southern being more granular and crumbly with extensions that sit amidst the roof tops while Jahn Court reads almost as a standalone. Also routes such as Bravington's Walk are excluded and yet seem integral from the outset*

**Officer's Comment:** It is understood that the southern block has been designed to be more civic and active than the northern block, which has a more residential character. The applicant's response here is that the concept for the two main buildings are very different, in order to reflect the more granular and crumbly form of the southern block which is of a more complex character. The scale and massing to the north is larger and therefore required a different form and approach, which is reflected in the block massing of Jahn Court. Some materials and details are repeated across both schemes to present a unified identity. The changes within Laundry Yard improve the connection with Bravington's Walk and to the New Times Yard and York Way entrance to the site.

- *Panel queried how the masterplan could be achieved given the number of sites that are outside of the applicant's land ownership control.*

**Officer's Comment:** It is understood that the applicant has an existing commercial relationship with the hotel owners and other land holdings that are outside of their demise and therefore they do not see this as a barrier to any of the development proposals.

- *How does the planned removal of gates and railings create a safe and defensible place? Is access to be offered 24/7 or will it be controlled in some way?*

**Officer's Comment:** This comment maybe more relevant to the removal of the railings in front of Block C which is included in application P2021/2270/FUL. However, for clarification, this site (Block B) will not be publicly accessible over night with gates being closed at staggered times during the evening in connection with the closing times of the commercial units. The site has existing on-site management arrangements, and these will continue. The Public Realm Reports submitted with the application provide further details around the management principles for the site. The scheme has been revised to respond to Design Out Crime Officer's comments and seeks to achieve the principles of Secure By Design.

- *The approach to the ground floor social and hospitality activities and interactions similar to both north and south blocks?*

**Officer's Comment:** The southern block (Times House and Laundry Buildings) has more social and hospitality reflecting its existing and proposed uses, proximity to the station forecourt and the busy Pentonville Road. The northern block will be less active and quieter given it contains more residential uses and less active commercial uses. Within both blocks it is proposed to increase animation through introducing an active flexible use on the ground floor unit, fronting onto York Way.

- *How do you attract and draw people in and signal some change. Routes and desire lines. What are you offering that is different?*

**Officer's Comment:** It is understood that extensive survey work has been undertaken by Publica to understand how the sites and surrounding areas (including routes) are used. Opportunities for the future use of the site (including active ground floor uses, enhanced public realm and routes) informed the Public Realm strategy. The existing entrances and views into the site offer very little enticement to enter and explore Regent Quarter. The proposals for the Times House and Laundry Buildings site have focused on improving the routes, permeability, and activity at ground level, and ensure that these new vibrant spaces are visible in the views into the site from existing entrance points.

- *Advised team to consider the function and quality of the public realm just outside of the site's boundary and how it could inform change.*

**Officer's Comment:** The project team is in discussions with Transport for London regarding their proposals for improvements to the junction of York Way

and Pentonville Road and relevant contributions. The application includes the removal of railings outside the main entrance to Jahn Court to activate the public realm here, adjacent to York Way. Further discussions have taken place regarding increasing the animation on York Way. During the course of the application the application has been revised to seek to provide greater animation on York Way through introducing active flexible use units on the ground floor fronting on to York Way.

- *Additional height and mass may not be a problem, but justification would be expected given there is a visual impact.*

**Officer's Comment:** The submission includes visual impact studies, including assessment of the key visual receptors and associated representative viewpoints (RV). These assessments outline the effects of the proposed developments within the local townscape area, as well as any relevant longer distance views. This is assessed in detail in paragraphs 10.174 to 10.194 and shown in images 34 to 42. As noted above, some reduction in massing has been made (illustrated in updated view 10).

- *Sunlight/daylight study assessing the impact of the proposed blocks on the internal courtyards as there is reduced benefit in creating an attractive courtyard which is permanently in shade.*

**Officer's Comment:** A Daylight, Sunlight and Overshadowing Assessment has been undertaken to consider the potential additional overshadowing to the nearby amenity spaces, as well as daylight and sunlight impacts to existing properties. In terms of the internal courtyards, tests in accordance with the BRE guidelines, suggest assessing what percentage of the amenity space can enjoy at least 2 hours of sunlight on 21 March. The assessments suggest that each space should experience very little additional overshadowing on the 21 March and any reduction will be well within the BRE guidelines. The impacts of the scheme on daylight, sunlight and overshadowing are assessed in detail in paragraphs 10.263 – 10.285 of the report.

- *An overarching architectural narrative is needed.*

**Officer's Comment:** The architecture and materiality seeks to provide high quality contemporary language which sits sensitively against the existing heritage buildings. The architectural language has been informed by the industrial heritage of the sites, and the historic relationship of the sites with Victorian Railway infrastructure. This is addressed in more detail in paragraphs 10.154-10.157 plus image 32 of the report and is commented on in the second response letter from the DRP at paragraph 7.33 of this report where it states: *'The proposals capture and enhance the heritage setting with their clear and coherent architectural narrative.'*

- *The public realm feels too distinct from the architecture and composite drawings showing the landscape and architecture engaging with one another would be helpful.*

**Officer's Comment:** The northern block will have a quieter residential character, whilst the southern block will include more active ground floor uses and would be livelier in character. The public realm strategy has been informed by these characteristics. This is addressed in more detail in paragraphs 10.130 to 10.136 of the report and images 27 to 31. The second DRP response letter also comments: *'Since the first DRP the applicant has made beneficial improvements to the new 'Times Yard. This space opens up oblique views, improves legibility, and creates a better sense of connection with Laundry Yard.'* The second response letter is outlined in more detail in paragraph 7.33 of this report.

- *The role and form of the roofscape in long views and key views will require refinement. Views 05 of Jahn Court from York Way and View 10 from Caledonian Road of the Times House & Laundry Buildings were noted as being of particular significance within the Key View Study document.*

**Officer's Comment:** The roofscapes of Jahn Court and Times House have been reduced in scale to respond to this comment. Images 34 to 42 indicate the verified views from Kings Cross Station and Euston Road. The impact of the Times House roof extension is addressed in more detail in paragraphs 10.174-10.194. The second DRP response letter also comments: *'The evolution of the designs of the roof form have created a more sympathetic response to the broader townscape including in its response to Kings Cross and as seen in the longer views.'* The second response letter is outlined in more detail in paragraph 7.33 of this report. The impact of the Jahn Court roofscape is addressed in more detail in the officer's report for P2021/2270/FUL.

- *A process of questioning the conjunction of the old and new and considering how the two address each other is needed.*

**Officer's Comment:** The submission sets out how the architecture of the schemes in terms of massing, form and materials has sought to refer to the previous industrial uses of the site, whilst also seeking to ensure that their relationship with the surrounding area is acceptable. This is addressed in paragraphs 10.154-10.157 plus image 32 – materials palette of the report. The second DRP response letter also comments: *'The historic referencing to Victorian water tanks is a particular delight.'*

- *A more conversational approach might be more enriching and sophisticated and lend greater quality to the buildings and spaces.*

**Officer's Comment:** The architectural narrative relates to the old industrial uses, whilst also ensuring high quality contemporary development. Elements of heritage interest have been retained or enhanced (signage and courtyard ground materials), whilst the new architecture and public realm seeks to tie the site to its past uses. The architectural narrative has been discussed in the paragraphs above and in the second DRP response letter.

- *The sense of detachment between the public realm and the architecture could be avoided by more collaboration in the design process and both could better inform and enrich the other.*

**Officer's Comment:** The Public Realm strategy has been integrated with the architecture to ensure that they both respond with each other. Also, the chair's summing up in the second DRP response letter comments: *'The proposals capture and enhance the heritage setting with their clear and coherent architectural narrative. There is now a much clearer hierarchy of routes and these have themselves been significantly enhanced with specific regard to improved levels of accessibility and cyclist movements.'* Images 27 to 31 show the public realm works in Block B.

- *There is a question of how much consistency and inter-relationship is legible between the proposed blocks. Having said that, Laundry Yard and the other yards have their own historical character and the proposals could capitalise on the history of the site to lend to the character and atmosphere of the spaces. The new elevations could be more referential to the historic street elevations and more use of brick might be made. Generally a more homogenous approach to materials may give greater coherence and legibility across the quarter.*
- **Officer's Comment:** The proposed materials nod towards the historic context as well as to the modern era. They introduce soft colours (reds and greens), which seek to avoid over dominating and to sit well within the townscape. Quality durable materials (brick, metal and glazing) have also been articulated to ensure that the appearance of the building are of a high quality. The use of repeated materials and details across the two proposals will help to improve the coherence and legibility across Regent Quarter. This is addressed in detail in paragraphs 10.154 to 10.157 of this report plus image 32 – materials palette. Again, this is also noted in the second response letter from the DRP.

#### Second DRP comments

7.27 In response to comments received from residents, the application scheme has been presented to the Design Review Panel for a second review on 17 December 2021. This second review was held carried out by the chair of the DRP and one panel member.

7.28 The following commentary has been provided by the DRP in their letter dated 23 December 2021:

#### Times House and Laundry Building:

*The Panel commented it considers this to be a very carefully considered and successful scheme. While there had been some concerns expressed in the spring at the earlier DRP review about the impact on longer views, the subsequent refinement of the massing has been successful, particularly to the backdrop to the heritage sensitive Kings Cross Station.*

*The choice of materials and applied materiality is also really successful which coupled to the change to the massing has had a really positive impact. The colours of the materials proposed were also supported.*

*The evolution of the designs of the roof form have created a more sympathetic response to the broader townscape including in its response to Kings Cross and as seen in the longer views. The historic referencing to Victorian water tanks is a*



*particular delight.*

*Struggled to fully understand the approach to the landscape design to the yard spaces which historically are generally quite fluid spaces that evolve over time. And yet there are rather 'civic' styled interventions proposed.*

*However consider the proposed interventions to York Way, including visual connections are negotiated very well. Since the first DRP the applicant has made beneficial improvements to the new 'Times Yard. This space opens up oblique views, improves legibility, and creates a better sense of connection with Laundry Yard.*

*There is a real distinction between the two blocks, their characters and nature are quite different.*

*The paving to the Laundry Yard is working at 2 levels – the orientation of the joining creating a suggestion of movement through the yard as one transitions from York Way to Caledonia Street and the triangle patterning successfully responding at a larger scale responding to the buildings that address and hold the space.*

*If the scheme gets the materials right, i.e. a good stone or granite – this will result in an interesting duality of geometries going on there – simple and subtle but influential as to how one experiences that space.*

*Tines Yard – considers this is working well as a sequential space – an ante room. This is commended as a very important element as it is this work around the new Times Yard in particular that heightens the block's overall legibility.*

*The balconies to the offices above really help to animate the space and are supported.*

*The new Bravington's Walk link is also really helping in terms of opening up this key route. The importance of that link is stressed given connections to it create the opportunity for the success of this route in the future.*

*The Panel very much liked the way the arcade is enhancing the public realm and the circular light motive gives coherence and consistency for the route through Block B.*

*Caledonia Street – new frontage at street level is successful, creating an enhanced rhythm and transparency to the street. Coupled with the planned removal of the railings will help activate this as an important east/west link street. The Panel supports the work that has been done to this street edge.*

*In respect of the architecture, previously struggled to understand the overarching architectural approach. However consider there is now a really strong materiality and that the refinement of detail and language are all really successful.*

*The Panel commend the design team on a very interesting architectural narrative with Times House. It supports the more filigree top and crown with its integrated glazing and this contrast with the more solid base.*

*The Panel consider this to be a well-crafted, sensitive and tailored response and consider that the modifications have enhanced the buildings. The Panel now feels very positive about the scheme.*

7.29 The Chair's summing up provided the following comments:

*The Panel supports what you have created and enhanced – a great, high quality and sympathetic range of new office and workshop spaces. This will be a fantastic place to come and visit and to work in. Every aspect of the place will be much better as a result and will likely continue to improve over time.*

*The proposals capture and enhance the heritage setting with their clear and coherent architectural narrative. There is now a much clearer hierarchy of routes. And these have themselves been significantly enhanced with specific regard to improved levels of accessibility and cyclist movements.*

*There will also be a significant upgrading of the office space.*

*The Chair wished to credit the applicant team with the work undertaken beyond the red line, particularly to York Way and to the Penvontille Road junction at the threshold of the development.*

*The Chair considers that the team has now developed a successful approach to scale and massing. These important elements respond well to the immediate and wider context. In addition to that, a significant amount of public benefit is evident that The Panel would support and agree with which encompasses economic, social and environment benefits.*

*A last thought – in all of this demonstrable enhancement and improvement it is important that at the end of the day, in terms of the public realm and using it, that these urban blocks feel like they are a part of the city, and not separated from it.*

*In a recent visit the Chair felt overly surveilled, as though there were cameras all over the place. Guards were popping out and the effect was a feel of trespassing as one moved through an urban block.*

*The Panel do not want these blocks to feel like they are gated communities. Rather the aspiration should be to feel like you are strolling through the lanes and courtyards of Covent Garden and Soho. This is the sort of ambience the proposals should strive for.*

7.30 A copy of the Design Review Panel Response letter dated 23 December 2021 is attached at **APPENDIX 4 - SECOND DRP REVIEW**

## **CONSULTATION**

### Public Consultation

8.1 The application has been publicly consulted on 16 August 2021. Site and press notices have also been issued. The consultation process expired on 12 September

2021. Letters were sent to the surrounding neighbours on Joiners Yard, Keystone Crescent, Noah's Yard, Omega Place, Caledonian Road, York Way, King's Cross Bridge, Varnisher's Yard, Pentonville Road, Gray's Inn Road, Bravington's Walk, Caledonia Street and Kings Cross Square Euston Road.

- 8.2 During the initial period of consultation, representations have been received from 19 neighbouring residents objecting to the application. 4 representations have been received in support of the proposals.
- 8.3 Following receipt of supplementary information and technical documents, a period of re-consultation took place beginning on 7 November 2021. The re-consultation ended on 21 November 2021.
- 8.4 During the first period of re-consultation representations have been received from 11 neighbouring residents objecting to the application.
- 8.5 In response to the objections received, revised documents and drawings have been submitted and minor changes of use have been made to the proposals. As a result, a final period of re-consultation took place beginning on 10 December 2021. The re-consultation ended on 24 December 2021.
- 8.6 During the second period of re-consultation representations have been received from 6 neighbouring residents objecting to the application.
- 8.7 Further drawings and documents have been received on 27 January 2022 reducing the mass of the fifth floor roof extension which have been uploaded to the Council's website. A resident has requested the opportunity to submit observations and potential objections to these documents. However all amendments result in improvements and reductions in impact in terms of scale, massing and visual impacts, on amenity. It is at the discretion of the Local Planning Authority to undertake further re consultation and in view of all the impacts decreasing, it has been considered that in this instance, it is not necessary. Notwithstanding this, the Council will consider all representations received up until the determination of the application.
- 8.8 At the time of the writing of this report responses had been received from 19 members of the public on a number of occasions, with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

#### Land Use

- Putting retail units in the centre of Times Yard and Laundry Yard will adversely affect the local shopping area on the lower stretch of Caledonian Road. (**officer comment:** The provision of retail units within the site does not raise conflict with the aims of the Council's land use policies. See paragraphs 10.33-10.48).
- The proposed restaurants in Laundry Yard would have a detrimental effect on restaurant establishments on Caledonian Road, contrary to policy DM4.4 (D) which states that A uses, D2 Use Class and for Sui Generis main Town Centre uses within the Central Activities Zone must not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability

of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability. (**officer comment:** The provision of restaurant uses within the site does not raise conflict with the aims of the Council's land use policies. See paragraphs 10.49-10.57).

- The objector also questions the viability of 4 retail units due to low existing footfall in the courtyards and the difficulty of retail units in the area. (**officer comment:** The proposals seek to increase the footfall through Block B through alterations to Times Yard, opening up the link to Bravington's Walk and changes to the existing ground floor uses in Times House and the Laundry Building. The provision of retail units within the site does not raise conflict with the aims of the Council's land use policies and seeks to animate and bring activity in interests of security and safety. See paragraphs 10.33-10.48).

### Design/Heritage

- The excessive and disproportionate massing of the proposed extension to Times House and the increased visibility of modern materials will damage the setting of the Grade I listed Kings Cross Station as viewed from Euston Road. The proposals would exceed and be visible above the height of the roofline of the station, and exceeds the skyline of this national set piece, and cause loss of sunlight to the station. The increased massing would distort the proportion of the existing building within a conservation area, and in close proximity to a Grade I listed building. The proposals have a material negative impact on heritage assets, the settings of heritage assets and multiple contraventions of local and national policy. (**officer comment:** Officers have given a detailed and careful consideration of the impact of the proposals on the surrounding heritage assets in accordance with the requirements of paragraphs 195, 200 and 202 of the NPPF and given special regard to the impact on the setting of the Listed Buildings and the conservation areas. Officers have concluded that the impact of the proposals would cause less than substantial harm to these heritage assets and have undertaken a balancing exercise against the public benefits of the scheme. Officers have considered this in detail in this report including in paragraphs 10.170 to 10.173 and 10.174 to 10.221 and images 34 to 42).
- The proposals would have an unacceptable detrimental impact on the heritage setting of the Kings Cross Conservation Area, and contrary to the Kings Cross Conservation Area Design Guidelines paragraph 21.1. (**officer comment:** Officers have considered the impacts on the heritage assets including Kings Cross Station and the Conservation Area, in detail in this report, including in paragraphs 10.170 to 10.173 and 10.197-10.206. Officers consider the harm to heritage assets to be less than substantial and have undertaken a balancing exercise against the public benefits of the scheme at paragraphs 10.209 to 10.213).
- Additional massing of the buildings is not in keeping with the local area. Negative impact on nearby heritage buildings and their setting. The proposed increase in height, massing and scale, would adversely affect the character and appearance of the conservation area. The height of the extension is overdevelopment, is overbearing and overshadows all buildings in the near

vicinity, and cause loss of light to the inner courtyards, and will radically affect the character of the area and interrupt the skyline. The proposed development is out of keeping with the Victorian character of the area, is out of character with the buildings in Caledonian Road and along Pentonville Road. The size of the proposed development is not in keeping with the original Victorian warehouses and is overbearing and overdevelopment. (**officer comment:** The design has responded to the scale and massing of adjoining buildings, such that the massing has been set-back from the southern block boundaries and pushed to the centre of the site. The visibility of the taller sections of the development have been minimised by sensitive set-backs and detailing to ensure that the site does not appear overdeveloped from local, medium and long-range views. Officers have considered the impact of the proposed increase in height, bulk and massing on the townscape in the context of the site and the extent of visibility in key views including in paragraphs 10.174-10.195 and images 34 to 42 and have concluded that the harm to heritage assets to be less than substantial and have undertaken a balancing exercise against the public benefits of the scheme at paragraphs 10.209-10.213).

- The proposed height of Times House would be in excess of a reasonable contextual reference height and therefore contravenes the Tall Building's policy DH3. (**officer comment:** London Plan policy D9(A) states that '*based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.*' As a result officers have assessed the proposals in accordance with the Local Plan. Adopted local plan policy CS9(E) states that Tall Buildings are 30 metres and above. Paragraph 2.18 of the IDMP (Islington Development Management Policies document) also states that tall buildings are defined as over 30m in height. Emerging Local Plan policy SP2 Kings Cross and Pentonville Road, part K identifies that tall buildings in the spatial strategy area are over 30 metres and this is reiterated in the supporting paragraph 2.21. Therefore both the Council's adopted and emerging local plan has defined that within the Kings Cross Spatial Strategy Area, Tall Buildings are those which are over 30 metres. The maximum height of Times House following the proposed roof extensions and including the roof plant would be 24.85m. Therefore the proposals do not result in a tall building as defined by both the adopted and emerging local plan policies. Notwithstanding the above assessment, the majority of buildings surrounding the site are between 3-5 stories in height and in many circumstances, the extension proposals will not extend twice the height of a number of prominent buildings within close proximity (i.e. Joiners Yard, Kings Cross Station, Premier Inn, Kings Gate, Focus Point). Whilst it is noted that the development will sit twice as high as some buildings within the surrounding context, the existing building (Times House) already extends considerably taller than these buildings and it would be inappropriate to only take account of these buildings in isolation to the larger and more prominent buildings noted above as part of the contextual reference).
- The proposed architecture of the extended buildings would clash with the style of the industrial heritage buildings and is contrary to DM2.1(A)(vii). (**officer comment:** The proposal's use of brickwork, metalwork, render and cladding

seeks to craft a unified identity on the buildings and within the external areas. This has been achieved by the use of a pale colour palette (pale red, yellow, green and white) which seek to complement and not compete with each other. The detailing and grain of the metalwork has been informed by the studies of Victorian railway arches. The officer assessment considers this in more detail in paragraphs 10.154 to 10.157 and is commented on in the second response letter from the DRP at paragraph 7.33 of this report where it states: *'The proposals capture and enhance the heritage setting with their clear and coherent architectural narrative'*).

- The proposed changes to the paving in Laundry Yard would not respect the adjacent Listed Buildings and would not respect the location of the site in a conservation area contrary to policy DM2.1, A(vii). (**officer comment:** The existing paved surface consists on modern concrete blocks, which will be replaced with high quality patterned stone, including the continuation of York Stone from Caledonia Street, in line with Conservation Area Guidance. Overall, the public realm works will improve the character and appearance of the conservation area. The proposed changes to paving as part of the public realm improvements are therefore considered to provide a more sympathetic response. See paragraph 10.130 to 10.136 and images 27 to 31 . The second DRP response letter also comments on the suitability of the proposed paving with the following comments at paragraph 7.33: *'The paving to the Laundry Yard is working at 2 levels – the orientation of the joining creating a suggestion of movement through the yard as one transitions from York Way to Caledonia Street and the triangle patterning successfully responding at a larger scale responding to the buildings that address and hold the space.'*).
- The materials used are not in keeping or sympathetic to the conservation area. The use of green makes the additional massing really stand out and taking the eye away from heritage buildings. (**officer comment:** Officers have considered the suitability of the proposed materials in paragraphs 10.154 to 10.157 and image 32. The use of a soft pale green metal cladding at Times House will complement the red of the Laundry buildings and read, albeit considerably more pale, in a similar manner as the familiar green of new copper cladding. The use of pale green is considered to act as a subservient tone to the yellow stock brick within the local area, particularly on the west wing of the Laundry Buildings and Kings Cross Station. The second DRP response letter also comments on the suitability of the proposed materials with the following comments at paragraph 7.33: *'The choice of materials and applied materiality is also successful which coupled to the change to the massing has had a really positive impact. The colours of the materials proposed were also supported'*).
- Objectors state that the proposals raise conflict with National Planning Framework (2021) paragraph 195 requiring local planning authorities to identify and assess the particular significance of heritage assets that might be affected by proposals. (**officer comment:** Officers have given a detailed and careful consideration of the impact of the proposals on the surrounding heritage assets in accordance with the requirements of paragraphs 195, 200 and 202 of the NPPF and given special regard to the impact on the setting of the Listed Buildings and the conservation areas. Officers have concluded that the impact of the proposals would cause less than substantial harm to these heritage

assets and have undertaken a balancing exercise against the public benefits of the scheme. Officers have considered this in detail in this report including in paragraphs 10.170 to 10.206 and 10.219-10.221 and images 34 to 42).

- Several requests have been made for the application proposals to be presented to the Design Review Panel following the comments made in the DRP response letter to the pre-application scheme. (**officer comment:** The application proposals have been re-presented to the Design Review Panel in December 2021. See paragraphs 7.30 to 7.35 and a copy of the second DRP response letter dated 23 December 2021 is attached to this report at Appendix 4.).
- Loss of glass curtain walling to Laundry buildings facing onto Laundry Yard will hide the historic fabric, detracting from the sense of history that walking through Laundry Yard gives. Loss of historical railings on Caledonia Street fronting Laundry Buildings will detract from the historical nature of the building and the sense of place. Loss of key views of locally listed buildings harmfully impacting on the significance and setting including views of 6 Bravington's Walk (Western Laundry Buildings) and 18 York Way from the Arch on Caledonia Street, and the view of the Laundry Building (North) from Bravington's Walk. The loss of the views of the original eastern elevation of the locally listed Laundry Buildings within Laundry Yard will result in a loss of a feature of the original award winning P&O development from 2002 (ref: P000434). (**officer comment:** The new eastern elevation of the Laundry Building is more clearly articulated and the ground floor material is a dark red brick of a similar hue to the historic brick of the Laundry Building. The proposed fenestration design directly references and is reminiscent of historical railway architecture. The rear southern element of the Laundry Building will include replacement windows and ground floor detailing to the buildings entrances. Overall, these elements will be in keeping with the industrial character of the conservation area and therefore would sustain the heritage interest of the locally listed building. These changes are considered to contribute to the quality of the building and to the general ambience and setting of Laundry Yard. Officers have given consideration to the elevational treatment of the Laundry Buildings at paragraphs 10.154-10.157 and images 27 to 31, and consider that the proposals provide an enhancement to the existing elevations. With regards the removal of the railings on Caledonia Street, these railings are a contemporary feature to the building. Their removal has been proposed to improve access to the Laundry Building and connection to Caledonia Street. Currently the space behind the railings is unused and the opening up of this space is considered to improve the frontage of this building. The second DRP response letter comments: *'Caledonia Street – new frontage at street level is successful, creating an enhanced rhythm and transparency to the street. Coupled with the planned removal of the railings will help activate this as an important east/west link street. The Panel supports the work that has been done to this street edge'*. A copy of the second DRP response letter dated 23 December 2021 is attached to this report at **Appendix 4**).
- Loss of sunlight and daylight to the Laundry Yard leading to overshadowing from the proposed roof extensions to Times House, entirely impeding direct sunlight to the public courtyards at all times of day, and all months of the year, which will make them less attractive spaces for visitors, tenants or residents to spend time. (**officer comment:** Officers have assessed the impacts on the conservation area in paragraphs 10.197-10.206. With regards to the impacts on

amenity in respect of overshadowing officers have undertaken an assessment of the impacts on overshadowing in paragraphs 10.281-10.285).

- Laundry Yard is used as a cut through and safe way by the local community and local workers. Remodeling this public amenity as a courtyard of restaurants and retail will fundamentally destroy the character, legibility and distinctiveness of this quiet space in the heart of the Kings Cross Conservation area. This reduced attractiveness of the buildings, courtyards and walkways within the block would tend to weaken the social and economic viability of all commercial and residential uses of the block, contrary to policy DM2.1(A)(ix). (**officer comment:** The proposals present a number of enhancements to the existing public realm within Block B which is already publicly accessible, including the opening up of the link between Bravington's Yard and Laundry Yard. Block B already has a number of commercial units at ground floor level and is the more active Block than the more northern block, although currently under utilised, with limited residential uses in close proximity. The proposals both in terms of the changes of use and the external alterations to the buildings and the yards are considered to positively contribute to the local economy in terms of its supply of office floorspace and economic functions. The proposals have been independently critiqued by the Design Review Panel on two occasions and they have shown their support for the latest proposals at paragraph 7.25-7.30, with references to the opening up of the public realm in Block B. The second DRP response letter is attached at **Appendix 4**).

#### Amenity

- Loss of privacy, increase in overlooking, loss of outlook, increase in sense of enclosure, and loss of daylight and sunlight from the proposed roof extensions to the residential units at Joiners Yard. (**officer comment:** Officers have undertaken a detailed assessment of the amenity impacts of the scheme on Joiners Yard, considering impacts on overlooking, privacy, outlook, enclosure, daylight and sunlight impacts, and have concluded that the scheme does not raise significant amenity impacts given the site's context and the existing built form, which cannot be mitigated including privacy screening on the eastern elevation of Times House (37). Further conditions are imposed including noise management plan for the use of the terraces and restrictions on the hours of use at conditions **12, 13, 14 and 36**. With regards to daylight, sunlight and overshadowing impacts, see paragraphs 10.263 to 10.285. With regards to overlooking see paragraphs 10.286 to 10.295 and condition 38, with regards to the impacts of the proposed roof terraces see paragraphs 10.296 to 10.299 and images 44 to 47, with regards to the impacts on outlook and enclosure see paragraphs 10.300 to 10.307).
- Loss of daylight and sunlight, and overshadowing to the back of houses fronting onto Caledonian road. (**officer comment:** Officers have undertaken a detailed assessment of the impacts on daylight and sunlight to the surrounding residential properties and conclude that the impacts of the proposal are acceptable. With regards to daylight, sunlight and overshadowing impacts, see paragraphs 10.263 to 10.285) .



- Residents comment on the submitted daylight and sunlight report, with reference to the extent of properties surveyed, the results and the analysis and conclusions. Residents commissioned their own independent daylight report in response to the applicant's daylight report by BRE. Citing that the application surveys are inaccurate and skewed in favour of the development, as set out by the independent Daylight/Sunlight report by the BRE. Both residents and the BRE state that the BRE report was undertaken independently as per the terms agreed. Residents object to the response letter from Point2 which is considered to attempt to persuade the LPA to disregard natural light issues or to consider that they are issues of negligible weight. (**officer comment:** Officers have undertaken their own analysis of the results of the impacts on daylight and sunlight in accordance with the policy and guidelines in the current development plan and conclude that the impacts of the proposal are acceptable. See paragraphs 10.263 to 10.285).
- The height of the buildings in the 2002 consent for the redevelopment of Regents Quarter were considered to be the maximum for availability of daylight/sunlight for the mixed use. Therefore residents conclude that there is no room for the degree of flexibility Point2 wish to apply in these circumstances and there is no room for redefining "acceptability". (**officer comment:** The proposals have been assessed in accordance with the requirements of the currently adopted policy and guidance including the *BRE Site Layout Planning for Daylight and Sunlight 2011*. Officers have reviewed the results tables and formed their own conclusions. See paragraphs 10.263 to 10.285).
- Increased noise disturbance to the residential properties of Joiners Yard due to the proposed roof terraces to Times House. (**officer comment:** The proposed roof terrace at fourth floor replaces an existing roof terrace at third floor and does not sit immediately adjacent to the residential properties at Joiners Yard. The roof terraces at first and fifth floors are located on the opposite side of the building from Joiners Yard. The Council's EPPP officer has been consulted on the application and has not raised an objection subject to conditions requiring a noise management plan (36) and to restrict the hours of operation of the roof terraces (14). See paragraphs 10.296 to 10.299 and images 44 to 47).
- Increased noise disturbance to residents on York Way due bedrooms at the rear facing into the courtyards, affected by the greater footfall in the courtyards and from the additional restaurant usage. (**officer comment:** Officers have considered the relationship between the closest residential properties on York Way and the Times Yard and Laundry Yards. Given the nature of the existing publicly accessible courtyards, the proposed increase in use of the courtyards is not considered to result in a materially harmful impact on amenity. The gates to the southern block will be closed on a staggered basis as reviewed by Toren security advisers. The gates to Caledonian Street and York Way will close at 11.30pm and the gates to Caledonian Road and Pentonville Road are proposed to close between 12am and 1am. These details are to be secured by condition and through the S106 agreement. Following consultation with the EPPP officer it is proposed to attach conditions requiring details of a Scheme for the management of the proposed commercial uses to manage potential noise disturbance issues. See condition 13).

- Increased light pollution to Joiners Yard from the additional floors on Times House. (**officer comment:** It is proposed to attach a condition requiring details of measures to adequately mitigate light pollution affecting neighbouring residential properties. See condition 7).
- Noise disturbance from proposed roof terraces and additional plant equipment. Noise management plan disregards the impact on local residents from the roof terrace. However the Noise Impact makes no reference to any “noise sensitive receivers” in the flats along York Way, nor were we notified or consulted about this development. (**officer comment:** Following consultation with the EPPP officer it is proposed to attach conditions, requiring the submission of a noise management plan for the use of the roof terraces, limiting the hours of use of the roof terraces and requiring details of the proposed plant equipment to be approved. See conditions 12, 13, 14 and 36).

### Sustainability

- The proposed partial demolition of parts of the recent development only 15 years old, would be contrary to the principle of sustainability underlying policy DM2.1, part A(i). (**officer comment:** The Council’s Sustainability and Energy Officers have been consulted in detail on the application and have provided extensive comments which have been resolved. The proposed development to extend the existing building includes minor demolition of part of the rear of the building, and the reuse and intensification of the existing building. The proposals are therefore not considered to be contrary to the principles of sustainability).

### Safety/Security

- Objects to the opening up of the access to courtyards in Block B including Laundry Yard as these are used as safe pathways, and this would worsen existing safety and security issues due to high local crime rates. Disruption of existing lines of site across them will decrease legibility, making wayfinding more difficult. Loss of light and increased footfall will increase the existing security issues. (**officer comment:** Block B is already publicly accessible. The proposed alterations to the layout of Times Yard is considered to increase legibility within Block B. Following consultation with the Design Out Crime Police Officer the scheme includes measures to prevent crime and anti-social behaviour and ensure the safety and security of the yards. See paragraphs 10.452 to 10.458 and condition 27).
- The loss of the railings in Caledonia Street fronting the Laundry Building will lead to rough sleeping. (**officer comment:** Officers have consulted at length the Design Out Crime Police Officer and the scheme incorporates various measures to prevent crime and anti-social behaviour. This issue has not been raised in these discussions. Conditions are attached requiring details of the CCTV coverage and lighting strategy and design. See paragraphs 10.452 to 10.458 and condition 27).
- Concerns over cyclist and pedestrian safety accessing the proposed long-term cycle parking facility in the basement of the extended buildings and access through the courtyards, and requests sheltered street level cycle parking. (**officer comment:** The cycle store will have convenient central access from the

Laundry Yard at the base of Times House. The access ensures that the basement can be accessed from a spacious central point within the site. This will limit any road safety concerns and also ensure that the courtyards and walkways are free flowing. All cyclists will be required to dismount from their bicycles as part of the Management Policy for the Estate).

- Following consultation with the Design Out Crime Police Officer the scheme includes measures to ensure the safety and security of the yards and access to the secure cycle parking including the use of London Cycle Stands where possible. See paragraphs 10.452 to 10.458 and condition **27** ).

#### Public Benefits

- The residents state that there is a lack of clear public benefits from the scheme *and that there are no clear public benefits for existing residents of Regents Quarter or the community or to Islington.* (**officer comment:** The scheme brings forward a wide range of public benefits including affordable workspace and significant enhancements to the public realm within Block B. See paragraphs 10.209 to 10.213).

#### Cycle Parking/Storage

- Objects to the removal of the secure bike park available for residents in Block C and B, which will be replaced by a secure bike park for office tenants with residents left to rely on less secure on street bike hoops instead. (**officer comment:** The proposals include the provision of London cycle stands within Times Yard. The applicant is not aware that the existing secure bike park in Times Yard is accessed by residents. Following consultation with the Design Out Crime Police officer the scheme includes the use of London Cycle Stands. The details are to be secured by condition **27**).

#### Construction

- Concerns over noise disturbance, odours, dust, vibrations and pedestrian access, privacy and overlooking, construction access/security from the proposed construction works. (**officer comment:** Following consultation with the Council's Environmental Health Officer it is proposed to attach a condition requiring the submission of a Construction Environmental Management Plan. See paragraphs 10.311 to 10.313 and condition **5**).
- A resident requests that prior to any major structural work on Times House and/or any other buildings around Laundry Yard, an investigation of all tunnels close to the surface of the site and all rights to tunnel close to the surface of the site. (**officer comment:** Network Rail have been consulted on the application and have provided comments and informatives that would be attached to any grant of consent) See paragraph 8.15, conditions **30 and 31** and informatives).

#### Resident engagement/consultation:

- Residents have stated that the applicant's communication has been poor, limited and inadequate, contrary to para 39 of the NPPF (2021) which references early engagement. Residents state that they were informed of the proposed

development on June 1<sup>st</sup> 2021 and weren't involved in any surveys. Various comments are made regarding the applicant's communication, citing a lack of resident engagement and claims of a lack of genuine interest in the residents of the Regents Quarter. Residents assert that the engagement contravenes Islington's revised statement of community involvement (2017). (**officer comment:** A Statement of Community Involvement has been submitted with the application setting out the pre-application public consultation that has taken place. The applicant has provided a further statement of their resident engagement which is set out at paragraphs 10.462 to 10.465. Methods of consultation used include a digital consultation website, creating a dedicated email and address and phone line, a flyer drop to local residents and businesses, placing advertisements in the local press, writing to neighbours including site-tenants, utilising social media and hosting an online webinar and Q&A session. A consultation event was held on site and attended by residents on 20 the July. It is understood that the applicant has also undertaken consultation with residents during the course of the application. The scheme has been revised in response to objections received from residents. The applicant's engagement with residents and stakeholders is considered to accord with the aims of the NPPF and Islington's Statement of community involvement).

#### External Consultees

- 8.9 **Transport for London:** No objection to the submission. The new locations for the short-stay cycle parking are acceptable, and we deem that they will have no impact on the public realm. They also comply with London Cycle Design Standards (LCDS). The new proposed arrangements for the disabled parking on the eastern side of York Way are acceptable, and comply with the London Plan Policy T6 (parking), as well as having minimal impact to the network or footway. The width of all footway along Caledonia Road should follow the recommended minimum in TfL's Streetscape Guidance. This will ensure compliance with London Plan policies T2 (Healthy Streets) and D7 (Public realm). The preferred minimum expressed in relevant TfL guidance is 2000mm and the absolute minimum is 1000mm. More information can be found on page 204 here <https://content.tfl.gov.uk/streetscape-guidance-.pdf>
- 8.10 The loading bays on York Way will have no further impact to the Transport for London Road Network (TLRN) and therefore, we have no objections to their location.
- It is recommended that informatives are attached regarding the following:
- To be in line with London Plan policy T1 (Strategic Approach to Transport) and T2 (Healthy Streets), the surrounding footways and carriageways on York Road, Pentonville Road and Caledonia Street and Road must not be blocked during the construction. Temporary obstruction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, bus passengers and cyclists or obstruct the flow of traffic.
  - All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

- Any hoarding for the proposed development would be subject to a separate Section 172 license application under the Highways Act 1980 to the Asset Operations team at TfL.
- During the course of the application, Transport for London have requested a financial contribution towards pedestrian safety improvements at the junction of York Way and Pentonville Road. However, following further discussions between Council and TfL officers, the financial contribution has not been adequately justified in this instance and officers do not consider it appropriate to seek it as a planning obligation. However the applicant has agreed to a financial contribution towards public realm works in the immediately abutting streets to the development site.

8.11 **London Underground Infrastructure Protection:** Response received. No comments to make on the proposals.

8.12 **Fire Brigade:** No comment received.

8.13 **MET Police:** No objection to the application. Has accepted the applicant's responses to the following matters:

- Relocation of the cycle stands in Bravington's walk.
- Use of London cycle stands rather than Sheffield Stands. This is to be secured by condition (27).
- Access into the site be gated and access controlled overnight and that encrypted key fob access gates are used at the key entry points are used after business hours, with single leaf and auto close, and data logging to records usage. The applicant has confirmed that the existing gate/shuttered area at Bravington's Walk is to be retained and that all proposed seating will be moveable at close of business and placed within the tenant space.
- Implementation of various security measures for the building including doors, windows and refuse stores.
- Use of anti-graffiti treatments for exposed gable ends and defensive planting and/or a rail.
- Recommends CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB).
- Reiterates the importance of the site being secured overnight and outside of business hours to prevent antisocial behavior.

8.14 **Thames Water:** No objections. Following receipt of the basement plan, confirmed that a condition regarding piling method statement would not be required.

#### Waste Comments

Informative recommended to be attached to any permission in regard to groundwater risk management and how groundwater from the site will be discharged into a public sewer.

#### Surface water drainage

No objection provided that the developer follows the sequential approach to the disposal of surface water.

#### Water Comments

The proposed development is located within 15m of our underground water assets and as such requests that an informative is attached.

- 8.15 **Historic England (Listed Buildings):** Response received. No comment to the proposals.
- 8.16 **Historic England (Archaeology - GLAAS):** Response received. No objection to the proposals.
- 8.17 **Network Rail:** Requires conditions (**30 and 31**) regarding construction Methodology and ground investigation regarding the proximity to NR tunnels. Requests that a series of informatives are attached to any consent.

#### Internal Consultees

- 8.18 **Planning Policy Team:** No objection to the proposal from a land use perspective.
- 8.19 **Inclusive Design Officer:** No objection to the revised proposals. This follows pre-application discussions and also following initial comments on the application relating to accessible cycle parking, platform lift serving cycle store, WCs, lobbies, entrance and egress.
- 8.20 **Design Officer:** No objection to the proposals. The changes to the Laundry Buildings will create improved commercial spaces suitable for a variety of uses whilst simultaneously enriching and animating Laundry Yard. While the Times Building is proposed to be increased in height, in part, by a further two and three floors, and to also therefore be increased in mass, the selected locations for such increases are well recessed from the street edge helping to lessen their visual impact. The architectural treatment is quiet and well considered which will also lessen the visual impact of the changes ensuring the building will continue to read as 'background'. As a result of these factors, the historic buildings on and adjacent to the site, including those lining Pentonville Road and York Way will continue to retain their visual dominance and prominence. The proposed changes to this building, as with the Laundry Buildings, have been designed to create enhanced commercial spaces throughout with ground floor interventions designed to contribute greatly to an enriched and legible public realm.
- 8.21 **Conservation Officer:** No objection to the proposals. The impact of the proposed increase to height and mass on the character and quality of the Conservation Areas and adjacent heritage assets, including the Grade I Kings Cross Station, has been more appropriately considered since the initial pre-application proposals and changes have been made to the scheme including a reduction to height and mass to both buildings. The changes are considered to cause less than substantial harm

to the setting of heritage assets and therefore the applicants have been advised to engage paragraphs 200-202 of the NPPF (2021).

8.22 In response the applicants have provided a revised heritage statement which engages paragraphs 200-202 of the NPPF.

8.23 **Energy Officer:** No objection to the proposal subject to condition (2 3) requiring the submission of further information relating to potential improvements to energy efficiency specifications and potential increase to solar PV capacity.

8.24 **Sustainability Officer:** No objection to the proposals following the applicant's responses and amendments, plans demonstrating geocellular storage is unviable, and additional responses relating to:

- Clarification regarding reducing the surface water runoff rates beyond offsetting the increase in foul water flows. The applicant responded:  
*The only place where it is feasible to introduce attenuation on Times House and Laundry Buildings is as blue roof on Times House. This roof is very structurally constrained as it is building on top of existing structure and existing foundations. The calculation on flow rates was carried out at design stage and showed that the amount of blue roof attenuation required to offset the increase in foul water flow was already the maximum that the structure could accommodate, and it would not be possible to increase attenuation further.*
- This response has been accepted by the Sustainability Officer.
- Evidence of the structural limitations imposed by the existing structure and foundations (i.e. the weight the structure can support etc.) should be provided to determine if there are further opportunities for blue roofs or attenuation tanks. Details have been provided. The officer has accepted the applicant's response.
- Opportunities to incorporate tree pits to enable an increase in the urban greening factor. The officer has accepted the applicant's response.
- Recommends the incorporation of bat and bird boxes at design stage to ensure that integrated bricks/boxes are used where possible. This is secured by condition (9).
- Requests clarification as to whether rainwater and grey water recycling has been considered. The officer has accepted the applicant's response.
- The proposed green roof areas are welcomed and notes that green roof will be installed under and around PV panels which is welcomed. However requested clarification as to whether there will be any scope for additional green roof areas and whether there is scope to use any of the proposed roof terrace areas as dedicated green roof areas. The officer has accepted the applicant's response.

8.25 **Environmental Pollution Policy Projects Officer:** No objection to the proposal subject to conditions requiring a scheme for the management of noise from the Class E(a, b) / Sui Generis uses prior to occupation (13), setting a noise limit to control the proposed plant equipment (11) and a condition to demonstrate

compliance with the condition (12), limitations on the hours of operation of the proposed roof terraces.

The Construction Management Plan condition (5) should require the inclusion of measures set out by the Air Quality and Dust Assessment and should adhere to the guidance of Islington's CoPCS.

- 8.26 **Highways Officer:** No objection to the latest details in the application following receipt of additional information relating to delivery and servicing and disabled/mobility parking, and the relocation of external cycle stands. Requests conditions and planning obligations relating to the provision of external cycle parking (4), secure lockers and changing facilities, ensuring the development is car free, plus planning obligations including the requirement for a Framework Travel Plan and highways reinstatement. The officer has commented that the proposed arrangements in the submitted construction traffic management plan which require the footway on the eastern side of York Way to remain open will be required to be revised during the discharge of condition (5) post decision.
- 8.27 **Public realm (Waste Management):** No comment received.
- 8.28 **Inclusive Economy Team:** No objection to the securing of affordable workspace secured through a S106 legal agreement for application P2021/2270/FUL.
- 8.29 **Transport Planning:** No response received.
- 8.30 **Nature Conservation:** Raised initial queries on planting which can be secured by condition (28) and comments on recommendations in the PEAs relating to installation of bird and bat boxes. This can be secured by condition (9).
- 8.31 The Nature Conservation Officer confirmed their acceptance of the details in the submitted Bat Mitigation Close Down Report.
- 8.32 **Tree Officer:** No objection subject to the imposition of a tree protection condition (32).
- 8.33 **Building Control Officer:** Raised queries regarding the initial Fire Statement and the revised Fire Statements. In response to these queries a further revised Fire Statement has been received providing details and plans responding on all matters raised including:
- Means of escape;
  - Smoke ventilation to the basement;
  - Access for fire appliances and position of existing dry risers.
- 8.34 The details in the latest submitted fire statement are secured by condition 35
- 8.35 **Licensing Officer:** Notes that these premises are in the Kings Cross Cumulative Impact Area. There are a high number of outlets for alcohol in the vicinity and there is a potential impact on residents living in the area, by way of anti-social behaviour, noise and nuisance, caused by customers and delivery staff. The Licensing



Authority has recommended opening and closing times which have been secured by condition **20**.

### **Interested Parties**

- 8.36 **Islington Society:** Objects to the additional storeys on the top of Times House as this will overwhelm these buildings and devalue their setting, in contravention of paragraphs 21.7, and 21.9 of the Kings Cross Conservation Area Design Guide with reference to the hierarchy of scales northwards from Pentonville Road. The proposals are considered to do unacceptable damage to the scale of the area, the setting of the locally listed buildings on York Way and Caledonia Street, and to the Conservation Area. The additional retail units behind the Laundry Building which will interrupt the view and permeability in the yards and passage ways leading to the back of the building. (*officer comment:* During the course of the application the scale and massing of the roof extension to Times House, adjacent to Caledonia Street has been revised to reduce the visibility from within the Kings Cross Conservation Area and also from within the Keystone Crescent Conservation Area. See images 36, 37 and 42. Officers have given a detailed and careful consideration of the impact of the proposals on the surrounding heritage assets in accordance with the requirements of paragraphs 195, 200 and 202 of the NPPF and given special regard to the impact on the setting of the Listed Buildings and the conservation areas, in paragraphs 10.17 4 to 10.194 and images 34 to 42. Officers consider the harm to heritage assets to be less than substantial and have undertaken a balancing exercise against the public benefits of the scheme at paragraphs 10.20 9 to 10.21 3. The proposed works to reconfigure Times Yard improve the connectivity between Bravington's Walk and Times Yard and Laundry Yard. This is show in images 27 to 31).

## **9 RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATION & POLICIES**

- 9.1 Islington Council Planning 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.)
  - As the development affects the setting of listed buildings, Islington Council (Planning Committee) is required to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (S66 (1) Planning (Listed Buildings and Conservation Areas) Act 1990) and;

- As the development is within or adjacent to a conservation area(s), the Council also has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area (s72(1)).

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

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

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

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

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

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

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

## **Development Plan**

- 9.8 The Development Plan is comprised of the London Plan 2021 (LP), Islington Core Strategy 2011 (ICS) and Development Management Policies 2013 (IDMP). The policies of the Development Plan that are considered relevant to this application are listed at **Appendix 2** in this report.

## **Emerging Policies**

### Draft Islington Local Plan

- 9.9 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.
- 9.10 In line with the NPPF, Local Planning Authorities may give weight to relevant policies in emerging plans according to:
- the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
- 9.11 Emerging policies that are relevant to this application are set out in **Appendix 2**:

## **Designations**

- 9.12 The site has the following designations under the London Plan 2021, Islington Core Strategy 2011 and Development Management Policies 2013:
- Locally Listed Building - Laundry Building
  - Central Activities Zone
  - Archaeological Priority Area - Battlebridge Medieval Settlement
  - Core Strategy Key Area – Kings Cross & Pentonville Road
  - King's Cross Conservation Area (CA21)
  - King's Cross Employment Growth Area
  - Mayors Protected Vistas LLAA2 - Parliament Hill summit to St Paul's Cathedral
  - Mayors Protected Vistas VC2 - Parliament Hill summit to St Paul's Cathedral
  - Rail Safeguarding Area - Crossrail 2
  - Rail Safeguarding Area - Channel Tunnel Rail Link
  - Site within 100m of a SRN Road

- Site within 100m of a TLRN Road
- Within 50m of Keystone Crescent Conservation Area (CA14)
- Within proximity to Grade II Listed Buildings at 7 Caledonian Road
- London Underground Zones of Interest
- Article 4 Direction A1-A2 (Borough wide)
- Article 4 Direction B1(c) to C3 (CAZ)

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

## **10. ASSESSMENT**

10.1 The main issues for consideration are:

- Principle of Development
- Land Use
- Affordable workspace
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Biodiversity, Landscaping and Trees
- Energy and Sustainability
- Highways and Transportation
- Safety and Security
- Fire Safety
- Resident Engagement/Consultation
- Planning Obligations and CIL
- Planning Balance Assessment

### **Principle of Development**

10.2 The existing buildings were consented as part of a redevelopment approved in 2002 (ref: P000434). The existing buildings positively contribute to the local economy in terms of its supply of office floorspace and include flexible use units comprising of retail, restaurant, bar, gym or event space uses, and a unit with gym use. As a result of the planning history of the site, the buildings within the site have the following lawful uses:

- Laundry Buildings - Class E(g)(i) Office Use.
- Times House:
  - Sui Generis' flexible Use for Retail, Restaurant and Bar, Gym or Event Space on the ground floor of the eastern element;
  - Class E(g)(i) Office Use on the upper floors; and
  - Class E(d) Gymnasium Use on the ground floor and basement of the western element

10.3 The new London Plan (LP) Policy GG2 states that development proposals should proactively explore the potential to intensify the use of land to support additional workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

10.4 The proposal would primarily extend (increase the floorspace) and improve the

quality and efficiency of the existing floorspace within the building as well its flexibility of use and is acceptable in principle. The proposed commercial development is considered to be supported by national, regional and local planning policies, mainly due to the site's central and highly accessible location.

- 10.5 The proposals include the provision of additional Class E(g)(i) office floorspace within a local employment area and the Central Activities Zone (CAZ), both of which promote additional office floorspace. Overall, the scheme will provide 1,723.6 sqm of additional office floorspace. Whilst also upgrading the existing office space to provide a total of 7594.2sqm.

The inclusion of eight commercial units on the ground floor including- 1x flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i) unit,

- 3 x Flexible Class E (b) food/drink and Sui Generis bar/drinking establishment units and
- 4 x Class E (a) retail units

- 10.6 The proposals seek to provide active complementary and supportive uses to the predominant office use and active frontages to York Way, Caledonia Street, Laundry Yard and Bravington's Walk. Overall, the scheme will provide 172.3sqm of retail use and 887.7sqm of flexible food/drink / Sui Generis bar/drinking establishment use, and a flexible active use of 296.4sqm fronting onto York Way.

- 10.7 The principle of the development is therefore acceptable and accords with the National Planning Policy Framework's presumption in favour of sustainable development, subject to the other material considerations below.

### Land use

#### **Existing Use**

- 10.8 Times House has an existing Class E(g)(i) office use at ground to fourth floors. At ground floor Times House has 2no. flexible Class E use units for retail (a), restaurant (b) and bar (sui generis), gym (Class E(d)), or event space (sui generis), and 1no. unit as a gym (Class E(d)) fitness use. Laundry Building has an existing Class E(g)(i) office use.

- 10.9 The existing building comprises of the following floorspace:

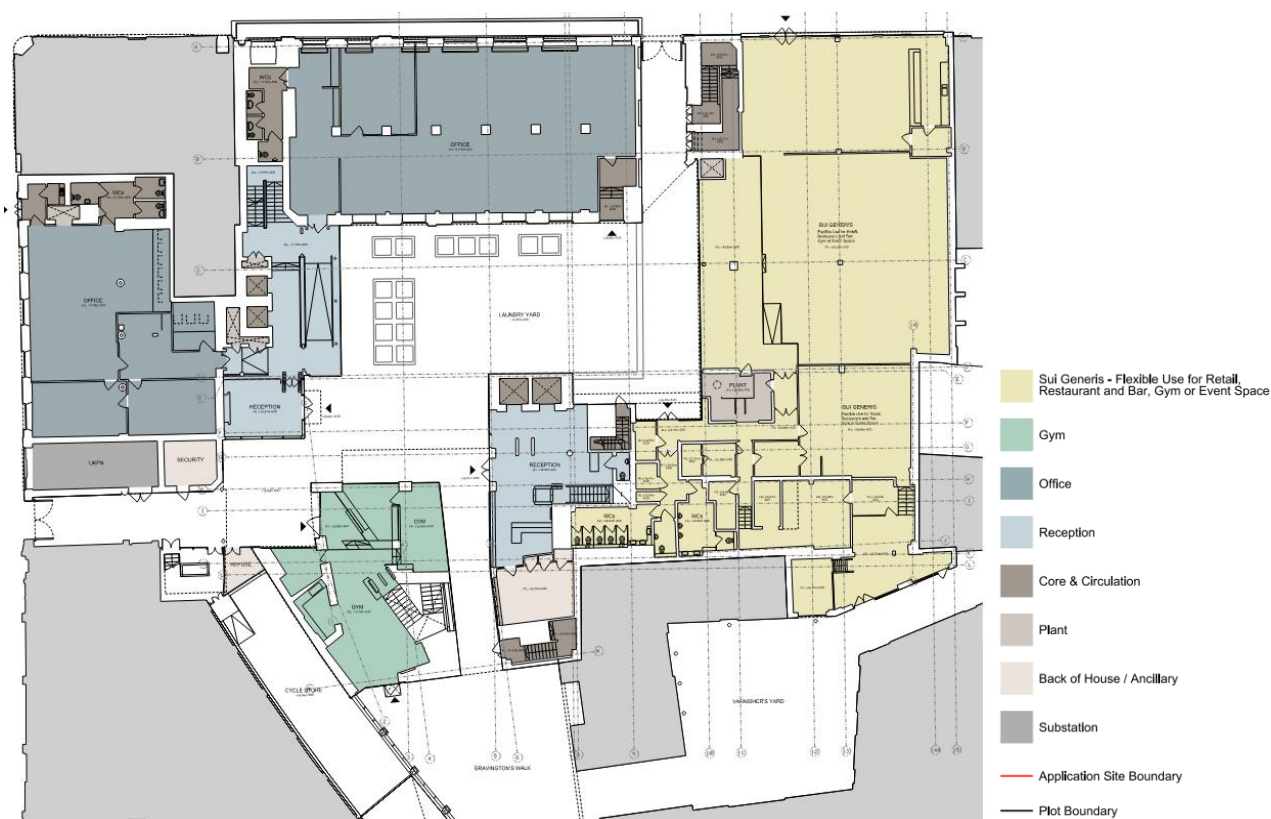
#### Times House:

<b>Floor</b>	<b>Existing GIA (sqm)</b>	<b>Existing NIA (sqm)</b>	<b>Proposed Use Classes</b>
Basement	265	N/A	<b>E (g)(i)</b> - Office
Basement	491	452.7	<b>E (d)</b> - Fitness
Ground	170.6	N/A	<b>E (g)(i)</b> - Office
Ground	127.8	105.7	<b>E (d)</b> - Fitness
Ground	661.2	503.6	Sui Generis Flexible Use for Retail, Restaurant and Bar, Gym or Event Space

First	931.8	767.2	E (g)(i) - Office
Second	922.7	756.1	E (g)(i) - Office
Third	765.0	612.2	E (g)(i) - Office
Fourth	272.7	145.4	E (g)(i) - Office
Fifth	19.1	N/A	E (g)(i) - Office
Total	4,626.9	3,342.9	

Laundry Building

Floor	Existing GIA (sqm)	Existing NIA (sqm)	Proposed Use Classes
Basement	459.6	332.3	E (g)(i) - Office
Ground	629.3	440.1	E (g)(i) - Office
First	721.9	575.4	E (g)(i) - Office
Second	712.9	564.1	E (g)(i) - Office
Total	2,523.7	1,911.9	

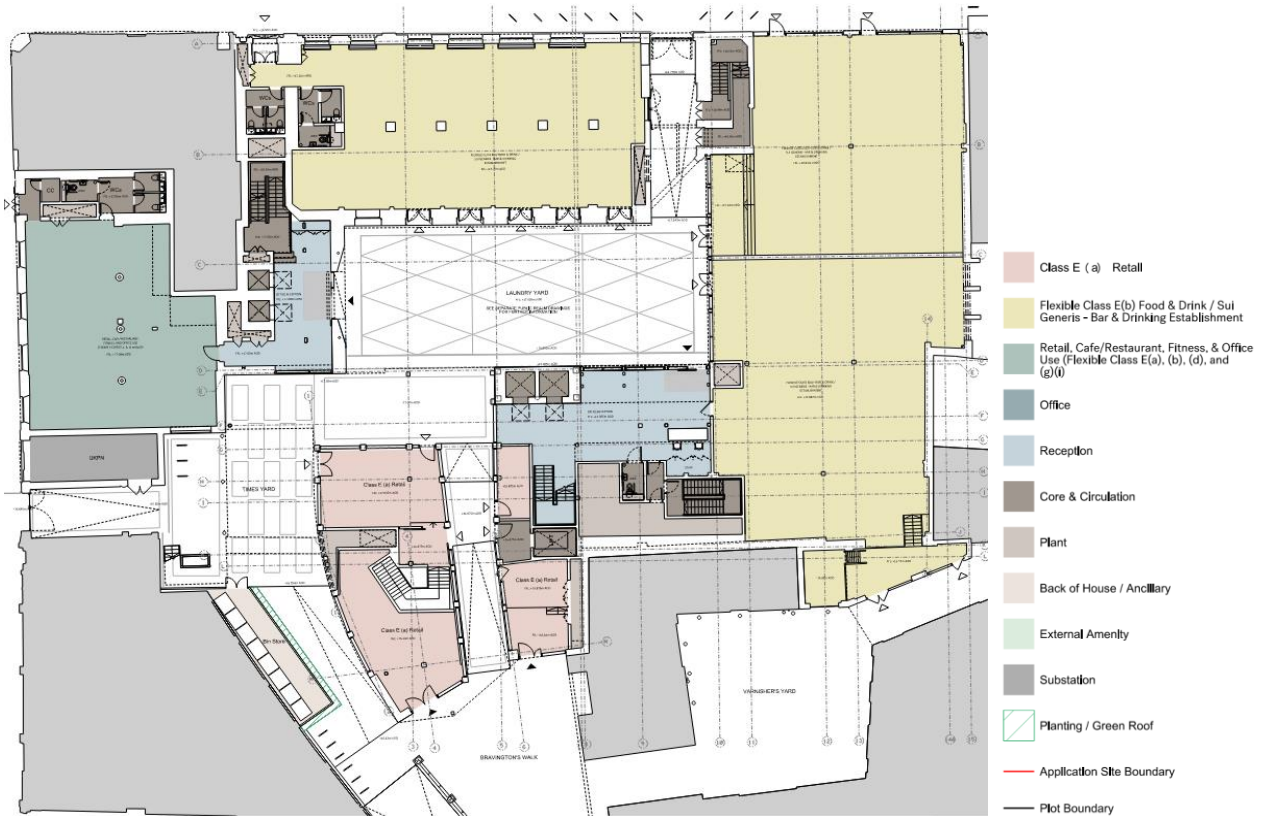


**Image 22– Existing Ground Floor Layout and Uses – Times House and Laundry Building**

**Proposed Uses**

10.10 The proposals primarily result in the provision of additional Class E(g)(i) office floorspace within the Kings Cross Employment Growth Area and the Central Activities Zone (CAZ), both of which promote additional office floorspace. Overall, the scheme will provide 1,723.6sqm (GIA) of additional office floorspace.

- 10.11 New London Plan 2021 policy E1 'Offices' states that improvements to the quality, flexibility and adaptability of office space of different sizes (for micro, small, medium-sized and larger enterprises) should be supported by new office provision, refurbishment and mixed-use development in areas such as the CAZ. The site is located within the Central Activities Zone (CAZ) / City Fringe area. As such, the more intensive, office-led redevelopment of the site proposed is considered acceptable. The proposal would also broadly satisfy the strategic objectives identified in the New London Plan 2021 Central Activities Zone policies SD4 which have a presumption in favour of enhancement of office space development.
- 10.12 The proposals include change of use of the existing gym to provide 4no. retail units totaling 172.3sqm of Class E(a) Retail floorspace at ground floor.
- 10.13 The proposals also include the creation of 3no. flexible use units for Class E(b) Food and Drink/Sui Generis Bar and drinking establishment uses, through changes of use. These are located at the ground floor of Times House located on the eastern side of Laundry Yard, through the change of use from Sui Generis flexible retail, restaurant, bar, gym or event space, and also at the ground floor of the Laundry Building through the change of use from office (877.7sqm of floorspace in total)
- 10.14 The inclusion of a flexible Class E office, retail, café/restaurant or fitness unit on the ground floor of the proposal seeks to provide active ancillary uses to the predominant office use and will front onto York Way. The scheme will provide 296.4sqm (GIA) of flexible Class E Retail(a), Cafe/Restaurant(b), Fitness(d) and Office(g)(i) use floorspace.



**Image 23 – Proposed Ground Floor Layout and Uses – Times House and Laundry**

## ***Building***

- 10.15 The application site is not allocated within the Local Plan, however, it is located within the Central Activities Zone (CAZ), with policies applying that encourage office development.

### **Intensification of commercial use**

- 10.16 The proposals under this application would redevelop the site to provide a total of 8,654sqm (GIA) of commercial floorspace. It is estimated that the proposed development would generate approx. 540 full time jobs on site, a significant uplift from the existing building (approx. 393 jobs).

	Commercial floorspace in sqm (GIA)	Estimated no. jobs (FTE)
Existing	715 1	393
Proposed	8,654	540
Change	+1,5 03	147

- 10.17 The principle of the provision of new employment floorspace at this location is supported by the Development Plan, due to the site's commercial context and its central and highly accessible location. LP policy SD4 notes that the nationally and internationally significant office functions of the CAZ should be supported and enhanced by all stakeholders, including the intensification and provision of sufficient space to meet demand for a range of types and sizes of occupier and rental values.
- 10.18 LP Policy SD5 states that within the CAZ, offices and other CAZ strategic functions are to be given greater weight relative to residential development, except sites that are situated within wholly residential streets or predominantly residential neighbourhoods. This is further supported by LP Policy E1 which supports the increases in current stocks of office floorspace within the CAZ, and improvement to the quality, flexibility and adaptability of office floorspace (of different sizes), through new office provision and refurbishments.
- 10.19 Islington's Core Strategy (ICS) Policy CS13 encourages new employment floorspace, in particular business floorspace, to locate in the CAZ. This is supported by Policy CS6 which sets out the spatial strategy of Kings Cross, which is expected to accommodate growth in jobs from B-use floorspace, with York Way and Pentonville Road identified as the principal locations for office-led mixed use development which intensifies the use of land in order to meet the wider employment growth in the borough.
- 10.20 Within Employment Growth Areas, Islington Development Management Policy DM5.1, part A, encourages intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units. 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.

- 10.21 Part E of the policy, requires that major developments within the Central Activities Zone (CAZ) that would result in a net increase in office floorspace should also incorporate housing consistent with London Plan Policy 4.3. This policy was based on clear direction on this issue in the 2011 London Plan, which was subsequently carried over into the 2016 London Plan. This policy has now been replaced in the London Plan 2021 by Policy SD5.
- 10.22 The London Plan 2021 (policy SD5) no longer requires a mix of uses; clarifies that new residential development should not compromise the strategic functions of the CAZ; and that offices and other strategic functions should be given greater weight relative to residential development (with the exception of wholly or predominantly residential areas and other specified locations). The London Plan clarifies that the principle of 'greater weight' is designed to ensure that the agglomerations of offices and other CAZ strategic functions are not compromised by new residential development and that this applies to London Plan preparation and development management<sup>[1]</sup>. T
- 10.23 Development Management Policy DM5.1 forms part of the adopted Development Plan to which appropriate weight should be given, seeks the provision of housing as part of mixed use commercial developments within the CAZ. In this regard, a financial contribution of £234,413.33 towards the delivery of affordable housing has been secured as part of this legal agreement.
- 10.24 The site is located within the area designated as Priority Employment Location (PEL) in policy SP2 King's Cross and Pentonville Road, in the emerging SDMP. Part A of SP2 sets out that within these locations existing business uses will be safeguarded and proposals for the intensification, renewal and modernisation of existing business floorspace is encouraged. Proposals for new business floorspace are required to maximise the provision of business floorspace. Part B seeks maximisation of office floorspace in the King's Cross Spatial Strategy area could support the expansion of the 'Knowledge Quarter' in Islington, and advance the development of a commercial corridor along Pentonville Road/City Road. Part C identifies that a broad range of business floorspace typologies are suitable within the Spatial Strategy area, including Grade A offices, hybrid space, and co-working space. The proposed uplift and alterations to the existing office floorspace, resulting in a primarily office redevelopment of the existing office floorspace is considered to accord with the requirements of this emerging policy and designation.
- 10.25 Emerging Local Plan policy B1 'Delivering a range of affordable business floor space' states that new office floor space should be located within the CAZ and *that "proposals in these areas must maximise the amount of new business floor space; proposals which do not demonstrate maximisation will be considered to be an inefficient use of a site and will be refused."*
- 10.26 Therefore, it is considered that the proposed intensification of commercial use is acceptable in land use terms, having regard to the Development Plan and the emerging Local Plan and the cascade of policies from the London Plan, Islington Core Strategy, and Development Management Policies , as such would make an

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<sup>[1]</sup> Paragraph 2.5.3

efficient use of this brownfield site as well as providing an increase in jobs. The proposal would also be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.

### Mix and balance of commercial uses

- 10.27 LP Policy SD5 states that mixed-use development proposals should not lead to a net loss of office floorspace in any part of the CAZ unless there is no reasonable and demonstrable prospect of the site being used for offices.
- 10.28 The proposed development comprises of some flexible commercial uses on the ground floor in addition to primarily retaining the existing office floorspace. The proposed uses across each floor are as follows:

#### Times House

Floor	Proposed GIA (sqm)	Proposed NIA (sqm)	Proposed Use Classes
Basement	715.9	N/A (85%=608.5)	<b>E (g)(i)</b> - Office
Ground	235.1	N/A (85%= 199.8)	<b>E (g)(i)</b> - Office
Ground	172.3	139.7	<b>E (a)</b> - Retail
Ground	590.4	579.1	<b>Flexible E(b)</b> Food & Drink/Sui Generis Bar & Drinking Establishment
First	1,044.6	897.8	<b>E (g)(i)</b> - Office
Second	1,030.5	898.0	<b>E (g)(i)</b> - Office
Third	998.8	830.5	<b>E (g)(i)</b> - Office
Fourth	820.4	676.0	<b>E (g)(i)</b> - Office
Fifth	548.7	438.9	<b>E (g)(i)</b> - Office
Sixth	7.7	N/A	<b>E (g)(i)</b> - Office
Total	6,164.4	5,268.3	

#### Laundry Building

Floor	Proposed GIA (sqm)	Proposed NIA (sqm)	Proposed Use Classes
Basement	459.6	160.7	<b>E (g)(i)</b> - Office
Ground	297.3	263.1	<b>Flexible Class E (b)</b> Food & Drink / Sui Generis - Bar & Drinking Establishment
Ground	296.4	220.2	<b>Flexible Class E:</b> <b>(a)</b> Retail, <b>(b)</b> Café/Restaurant, <b>(d)</b> Fitness, and <b>(g)(i)</b> Office
First	721.3	622.5	<b>E (g)(i)</b> - Office
Second	715.2	615.0	<b>E (g)(i)</b> - Office
Total	2,489.8	1,811.5	

- 10.30 Based on the tables above, the application (combining works to both Times House and Laundry Building) results in the following percentages of use:

Use	Percentage of Floor area (NIA)
Office	84.1%
Flexible commercial including office	3.1%
Flexible Class E (b) Food and drink / sui generis – Bar & Drinking Establishment	11.8%
Retail	1.97%
Total	100%

- 10.31 It is acknowledged that the office use elements of the current building is likely to be able to (subject to compliance with certain criteria and correct procedures) be changed into another use under Class E without planning permission. Given the concentration of jobs in the CAZ, even a small proportional decrease in office floorspace would have a significant impact on the borough's economy. Business clusters can be undermined by gradual losses of business floorspace, including to other Class E uses, which will have wider negative impacts on the agglomeration benefits that can be created in these areas with the concentration of business floorspace.
- 10.32 In light of the introduction of Class E within the Use Class Order back in September 2020, the council is minded to restrict the permitted use for this site, should planning permission be granted; the intention is to prevent any unacceptable loss of office floorspace hereby approved in the future. Through the use of appropriate planning conditions (**15, 16 and 17**), the Council would be able to retain control over any subsequent change of use of the site, and prevent any unacceptable change of uses within Class E which would result in significant loss of office and employment floorspace, and would clearly conflict with the strategic objectives of the Development Plan highlighted above.
- 10.33 Each of the proposed flexible uses are assessed individually, below:
- Class E (a) – Retail
- 10.34 The existing 2no. sui generis units in Times House include flexible Sui Generis Flexible Use for Retail, Restaurant and Bar, Gym or Event Space, capable of providing a maximum of 503.6sqm of retail floorspace (NIA).
- 10.35 The proposal includes change of use from gym to create 4no. retail units in Times House plus the active flexible use in Laundry Building includes retail use under Class E(a) at the ground floor level.
- 10.36 Currently the existing ground floor units within Times House include consent for retail use as part of the sui generis flexible use floorspace which covers an area of 503.6sqm of floorspace. The proposed ground floor units and flexible use unit, could provide maximum of 359.9sqm NIA of retail floorspace on site. Therefore the proposals would result in a reduction of up to 143.7sqm NIA retail floorspace within the existing sui generis flexible use. However, within this proposed floorspace, the proposals result in the provision of 139.7sqm NIA of guaranteed retail floorspace.
- 10.37 Whilst there is an overall reduction in potential retail use floorspace as part of

flexible uses, there is now a guaranteed provision of retail units, bringing forward 4no. small scale retail units. The site is not within a designated shopping centre or town centre, and it does not unreasonably hinder or compromise the office-led development on site. LP CAZ policy SD4 states that the vitality, viability, adaption and diversification of the international shopping and leisure destinations of the CAZ retail clusters, including locally oriented retail and related uses should be supported. Therefore whilst noting the proximity to the local shopping area on Caledonian Road, given their small scale, the proposed changes to retail floorspace are not considered to conflict with the overarching aims of the development plan.

#### Promoting Town Centre Uses

- 10.38 ICS Policy CS14 set out that the borough will continue to have strong cultural and community provision with a healthy retail and service economy providing a good range of goods and services for the people who live.
- 10.39 Policy DM4.4 (Promoting Islington's Town Centres) seek to maintain and enhance the retail and service function of the borough's town centres. Part B states: 'For applications proposing more than 80sqm of floorspace within the A Use Classes, D2 Use Class and for Sui Generis main Town Centre uses within the Central Activities Zone, Part A does not apply. Applications for such uses within the Central Activities Zone must demonstrate that:
- i) the development would not individually, or cumulatively with other development, have a detrimental impact on the vitality and viability of Town Centres within Islington or in adjacent boroughs, or prejudice the prospect for further investment needed to safeguard their vitality and viability;
  - ii) proposed uses can be accommodated without adverse impact on amenity; and
  - iii) the proposal would support and complement existing clusters of similar uses within or adjacent to the Central Activities Zone, particularly important retail frontages.
- 10.40 Part A (ii) of policy DM5.1 requires proposals for the redevelopment of existing business floorspace, within the Employment Growth Areas, to incorporate a mix of complementary uses, including active frontages where appropriate.
- 10.41 Policy R3 'Islington's town centres' of the emerging SDMP policies also allows development of retail and leisure in the CAZ if it does not harm the vitality and viability of town centres, does not harm local amenity, and does not involve loss of existing business floor space or the business focus of the CAZ.
- 10.42 The Times House and Laundry Buildings site already comprises a total of 1,280 sqm of existing town centre uses on the site including 618.8 sq m of Class E (d) gym floorspace and 661.2 sqm (GIA) of Sui Generis - flexible town centre uses (retail, food and drink, gym and event space). The proposed floorspace for guaranteed town centre uses is 1,060 sqm and will result in a decrease in guaranteed town centre uses on the site. However the flexible active unit fronting onto York Way includes town centre uses (retail, café/restaurant and fitness) or office floorspace. The unit could therefore bring forward an additional 296.4sqm (GIA) of Town Centre uses which would ensure no net loss of town centre uses on the site (minor uplift of 76sqm).

- 10.43 As a result, in the worst case scenario, the minor uplift in town centre uses on the site is not considered to have a materially adverse impact on the vitality and viability of the nearby Kings Cross Local Shopping Area or Angel Town Centre, and therefore does not raise a conflict with DM4.4)B)i) when compared to existing uses provided on the site.
- 10.44 The proposed town centre uses are cited either in units with existing town centre uses within the ground floor of Times House, or in the Laundry Building which is not located adjacent to residential uses, noting the closest residential units are within Joiners Yard to the east of Times House and on the upper floors at 12-18 York Way, fronting onto York Way. Therefore whilst the amenity impacts of the proposals are considered later in this report, the principle of the proposed uses is not considered to raise amenity impacts and therefore does not raise conflict with DM4.4)B)ii).
- 10.45 Part iii) of DM4.4(B) requires the proposals to support and complement existing clusters of similar uses within or adjacent to the Central Activities Zone, particularly important retail frontages. The proposed mixed uses are considered to complement other uses within the CAZ, and the retail frontages and are therefore acceptable on this basis.
- 10.46 Having reviewed the position and layout of the proposed ground floor units, it is considered that the proposed retail uses both within the proposed flexible uses and separately, would be acceptable and wouldn't raise a conflict with the adopted policies outlined above. The ground floor front units are considered to meet the council's objectives set out in IDMP policies DM4.1, DM4.4, DM5.1 and the draft (emerging) Strategic Development Management Policies (SDMP) policy R1 in promoting and maintaining small and independent shops.
- 10.47 Although the site does not have any retail designations within the Development Plan, it is located in close proximity to the Kings Cross Local Shopping Area on Caledonian Road, and it is considered that the proposed retail units on the ground floor would not unacceptably impact on the vitality of this shopping area and therefore accords with the aforementioned policies.
- 10.48 It is accepted that the proposed development would represent an improvement to the existing building in terms of appearance, as well as the provision of active frontages at street level, which would positively contribute to the attractiveness and vibrancy of the area. (Further design considerations are discussed in the Design, Conservation and Heritage section below)
- 10.49 The amenity impact of the proposed retail use is discussed in the Neighbouring amenity section below. In short, it is considered that, the proposed retail use is considered to have an acceptable impact to the commercial nature of the building and would positively contribute to the surrounding area as well as the CAZ.

#### Class E (b) – Café/Restaurant

- 10.50 The proposed café/restaurant uses are considered to fall under "retail and services" in policy terms, as it was formerly under Class A3 and is controlled by the relevant retail policies.

- 10.51 Policy DM4.3 (Location and Concentration of Uses) states that proposals for cafés, restaurants and other similar uses will be resisted where they: i) Would result in negative cumulative impacts due to an unacceptable concentration of such uses in one area; or ii) Would cause unacceptable disturbance or detrimentally affect the amenity, character and function of an area.
- 10.52 The provision of restaurant use is, similar to retail, broadly supported by the Development Plan policies due to the commercial nature of the site and the area; and as mentioned above, the close proximity to the LSA would mean that the proposed restaurant use would complement with the other retail/eateries uses within the area and would be compatible in land use terms.
- 10.53 On the other hand, restaurants are also considered to be an entertainment and night-time use which can contribute positively to the vitality and vibrancy of the CAZ, where such use would be supported where no significant adverse impacts would arise.
- 10.54 Whilst the proposed flexible uses could bring forward a maximum of 4no. restaurant units across the ground floors of Times House and Laundry Building, there are existing consents for restaurant uses within Times House. The proposed additional restaurant uses support the existing surrounding Town Centre uses and office uses, and would not result in an unacceptable concentration of such uses given the location.
- 10.55 The location of the flexible use units on the ground floor of Laundry Building is not considered to result in unacceptable disturbance or detrimentally affect the amenity, character and function of the area, should they be occupied by restaurants. Therefore the proposals are not considered to raise conflict with the requirements of criteria i) and ii) of DM4.3 (Location and Concentration of Uses).
- 10.56 The amenity considerations of the proposed restaurant uses is further discussed in the Amenity section below. In short, the proposed restaurant use is considered acceptable in terms of amenity impact, subject to restriction on hours of use to prevent unacceptable late-night uses (**condition 20**).
- 10.57 Officers also recommended a condition to request further technical details in regard to the sound insulation and odour control measures, to be submitted and agreed prior to any commencement of restaurant uses on site (**condition 10**). As the proposal is sought for flexible uses where the future tenants are currently unknown, this is considered to be a reasonable approach.
- 10.58 Therefore, it is considered that the proposed restaurant uses on the ground floor levels of the Laundry Building as proposed, and Times House as already consented, would be acceptable in land use terms and would positively contribute to the night time economy activities in the CAZ as a dynamic and attractive place, whilst being suitably controlled to mitigate unacceptable impacts.

Class E (d) - indoor sport, recreation or fitness

- 10.59 This use class allows the ground floor unit of the Laundry building to be used for “*indoor sport, recreation or fitness*” principally to visiting members of the public,

provided that they do not involve motorised vehicles or firearms.

- 10.60 The Development Plan makes specific reference to leisure uses which this new subclass falls within. Formerly recognised as a D2 use, the adopted Local Plan states that leisure uses within the Central Activities Zone may be appropriate where these would not detrimentally affect the vitality and viability of Town Centres and/or local amenity (para 4.27 of the IDMP).
- 10.61 It is considered that the proposed E(d) uses are acceptable in land use terms, subject to the acceptability of the amenity impact which this particular use may generate.
- 10.62 Gyms and fitness centres often rely on provision of additional air conditioning, and use of amplifiers for music in support of their operations. Moreover, additional noise mitigation measures are likely to be required for these uses due to their frequent use of exercising equipment such as heavy weights, in which further provisions of noise insulation are required to make the use acceptable and to protect the neighbouring living conditions.
- 10.63 The hours of operation of these leisure uses are also required to be controlled to minimise the noise and disturbance to the surrounding neighbours during night time and early morning. The closest neighbours are located on the upper floors of the adjacent building on the upper floors at 12-18 York Way, fronting onto York Way.
- 10.64 Overall, it is judged that the proposed leisure use is acceptable in land use terms, provided that the operation would not adversely affect the living conditions of the neighbours, which are proposed to be controlled by conditions (13).

#### Sui Generis Bar & Drinking Establishment

- 10.65 The proposals result in the creation of three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units. Two flexible use units would occupy on the ground floor of Times House where there is an existing lawful flexible use for restaurant and bar. The third flexible use unit would be located on the ground floor of Laundry Buildings.
- 10.66 The use as bar and drinking establishment of this additional unit, as a Town Centre use will support the new office users as there will be an increase in the number of people working in this location, and complement the evening uses currently in Varnisher's Yard and along Pentonville Road which has a vibrant night time economy. Therefore subject to an acceptable impact on amenity, the additional unit would not raise conflict with the Town Centre policy DM4.4 as outlined earlier in this assessment.

#### **Land Use Summary**

- 10.67 Taking into account the fallback position of the existing site under Class E. Whilst the flexible commercial uses do not generate the same level of employment as office floorspace, they are still important for the functioning of the CAZ, and would positively contribute to economic growth, and would support uses for the primary

office function of the site and the surrounding area.

- 10.68 In this instance, subject to the appropriate conditions (**15, 16 and 17**) to restrict the uses of the building to the proposed use(s) to prevent any unacceptable change of use without planning permission in the future, it is considered that the proposal would have an acceptable balance of uses and would positively contribute to the local economy in terms of its supply of office floorspace and economic functions.
- 10.69 The proposed office development would provide a large uplift of employment floor space to the area, for which there is high demand and a significant shortfall, and would positively contribute to the stock of office floorspace within the borough, which is supported by the national, regional and local policies.
- 10.70 The development would also, in accordance with policy CS13 and the Planning Obligation SPD, provide an appropriate amount of on-site opportunity or off-site financial contribution to support local employment, skills development and training opportunities, by providing construction training opportunities on site during the development phase (2 placements or £10,000 of financial contribution), and jobs and training opportunities including apprenticeships from developments (financial contribution £25,114). The proposals also include an off-site contribution towards housing (£234,413.33) in accordance with the mixed use policy as set out in policy DM5.1.
- 10.71 Overall, it is the view of officers that the proposed development would be acceptable in land use terms, subject to compliance with other Development Plan policies.

### **Affordable Workspace**

- 10.72 The London Plan (2021) policy E3 states that in defined circumstances, planning obligations may be used to secure affordable workspace at rents maintained below the market rate for that space for a specific social, cultural or economic development purpose such as:
- 1) for specific sectors that have social value such as charities, voluntary and community organisations or social enterprises
  - 2) for specific sectors that have cultural value such as creative and artists' workspace, rehearsal and performance space and makerspace
  - 3) for disadvantaged groups starting up in any sector
  - 4) supporting educational outcomes through connections to schools, colleges or higher education
  - 5) supporting start-up and early stage business or regeneration.
- 10.73 Part B of Policy E3 states that considerations should be given to the need for affordable workspace based on:
- 1) where there is affordable workspace on-site currently, or has been at any time since 1 December 2017, except where it is demonstrated that the affordable workspace has been provided on a temporary basis pending redevelopment of the site
  - 2) in areas identified in a local Development Plan Document where cost pressures could lead to the loss of affordable or low-cost workspace for micro, small and



medium-sized enterprises (such as in the City Fringe around the CAZ and in Creative Enterprise Zones)

- 3) in locations identified in a local Development Plan Document where the provision of affordable workspace would be necessary or desirable to sustain a mix of business or cultural uses which contribute to the character of an area.

- 10.74 Under the current Local Plan, Policy DM5.4 of the Council's Development Management Policies (2013) states that major development proposals for employment floorspace within Employment Growth Areas and Town Centres must incorporate an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises. The supporting text for Policy DM5.4 establishes that a minimum of 5% of employment floorspace should be provided as affordable. Part D of the policy states that where affordable workspace is to be provided, evidence should be submitted to demonstrate agreement to lease the workspace at a peppercorn rate for at least 10 years to a council-approved Workspace Provider.
- 10.75 The emerging Local Plan (SDMP) policy B4 (Modifications for consultation - March 2021) states that within the CAZ and Priority Employment Locations, major development proposals involving office development must incorporate at least 10% affordable workspace (as a proportion of proposed office floorspace GIA) to be leased to the Council at a peppercorn rate for a period of at least 20 years. The policy is currently at draft stage and can be afforded limited weight.
- 10.76 The supporting texts for Policy B4 (para 4.47) further outlines that for proposals involving redevelopment, refurbishment (or refurbishment and extension), the requirement would apply to all redeveloped, refurbished and/or extended space, regardless of the fact that there is existing floorspace. For proposals solely involving extension of floorspace with no change to existing floorspace, the requirement can be considered to apply to the new floorspace only. It is noted that the proposed development would amount to a full redevelopment of the site building with substantial building works.
- 10.77 Officers noted that the emerging policy B4 can only be afforded limited weight, reflecting the stage the emerging local plan is at and the number of objections received.
- 10.78 It is proposed to provide the entirety of the existing commercial unit at 34b York Way, which amounts to the provision of 388sqm of dedicated affordable workspace, secured at peppercorn rent for a period of 10 years. Service charges will also be reduced to 50% of market levels. The Council would subsequently lease the space to a Council-approved operator. This would be secured as part of a S106 Agreement for the application and is also tied to the separate s106 application P2021/2270/FUL at 34 York Way (Jahn Court) and 34b York Way (The Hub), within Block C located to the north of the site. In order to ensure this is delivered and the benefit weighing in favour of this scheme being timely provided, should this application be approved, no occupation of any of the approved uses shall take place until the delivery of the affordable workspace.
- 10.79 The proposal works in the current application amount to an uplift of 1427.2 sqm of guaranteed office floorspace. The linked application at Jahn Court brings forward

an uplift of 2,315.7sqm of guaranteed office floorspace. The two linked applications bring forward an uplift of 3742.9 sqm of guaranteed office floorspace in addition to other commercial uses.

- 10.80 Therefore, taking the current and emerging local plan into account, it is considered that an on-site affordable workspace unit based on 10.4% of the uplift of guaranteed office floorspace at peppercorn rent for ten years would be acceptable. The Council's Inclusive Economy Team has confirmed its support for the proposals.
- 10.81 Post decision, the procurement exercise to secure the occupier of the affordable workspace hereby approved, will be based on the social value assessment and associated criteria undertaken by the Council's Inclusive Economy Team. The workspace will be secured as per the agreed Heads of Terms. Whilst the existing occupier is able to apply, they will be considered as part of the procurement process against the same criteria as any other applicant. The occupier is not a material consideration that informs the decision.
- 10.82 It is considered that the provision of affordable workspace is a public benefit which weighs in favour of the proposal.
- 10.83 In the event that the concurrent application (Jahn Court/ Block C) was refused then this application would deliver no affordable workspace (as provision is within the associated planning application). As such a HoT is recommended that in the event of refusal of the associated planning application, but approval of this application, provision of affordable workspace to a minimum of 5% of the uplift in floorspace (amounting to 8 6. 2sqm) for a period of at least 10 years with a 50% service charge reduction will be identified and provided to the Council on a peppercorn rent.
- 10.84 Overall, the proposal would also make a positive contribution of affordable workspace via the provision within the associated planning application (or a subsequently agreed reduced space in the event the associated application is refused), which would meet the council's objectives on inclusive economy. The proposed affordable workspace would be in accordance with the adopted policies and is considered to be a public benefit of the scheme.

## **Design, Conservation and Heritage**

### **Policy context**

- 10.85 Paragraph 126 of the NPPF (July 2021) highlights that the creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.86 Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community.

Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

- 10.87 Paragraph 133 goes on further to state that in assessing applications, local planning authorities should have regard to the outcome of tools and processes for assessing and improving the design of development, including any recommendations made by design review panels.
- 10.88 Paragraph 195 states that Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 10.89 Paragraph 200 states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 10.90 Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 10.91 Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 10.92 Paragraph 206 states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.
- 10.93 In terms of conservation area and heritage asset, the Planning (Listed Buildings and Conservation Areas) Act 1990 (amended) requires planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area (section 72); it also requires decision maker to have special regard to preserve or enhance the significance of heritage assets through the planning process (section 66).
- 10.94 PPG paragraph 013 Reference ID: 18a-013-20190723 states:  
*[...When assessing any application which may affect the setting of a heritage asset, local planning authorities may need to consider the implications of cumulative change...]*

## **London Plan**

- 10.95 LP Policy D3 states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.96 In terms of design and heritage considerations, LP Policy D3 part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
  - respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
  - be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.
- 10.97 Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 10.98 Policy D9 states that based on local context, Development Plans should define what is considered a tall building for specific localities, the height of which will vary between and within different parts of London but should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 10.99 Paragraph 3.9.3 states that tall buildings are generally those that are substantially taller than their surroundings and cause a significant change to the skyline. Boroughs should define what is a 'tall building' for specific localities, however this definition should not be less than 6 storeys or 18 metres measured from ground to the floor level of the uppermost storey.
- 10.100 Policy HC1 (C) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

## **Local Plan**

- 10.101 The national and regional policies are supported locally by ICS Policy CS6 (Kings Cross) which states that much of the area has significant character value, contains a number of heritage assets and The area's historic character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings.
- 10.102 ICS Policy CS9 (Protecting and enhancing Islington's built and historic environment) requires the borough's unique character to be protected by preserving the historic urban fabric, and new buildings should be sympathetic in scale and appearance and to be complementary to the local identity.
- 10.103 Part E of the policy states that tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported.
- 10.104 IDMP Policy DM2.1 (Design) requires all forms of development to be of a high quality design, incorporate inclusive design principles and make a positive contribution to the local character and distinctiveness of an area, based upon an understanding and evaluation of its defining characteristics. Permission will be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 10.105 Paragraph 2.18 of the IDMP states that tall buildings, as referred to in Part C of Policy DM2.1, are defined as over 30m in height.
- 10.106 IDMP Policy DM2.3 (Heritage) requires developments to conserve and enhance the borough's heritage assets, in a manner appropriate to their significance. The council requires new developments within Islington's conservation area settings to be of high quality contextual design, and the policy states that harm to the significance of a conservation area will not be permitted unless there is a clear and convincing justification. Part C of the policy states that the significance of Islington's listed buildings is required to be conserved or enhanced; new developments within the setting of a listed building are required to be of good quality contextual design. New development within the setting of a listed building which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted. Part E of the policy states that Non-designated heritage assets, including locally listed buildings and shopfronts, should be identified early in the design process for any development proposal which may impact on their significance and that proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.
- 10.107 IDMP Policy DM2.5 states that St. Pancras Station and Hotel (Chambers), in Camden, is also an important local landmark and views of it from Islington will be protected.
- 10.108 Moreover, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and

facilities, and shopfront design. Paragraph 5.20 includes a requirement for the layout of all new development to deliver permeability, consistent building lines, animation and an appropriate height to width relationship between the building frontage and the street. Paragraph 5.69 includes a requirement for an appropriate height to width ratio to complement and relate to the prevailing townscape.

- 10.109 The Kings Cross Conservation Area Design Guidelines (CADG) (2002), paragraph 21.2 identifies that the most important qualities of this conservation area deserving of protection and enhancement include: the contemporary impact of the railways; the variety and scale of buildings; the variety of uses, especially at ground level; the National Set Piece including the junctions with York Way and Caledonian Road, the Lighthouse block and the curve of Grays Inn Road as it meets Euston Road. Paragraph 21.7 identifies that the existing scales of the area must be particularly respected with reference to the hierarchy of scales northwards from Pentonville Road; the national set piece; and the subordination of surrounding development to King's Cross Station.
- 10.110 Paragraph 21.9 of the CADG sets out that proposals involving alterations or extensions must respect the original design and period of the building including scale, roof and parapet line, proportions, architectural style and materials.
- 10.111 Paragraph 21.14 identifies that an important characteristic of the area at present is the survival of the largely Victorian scale and character of the area, including parapet lines, original rooflines and chimney stacks. Interruptions to this skyline by higher set back plant rooms are likely to detract from this character.

#### Emerging Local Plan

- 10.112 Emerging SDMP Policy PLAN1 (A) requires all forms of development to be of a high quality and make a positive contribution to local character, legibility and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. Part B of the policy requires development to be contextual, connected, inclusive, sustainable.
- 10.113 Policy SP2 *King's Cross and Pentonville Road*, part G states the Council will seek to improve connectivity and permeability for pedestrians and cyclists, within and across the Kings Cross area and nearby neighbourhoods, particularly east-west access. Removing barriers to movement and integrating the urban fabric are key priorities for the whole area, but particularly between the area east of York Way and King's Cross Central.
- 10.114 Part J of the policy states King's Cross has a distinct character, and the area contains a number of heritage assets, including the Regent's Canal and a number of listed buildings. The area's character will be protected and enhanced, with high quality design encouraged to respect the local context of King's Cross and its surroundings.
- 10.115 Part K of the policy states four sites in the Spatial Strategy area have been identified as potentially suitable for tall buildings over 30 metres. The application site is not one of these 4 sites.

- 10.116 Policy DH1 (A) states that Islington supports innovative approaches to development as a means to increasing development capacity to meet identified needs, while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. In this context, an innovative approach is one that contributes to the delivery of the Local Plan objectives, including making the borough an inclusive and resilient place by ensuring the design of buildings meets contemporary standards, the needs of all users and mitigates against the impacts of climate change. Part D of the policy states that the Council will conserve or enhance Islington's heritage assets – both designated and non-designated - and their settings in a manner appropriate to their significance, including listed buildings, conservation areas, scheduled monuments, Archaeological Priority Areas, historic green spaces, locally listed buildings and locally significant shopfronts.
- 10.117 Policy DH2 of the SDMP part B, states that development within conservation areas and their settings – including alterations to existing buildings and new development - must conserve and enhance the significance of the area, and must be of a high quality contextual design. Part C states that Buildings, spaces, street patterns, views and vistas, uses and trees which contribute to the significance of a conservation area must be retained. The significance of a conservation area can be harmed over time by the cumulative impact arising from the loss of these elements which may individually make a limited positive contribution, but cumulatively have a greater positive contribution. Part D states that proposals that harm the significance of a listed building (through inappropriate repair, alteration, extension, demolition and/or development within its setting) must provide clear and convincing justification for the harm.
- 10.118 Part I of the policy states that non-designated heritage assets, including locally listed buildings and shopfronts, must be identified early in the design process for any development proposal which may impact on their significance. The Council will encourage the retention, repair and re-use of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset or their setting will generally not be permitted.
- 10.119 Policy DH3 of the SDMP, at part A states that buildings of more than 30 metres, will be considered to be tall buildings.

### **Context**

- 10.120 The application site is located in a dense and fine grain urban quarter located to the east side of York Way, directly opposite the long eastern flank of the Grade I Listed Kings Cross Railway Station. It has a primary frontage onto York Way to the west with secondary frontages to Caledonia Street to the north, Caledonian Road to the east, Pentonville Road to the south.
- 10.121 While the block presents a relatively strong and coherent built form to all street edges, albeit of a mixed architectural style and quality, the spatial form to the interior is less structured. It lacks coherence and legibility. These 'interior' spaces do however have some highly positive characteristics evidenced by a series of largely 'hidden' interconnecting courtyards and lanes which present significant place making opportunities.

- 10.122 The site is sensitively located. This southern block within which this application site is located sits entirely within the Kings Cross Conservation Area. It contains a listed building, 7 Caledonian Road, to its eastern edge and a number of locally listed buildings, including the Laundry Building, changes to which are proposed within the application.
- 10.123 It is positioned within two strategic view corridors - Kenwood to St Paul's Cathedral, and Parliament Hill Summit to St Paul's although the threshold is very high in this location and the proposals sit well below it. The impact of the proposed development on these two corridors has been assessed under the application and is found to be nil.

**The Ironworks – part of Locally Listed Building with Cottam House at 36-40 York Way**



**Image 24 – Plan of adjacent Heritage Assets within the borough (extract from Heritage Statement prepared by Turley Heritage & Townscape) (Officers note that the description of the Local Listing at 36-40 York Way indicates that the Ironworks forms part of the Local Listing with Cottam House)**

- 10.124 The broader context is characterised by the urban transformation and intensification of the wider Kings Cross environs which is undergoing high quality, high density change.



## Proposal

- 10.125 The application has been submitted following an extensive and collaborative pre-application process with the Council. During pre-application discussions, the scheme has been revised to address initial officer concerns over the abrupt changes in height and mass between the buildings and their existing neighbours, the impacts associated with such increased height and mass on the amenity of the small scale adjoining squares and lanes, and the lack of heritage appreciation and justification in terms of both the impact of such increases on the setting of listed buildings and the impacts on the character and quality of the conservation areas and wider public realm. A series of design workshops has been undertaken and the scheme has been revised for application stage accompanied by a more rigorous consideration in relation to the heritage constraints and opportunities and the level of harm to the setting of heritage assets has been reduced.
- 10.126 The applicant has submitted a Design and Access Statement (prepared by Piercy & Company - July 2021) including a verified views methodology, and a Heritage and Townscape Statement (prepared by Turley Heritage & Townscape) including Heritage and Townscape Appraisal, key townscape views and visual representations and methodology.
- 10.127 The proposed works comprise of:
- The partial demolition of the existing ground floor structures to the northern and western elevations of Times House, and the erection of a five storey infill extension and roof extension at fifth floor level and reconfiguration.
  - A single storey infill extension to the southern elevation of Times House at third floor to provide additional office floorspace.
  - Roof extensions at fourth and fifth floors to provide additional office floorspace, and the creation of roof terraces at first, fourth and fifth floors.



***Image 25 – Aerial Axonometric View (Existing)***



***Image 26 – Aerial Axonometric View (Proposed)***

Design Assessment of proposals  
Principle of development

10.128 The changes proposed form part of a wider 'Vision' for the site with a range of interventions anticipated to be undertaken during a 10-year period. This application is one of two and forms the first phase of such changes.

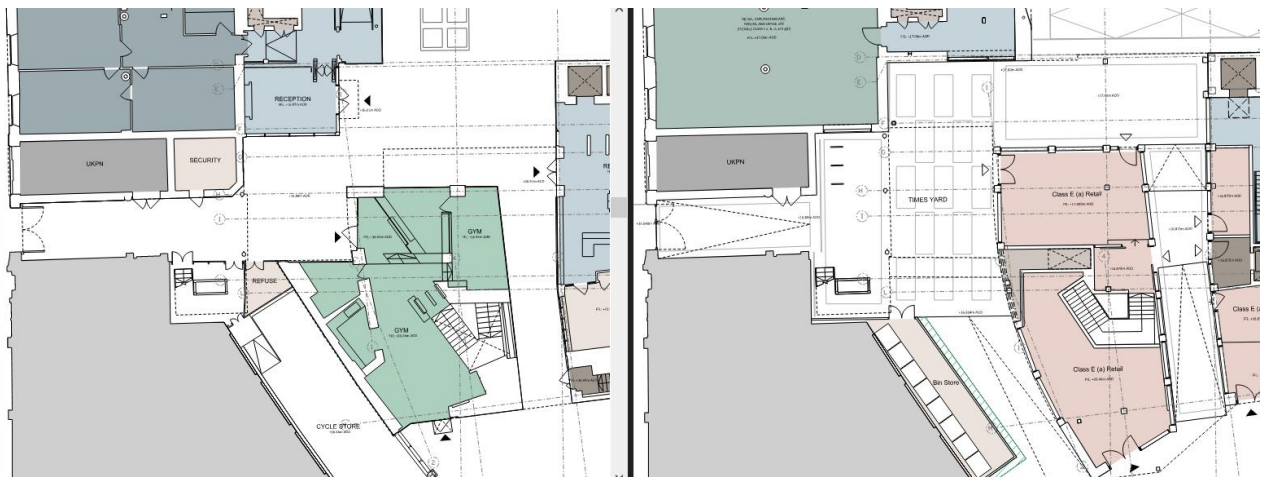
10.129 The applicant states within the accompanying Vision Statement that:  
"There is an opportunity to create a unique place, a creative quarter for the district and a Gateway to Islington. The new Regent Quarter will cater for the needs of the local residents and businesses and visitors from further afield and will provide a new vibrant mixed use community".

10.130 The principles of such a transformation of the site, and of the broader urban blocks, are supported. The accompanying Public Realm Report provides details for long term change, and this demonstrates how a deep analysis of the site's context has successfully informed the proposed changes. These relate to the external space of Laundry Yard, and to two buildings, Times House and the Laundry Building. The principles of change to each of these are considered below:

External Spaces - Public realm:

10.131 The works to the public realm within the Block B courtyards and around the courtyards comprise of the:

- Reconfiguration of the ground floor of Times House to open up the pedestrian link to Bravington's walk and removal of the gate and replacement of paving slabs within courtyard;
- Installation of a new bin store enclosure with planter;
- Reinstatement of the entrance to Laundry Building, including associated passages and new Times Yard;
- Installation of new paving to the threshold of Times House south elevation on Bravington's Walk;
- Installation of circular light reflectors to all covered passages, and light reflectors and painting the wall in the passage way from Caledonia Street;
- Addition of planters adjacent to Bravington's Walk and vertical planting within Laundry Yard;
- Installation of wall mounted lighting to Laundry Building and Times House;
- Installation of cycle stands across courtyards and on Caledonia Street southern pavement, including 4 located on surrounding highway (outside of red-line);
- Replacement railings to the railway cutting adjacent to Bravington's Walk.



***Image 27 – Existing and proposed ground floor layout changes to Times Yard***

10.132 The proposals seek to enhance the public realm throughout selected areas of this densely developed, fine grain urban block by way of refining, reshaping, and re-landscaping a series of interconnected yards and alleys. It is this configuration and form that gives the site much of its character and thus such well-crafted proposals are considered to further enhance these fine qualities and characteristics.



***Image 28 – Existing view west within Laundry Yard***



***Image 29 – Proposed view west within Laundry Yard***



***Image 30 - Proposed view through laundry Yard looking East***



***Image 31 – Proposed Times Yard View South***

10.133 The proposed largely hard landscaping works will enhance that character and will not result in harm to historic surfacing materials or introduce inappropriate materials. Laundry Yard will be transformed into a more active space with a fine surface treatment to be secured by condition 3 and greatly enhanced edge conditions.

- 10.134 The interface between the (semi) public realm and the buildings that face it has been carefully addressed throughout the site with significant animation afforded through changes to configurations and ground floor elevations and uses, together with carefully crafted landscape elements from lighting to movable seating, public art locations to bollards.
- 10.135 Thus the combined materiality to the ground-scape, the public realm facilities, changes to adjacent elevations and configurations, all show a respect for the grain and historic properties of the public realm. They include extensive preservation measures while successfully animating and enriching the places and spaces with the enhanced detailed designs including the use of high quality new materials and imaginative responses.
- 10.136 The proposals represent a high quality of urban design and proposed landscape treatment which will help create a fine and intriguing urban quarter. Such changes to the public realm are considered to be of an exceptional quality and therefore supported in principle.

#### Public Realm Design Appraisal

- 10.137 The proposals seek to enhance the public realm throughout selected areas of these two densely developed, fine grain urban blocks by way of refining, reshaping, and re-landscaping a series of interconnected yards and alleys. It is this configuration and form that give the site much of its character and appearance and the landscaping works enhance that character and do not result in harm to historic surfacing materials or the introduction of inappropriate materials. The works are proportionate, deliver a clear public benefit and do not unacceptably alter the character and appearance of the yards, in fact they are viewed to enhance that character and appearance. It is proposed to secure the public realm improvements via condition **29**.

#### Built Form

- 10.138 The proposed built intervention is focused on Times House and the Laundry Buildings located in the North West corner of the broader urban block and framing all edges to the Laundry Yard and the northern edge of Bravington's Walk. The changes include extensions in height and mass at upper levels to Times House, together with extensions and/or alterations to side, rear and front elevations, new entrancing configurations including to the street edge, and some new façade treatments.
- 10.139 The buildings under consideration wrap around the Laundry Yard with the modern Times House forming the yard's southern and eastern edges, and the historic Laundry Building forming the yard's northern and western edges.
- 10.140 The design principles of the proposed changes to the built form involve:
- A sensitive 'opening up' and animation at ground floor of the Laundry building as it faces onto the publicly accessible Yard and onto Caledonia Street.
  - An elegantly designed new façade to the Laundry Yard building where it faces the yard's western edge.
  - A series of extensions and alterations to the currently modern building of Times House to the Yard's eastern and southern edges including an increase in both height and mass.

10.141 The principles of these changes are supported given they demonstrate a sensitivity and creativity required by the site and its context.

#### Height, bulk and mass

10.142 The proposal is to increase the height of Times House, to both its eastern and southern wings, by adding a further 1 – 3 storeys and to re-clad it. This building is a late 20th century development of limited architectural or place making qualities. The eastern wing is proposed to increase in height from 14.34m (east wing) to 22m to top of parapet and to increase the height of the west wing from 18m to 22m to top of parapet. The heights to the top of plant structure to the west wing rise from 20.87 to 24.8m and for the east wing from 17.24m to 21.85m.

10.143 The proposed new 4th and 5th floors, plus plant, are set well back from the Caledonia Street edge, limiting their impact on the public realm from this vantage point. And, as viewed from the more active York Way, the visual impact of the proposed changes to height and mass is also relatively limited given the recessed location of this building within the block. However, as viewed from the south and in relation to Kings Cross Station and environs, the proposed changes to height and mass of the Times House building are more visible. A series of revisions has been undertaken during the pre-application phase in order to reduce harmful impacts on the setting of this Grade I listed heritage asset.

10.144 These revisions included a reduction to both height and mass, refinement of the architectural treatment, and revisions to the proposed materiality of the scheme. These combined changes are considered to be successful with the enlarged building still successfully 'reading' as background development that, despite its increase in height and mass, remains visually ancillary to the impressive and historic set piece of the King Cross Station and environs as well as the historic buildings to York Way and Pentonville Road.

10.145 This recessiveness is achieved through high quality architecture that has been informed by the site's context, and includes sensitive detailing and excellent attention to materiality. As such there are no objections to the proposed increase to height and mass.

#### Elevational treatment

10.146 There are three component parts to be considered in respect of elevational changes and treatment. These are:

##### 1) Laundry Yard Building

10.147 This is a hybrid building with a late 19th C Victorian façade to York Way with a more modern utilitarian façade to the rear where the building frames the western edge of Laundry Yard. It is connected to the Laundry Building by a glazed entrance and circulation core. The proposal sees the refurbishment of the building and includes a new and highly successful façade facing onto the Yard itself.

10.148 The ground floor design shows a clearly articulated new entrance. The material is a dark red brick of a similar hue to the historic brick of the Laundry Building. The upper floors are dressed in a very pale yellow brick and contain an element of unexpected yet successful drama in the form of large arched fenestration. This fenestration design directly references and is reminiscent of historical railway architecture. These

changes will contribute to the quality of the building and to the general ambience and setting of Laundry Yard.

10.149 The proposed changes to the rear elevational treatment to this building are considered highly successful and are therefore supported.

### 2) Laundry Building (Primary)

10.150 The primary design changes to the main Laundry Building relate to the ground floor as it faces onto the Yard. It is proposed to enlarge 4 of the 5 existing ground floor windows, extending the openings to grade and replacing them, and the existing pair of double doors, with a series of matching, gold coloured, metal framed, double door sets. A new red stone parapet is proposed which frames and visually strengthens the ground floor. It is proportionately aligned with the top of the proposed ground floor of the re-facaded Laundry Yard Building which it abuts, creating a welcomed visual and architectural unity between these two built components. The result is not only a highly attractive and enhanced façade but a means by which the public realm can be effectively animated. The changes will create a visual and physical interconnectivity between the internal and external spaces to the benefit of both the building and the quality and functionality of the 'Yard' it faces.

10.151 Minor changes to the front of the building, facing Caledonia Street, are also proposed. These centre upon the removal of the existing (non-original) visually obstructive railings. Their removal will improve the interface between the building at ground floor and the public street by better exposing the architectural qualities of the building and the activities contained within it.

10.152 The proposed design changes to the Laundry Building are of a high quality of design and are therefore supported.

### 3) Times House

10.153 The proposed elevational changes to the Times House, while maintaining a design unity, subtly change in response to the changing edge conditions of their facing facades. They will transform this uninspired early 2000s' office building into one of quiet beauty. The changes to the facade of Times House, as it faces onto Laundry Yard, are centred on the insertion of a colonnaded base, expressed in a gold coloured metal, with expanses of glazing and openings into the building and throughout the public realm. There are also large expanses of articulated pale green metal cladding extending, in part, from ground to 6th floor creating a quiet backdrop against which adjacent, more historic, facades which retain their visual prominence.

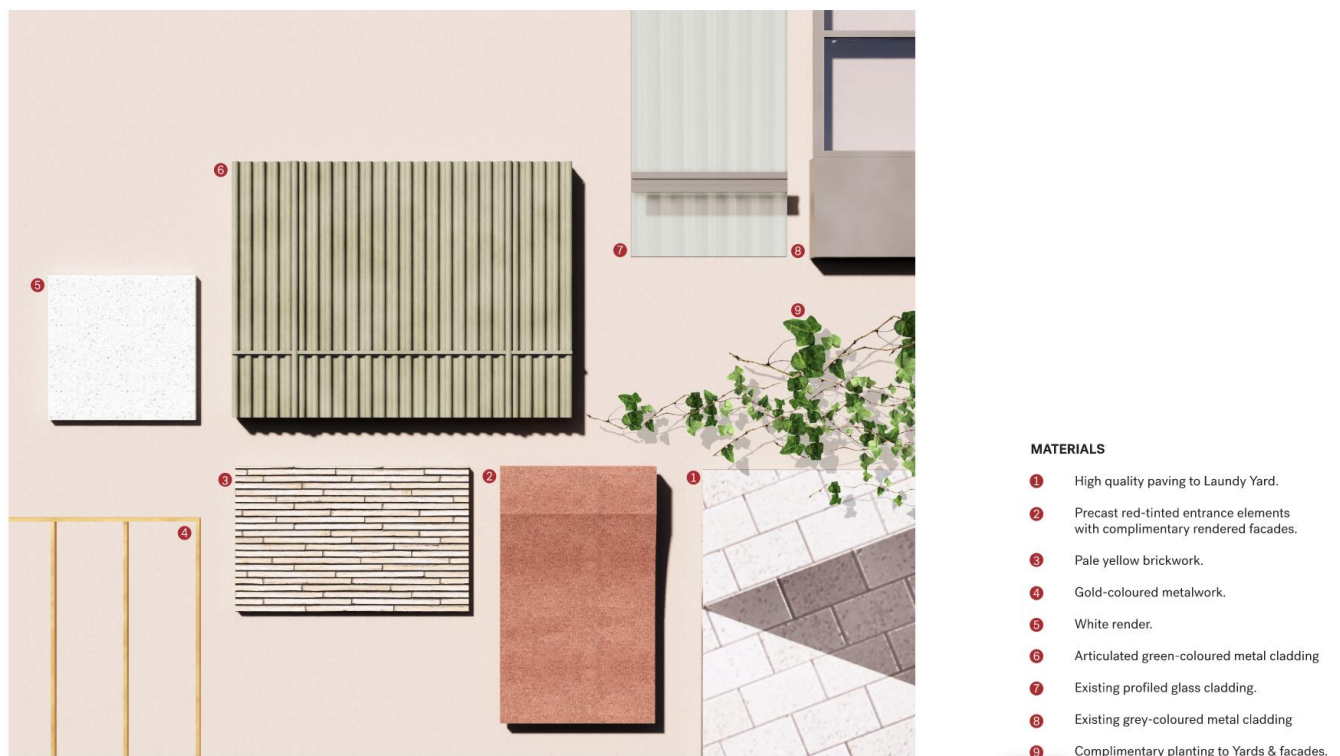
10.154 To Caledonia Street to the north, a new ground floor shop front/s and fascia is proposed creating a significantly enhanced edge to the street. To the southern edge, fronting onto Bravington's Walk, the proposed new pavilion structure will add considerable qualities to both the building and to the space it frames. It is also designed to enhance wayfinding and legibility through an 'extension' of the gold metal colonnade structure. This device helps to effectively link Bravington's Walk through to Laundry Yard thus improving pedestrian wayfinding and connectivity. The predominant pavilion material is the same red brick proposed to the base of the Laundry buildings, creating further unity between buildings and spaces on the site. The proposed material changes to Times House are considered successful and will



transform a rather dull building into one of high quality whilst creating a remarkable uplift to the quality, including legibility and functionality, of the adjacent public realm.

### Materials Palette

- 10.155 The proposed materials palette is a defining element of the quality of the scheme design comprising materials that are both highly contemporary yet demonstrably compatible with the historic fabric into which the proposals are inserted.
- 10.156 As part of the new proposals, the applicants have sought to define a more limited palette of quality materials, to give more clarity to the architecture and to better compliment the existing Victorian buildings. The colour and detail of the metal cladding has been tested and reviewed at pre-application workshops and design review panels. At DRP 01 a dark profiled metal cladding was proposed to the new building extensions. The final proposed cladding material is a green coloured pressed zinc, as presented at DRP 02. Green was chosen as a complimentary colour to the dominant red of the North wing of the neighbouring Laundry Buildings. Green is also a complementary and subservient tone to the yellow London stock brick that features in both the West wing of the Laundry Buildings, and also the nearby Grade I listed King's Cross Station.



***Image 32 – Materials Palette***

- 10.157 The palette is considered successful and is integral to and indicative of the proposed high quality of design throughout. It includes a dramatic gold coloured colonnade for the base of Times House complemented by a tactile red rendered base for the Laundry Buildings. A soft pale green metal cladding is proposed to the Times House extensions which will complement the red of the Laundry buildings and read, albeit considerably more pale, in a similar manner as the familiar green of new copper

cladding. The materials palette therefore comprises:

- Precast red entrance elements with complementary rendered facades;
- Pale yellow brickwork;
- Gold coloured metal work;
- White render;
- Articulated green coloured metal cladding;
- Existing profiled glass cladding;
- Existing grey coloured metal cladding;

10.158 Part of the scheme's success is this indicative use of high quality materials with an urbane colour palette. As such the materiality of the scheme is supported.

#### Design Conclusion

10.159 This is a carefully crafted and highly considered scheme with both architectural and landscape designs of an outstanding calibre as befits such a historically sensitive and intricate site and context. The proposals will help to bring this part of the broader urban block back into more active use, creating legible routes into and through the block, and enhancing existing spaces in an attractive yet functional manner.

10.160 The changes to the Laundry Buildings will create improved commercial spaces suitable for a variety of uses whilst simultaneously enriching and animating Laundry Yard. While the Times Building is proposed to be increased in height, in part, by a further two and three floors, and to also therefore be increased in mass, the selected locations for such increases are well recessed from the street edge helping to lessen their visual impact. The architectural treatment is quiet and well considered which will also lessen the visual impact of the changes ensuring the building will continue to read as 'background'. And, as a result of these factors, the historic buildings on and adjacent to the site, including those lining Pentonville Road and York Way will continue to retain their visual dominance and prominence. The proposed changes to this building, as with the Laundry Buildings, have been designed to create enhanced commercial spaces throughout with ground floor interventions designed to contribute greatly to an enriched and legible public realm

#### Impact on Heritage Assets

10.161 The development site is within the setting of a number of designated heritage assets including the Grade I Listed Building at Kings Cross Station as part of the National Set Piece, the Grade II Listed building at 7 Caledonian Road and the Kings Cross Conservation Area. The Laundry Buildings within the site at 6 Bravington's Walk is Locally Listed Grade B, and there are numerous locally listed buildings surrounding the site, on York Way, Caledonian Road and Pentonville Road.

10.162 Other considerations and sensitivities are as a result of:

- how the block sits and reads in relation to the scale and form of its immediate neighbours within the block;
- the significance of this being the first time a building located within the urban quarters to the eastern edge of Kings Cross Station would potentially be taller than the 'shoulder' of the station building;
- the sensitive location of the site within two conservation areas including and abutting important heritage buildings;
- the building's position within two strategic view corridors.

10.163 The site is therefore exceptionally sensitive. Any resulting development must be of the highest design quality having been informed by heritage impacts, including settings, and an understanding of the qualities and characteristics of the heritage assets that make them, and their context, so significant.

#### Built Form

10.164 The changes include extensions in height and mass at upper levels, together with extensions and/or alterations to side, rear and front elevations, new entrancing configurations including to the street edge, and some new façade treatments. The principle of the increase in height and mass to both buildings has been some cause for concern at pre-application stage. This was in part because of the abrupt changes in height and mass between the buildings and their existing neighbours, the impacts associated with such increased height and mass on the amenity of the small scale adjoining squares and lanes, and the lack of heritage appreciation and justification in terms of both the impact of such increases on the setting of listed buildings and the impacts on the character and quality of the conservation areas and wider public realm.

10.165 Cautionary advice was issued in May 2021 during pre-application discussions and a series of design workshops undertaken. This has led to significant revisions accompanied by a more rigorous consideration in relation to the heritage constraints and opportunities and the level of harm to the setting of heritage assets has been reduced. In terms of the revised designs, they are positive including the reduction in height and mass to both buildings from pre-application stage. The proposals to the Times House and Laundry Building complex have also been architecturally simplified, and reduced in height and mass from that proposed at pre-application stage.

10.166 The buildings under consideration wrap around the Laundry Yard with the Times Building forming the yard's southern and eastern edges, and the older brick built Laundry Building its northern edge. The site's western edge comprises a contemporary 3 storey building with glazed curtain walling to the front and of limited qualities and to which changes are also proposed.

#### Bulk, height, and massing

10.167 Times House is mixture of modern four to five storey office buildings and the locally listed Laundry Buildings are three storey commercial buildings.

10.168 The proposal is to increase the height of the Times Building, to both its eastern and southern wings, by adding a further 1 – 3 storeys and to re-clad it. This building is a late 20th century development of limited architectural or place making qualities. The eastern wing is proposed to increase in height from 14.34m (east wing) to 22m to the top of the parapet and to increase the height of the west wing from 18m to 22m to the top of the parapet. The heights to the top of Plant to the west wing rise from 20.87 to 24.35m and for the east wing from 17.24m to 21.85m.

10.169 The proposed new 4th and 5th floors, plus plant, are set back from Caledonia Street limiting their impact on the public realm from this vantage point. Also as viewed from York Way their visual impact is relatively limited as they read as being recessed within the block. However, as viewed from the south and in relation to Kings Cross Station and environs, the proposed height of the building is clearly visible. The

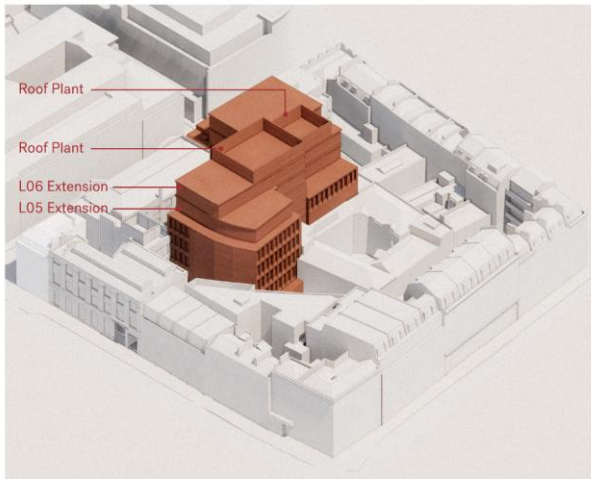
application has sought to demonstrate that revisions have been undertaken during pre-application discussion to reduce harmful impacts on the setting of this Grade I listed heritage asset. These revisions have included a reduction to the proposed height and mass, albeit relatively minor, during the latter parts of the pre-application process, the refinement of the architectural treatment, and revisions to the proposed materiality of the scheme.

#### Protected Vistas

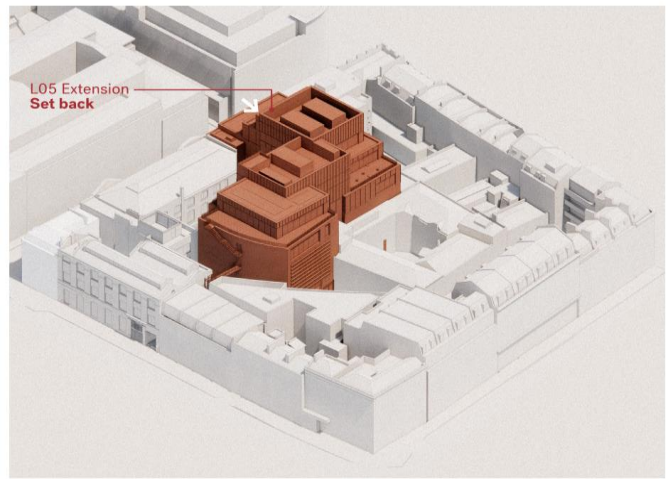
- 10.170 The two sites sit within two protected vistas (Parliament Hill summit to St Pauls' and Kenwood gazebo to St Paul's). Pentonville Road is on a significant slope down towards King's Cross. St Pancras Station and Chambers is noted as an important landmark, views to which will be protected. The impact on these protected vistas and views has been assessed and the documents submitted with these applications demonstrates a neutral impact on the protected views.

#### Kings Cross Conservation Area/Locally Listed Buildings

- 10.171 The proposal would have an impact on the character and appearance of the King's Cross Conservation Area as a whole. Generally speaking, the proposals at ground level have the potential to enhance the character and appearance of the conservation area through the upgrading of paving materials with more sympathetic materials. There is also some re-facing of the existing western building adjacent to Laundry Building which lead to a more contextual response to the historic character of the site. The principle of upgrading landscaping and encouraging greater public use of the core of the site is welcomed.
- 10.172 For the scheme submitted for pre-application stage, the heritage impacts of the proposed height and massing of the additional built elements of the proposals for Times House were not capable of being supported in terms of compliance with the Conservation Area Design Guidelines for this site. Paragraphs 21.7 and 21.8 of the Kings Cross CADG have regard to height, mass and scale as set out earlier in this report. The proposed increase in height resulted in a development which would fail to demonstrate preservation or enhancement of the primarily C19th scale of the conservation area and would tip the hierarchy of scales, when seen from the public realm, in the direction of the proposed development rather than the C19th buildings which form the reason for the creation of the conservation area.
- 10.173 However, a series of revisions have been undertaken through the pre-application and application process to attempt to mitigate the height and mass of the proposed buildings. The Times House and Laundry Building complex has been architecturally simplified with a more refined detailing. There have been reductions in height by 3.29m through removal of a level 06 extension and reductions leading to a reduction in the height of the top of the plant screening by 4.59m and the massing of the proposed extensions has been reduced on western, northern and southern façades in response to impacts on key townscape views.



**PRE-APP 01** 19/01/2021



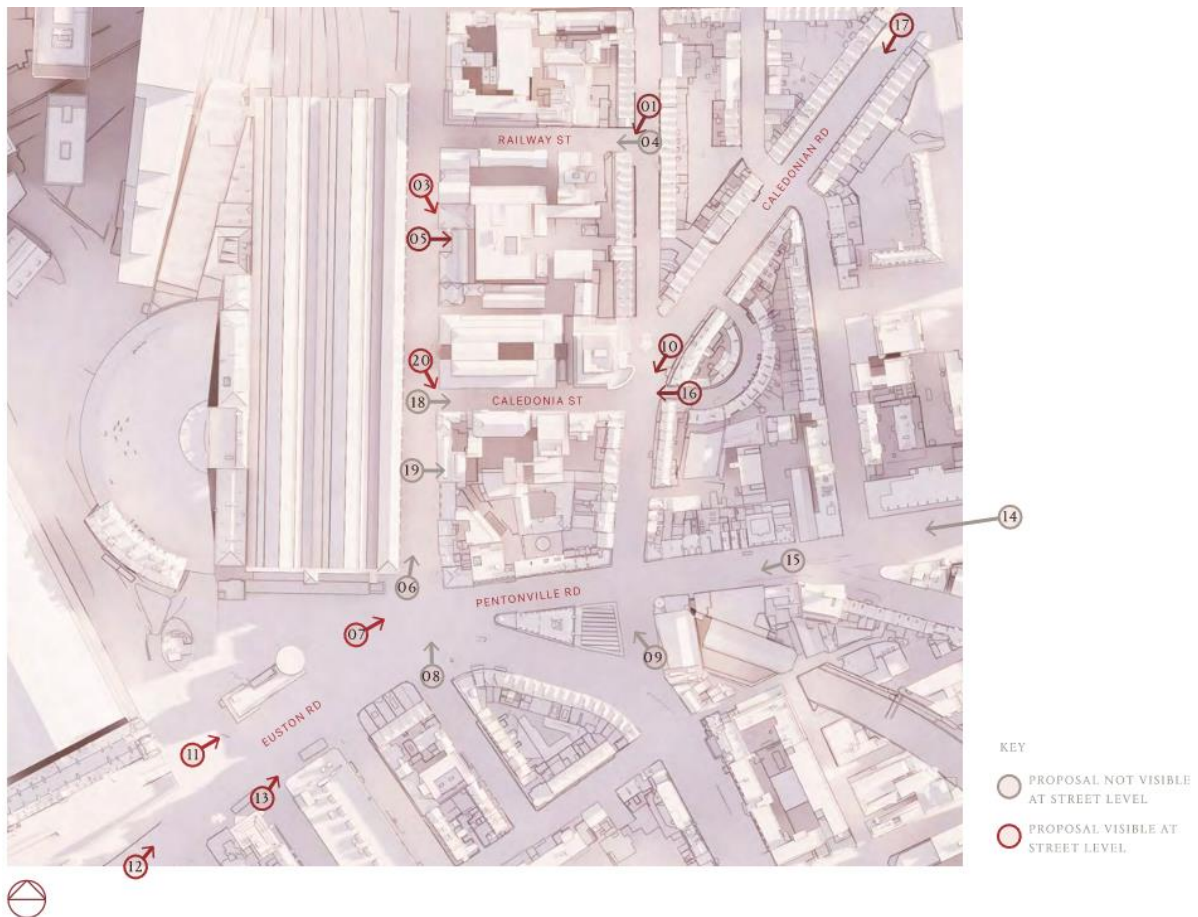
**FINAL UPDATES** 14/01/2022

**Image 33** – Initial Pre-application vs Final application scheme

10.174 While still having a visual impact on the townscape outside of the site, especially in longer views from the south, the proposed structure has been reduced in height and efforts have been made to create a more visually recessive structure when compared to the initial iterations of the scheme. The impact of the revised scheme is less harmful to the setting of heritage assets than the initial iterations, but at this stage the Council's view is that there is still harm to the setting of heritage assets. This harm is considered to be less than substantial.

#### Townscape Assessment

10.175 The application is accompanied by a Heritage Townscape Visual Impact Assessment which assessed the proposal in terms of its townscape impact and its impact on heritage assets, including through verified images indicating the proposed development in situ. A visual assessment survey was undertaken on the 4th December 2020 which was informed by a desk-based study. This identified a total of twenty street level views covering both the Times House and Laundry buildings as well as the related application for Jahn Court. The position of these viewpoints is shown in the map below



**Image 34 – Positions of street level sketch Views**

10.176 The map identifies that the proposals at Times House and Laundry Buildings would be visible in eight of the 20 key viewpoints at street level in views 07, 10, 11, 12, 13, 16, 17 and 20. It has been agreed that verified views of six of these street views (07, 10, 11, 12, 13 and 17) have been produced as either wireline view or rendered view.

10.177 Revisions have been made to the external appearance of the proposed development at Times House in January 2022, as follows:

- The proposed massing of the fifth floor roof extension has been reduced by 3.3metres from the northern elevation on Caledonian Street.
- The applicant has undertaken a review of the proposed materials to the proposed roof extension. The proposed cladding material is a green coloured pressed zinc.

10.178 It should be noted that whilst the verified views in the HTVIA have not been revised following the design amendments which were the subject of the January 2022 revisions, view 10 has been re-provided below at images 36 and 37 as a CGI to indicate the visual impact of the revisions. There would not be any perceivable change in the other verified views 07, 11, 12, 13 as these are located to the south of the site. Verified viewpoint 17 has not been re-provided, however given the distance from the site and angle of view, as the total height of the Times House extension has not been revised, officers have not considered it necessary.



***Image 35 – Rendered View 7 from King’s Cross Station Plaza towards the Site***

- 10.179 This viewpoint is positioned from within Kings Cross pedestrian plaza on Euston Road facing the site, located behind buildings fronting onto York Way and Pentonville Road. The viewpoint demonstrates the close range view of the Grade I listed Kings Cross Station and its relationship with the surrounding townscape. The buildings fronting onto York Way and Pentonville Road have a 19th century character that complements the station as part of a historic townscape. In the background, buildings to the east on Pentonville Road incorporate modern built form, with greater massing and height.
- 10.180 The proposed roof level addition to the site would be largely glimpsed within this view. This new built form would provide a similar height and scale, form and massing to the prevailing roof forms of buildings on York Way and of buildings in the background, including more modern built form on Pentonville Road. Given the limited scale of the development, visible in this view, it is not considered to compete with the prominence of Kings Cross Station, and would not result in an unduly harmful impact on the setting of the Grade I Listed station or the Kings Cross Conservation Area and would remain less than substantial.



***Image 36 – View 10 - CGI of revised scheme***

- 10.181 This viewpoint is positioned adjacent to the southern junction of Keystone Crescent and Caledonian Road, facing south-west towards the site.
- 10.182 The scheme has been revised in response to concerns over the visibility of the massing of the fifth floor roof extension to Times House by reducing the massing away from the northern elevation with Caledonia Street by 3.3m from that initially proposed. The revisions primarily affect views of the site from the Keystone Crescent Conservation Area on Caledonian Road, and from the Kings Cross Conservation Area at the junction of Caledonia Street and York Way. It could be considered that the revisions represent improvements in design terms, therefore in instances where harm in heritage and townscape terms has been identified, the harm observed within the verified images would be greater than that following these revisions.





**Image 37 – View 10 Comparison - As submitted Rendered Verified View 10 - View looking south east from Caledonian Road vs CGI of revised scheme**

- 10.183 A comparison of the submitted and revised scheme is shown in the image above. The following appraisal of the applicant's HTVIA has therefore been carried out having full regard to the revisions to the proposed development.
- 10.184 There is harm to the character and appearance of both the Kings Cross and Keystone Crescent Conservation Areas on Caledonian Road where additional height on the Times House and Laundry Building site becomes visible on Caledonian Road where no built form previously existed (notable in views of the locally listed public house at 19 Caledonian Road). The harm here is caused by the increase in modern built form above the existing height, i.e. the further prejudicial impact of post-19<sup>th</sup> Century height, mass and materials on what survives of the 19<sup>th</sup> century townscape.
- 10.185 Whilst the revised view 10 (Image 36) continues to show height and mass extending above the roof tops, this is a worst case static view and this view quickly alters as the pedestrian moves closer to the junction. In this regard this is a small snapshot of harm (less than substantial) that reduces with movement closer to the site. The Islington Society raise an objection to this height and massing and reference the CADG paragraph 21.7 that seeks for a decrease in height and scale moving further northwards from Pentonville Road. Whilst this guidance is not met, the static view as noted above is considered a worst case scenario. Additionally, that guidance is almost 20 years old and this area in particular has undergone significant change with the Kings Cross Station becoming an international transport hub and the nearby density of developments vastly increasing particularly within the adjacent London Borough of Camden Local Authority area. In this regard there are material planning considerations that warrant a departure from that guidance in this specific context and the harm identified concluded as less than substantial is viewed to be outweighed by public benefits.



***Image 38 – Rendered Verified View 11 from Euston Road/St Pancras Road***

- 10.186 This viewpoint is positioned at the junction of St Pancras Road and Euston Road facing east towards Kings Cross junction and the site. The viewpoint demonstrates the medium range view of the Grade I listed Kings Cross Station and its relationship with the surrounding townscape.
- 10.187 Overall in this view, the new built form would integrate visually with the prevailing height and scale, form and massing of the existing roof forms of buildings fronting onto York Way. The scale of the development, in this view, sits at the shoulder height of Kings Cross Station, and given the limited extent of visible massing, is not considered to compete with the prominence of Kings Cross Station and remains a subservient structure. Any harm caused to the setting of the station and other heritage assets would remain less than substantial.



***Image 39 – Rendered Verified View 12 from Euston Road***

- 10.188 This viewpoint is from Euston Road between the junction with Tonbridge Street and Argyle Street facing east towards Kings Cross junction and the site. The viewpoint demonstrates the medium range view when travelling on Euston Road where the Grade I listed St Pancras Station and former Midland Grand Hotel is seen together with the Grade I listed King’s Cross Station.
- 10.189 In this more distant view, the proposed additional massing would rise marginally higher than the shoulder height of the Kings Cross Station but sit well below the height of the main building. The visibility of the massing would rise slightly higher than the built form fronting onto York Way. However given the distance, the visibility and height of the additional massing is minor in the context of St Pancras Station, the former Midland Grand Hotel and the Grade I listed King’s Cross Station. Therefore the proposals would remain as a subservient structure to these heritage assets. Any harm caused to the setting of the station and other heritage assets would remain less than substantial.



***Image 40 – Rendered Verified View 13 from Euston Road towards the Site***

- 10.190 This viewpoint is located on the southern side of Euston Road, positioned north-east from junction of Crestfield Street and Euston Road, facing towards the Site and the junction of York Way and Pentonville Road. The viewpoint demonstrates the close range view of the Grade I listed Kings Cross Station and its relationship with the surrounding townscape to the east.
- 10.191 From this view the additional massing would be partially glimpsed and is largely set back behind the roof line of buildings on Pentonville Road and York Way. In this view, the additional massing is located away from the Kings Cross Station building and the extent of visible massing is subservient to the massing of the buildings fronting on to York Way. Given their overall limited visibility in this view, the proposals would remain as a subservient structure to the surrounding heritage assets. Any harm caused to the setting of the station and other heritage assets would remain less than substantial (but at the very lowest end of the scale in this instance).



***Image 41 – Wireline Verified View 17 from Caledonian Road junction with Killick Street and Wharfdale Road, towards the Site***

- 10.192 This viewpoint is positioned on Caledonian Road at the junction with Killick Street and Wharfdale Road, facing south-west towards the Site. The view is located from within the Keystone Crescent Conservation Area.
- 10.193 The wireline verified view indicates that the proposed massing whilst obscuring views of the upper floors of the Standard Hotel, would not raise above the height of this existing building. Whilst this height and massing rises above the more local context, given the distance from the site and resulting limited views of the massing, the impact of any increase in built form on the conservation area would therefore be minor and any harm to heritage assets would be less than substantial (again at the lowest end of the scale).



***Image 42 - Sketch View 20 from York Way looking east along Caledonia Street***

- 10.194 This viewpoint is located adjacent to the junction of Caledonia Street and York Way. Following the amendments to reduce the massing of the fifth floor roof extension to Times House, the visibility of the massing is now reduced to a glimpse, above the rooftops of the locally listed Laundry Building fronting Caledonia Street. As a result the massing is largely screened by the gable ends of the Laundry Building and does not appear unduly dominant from this view.
- 10.195 Overall the proposed increase in height across the subject site would not better reveal or enhance the setting of the heritage assets, because at the moment the most prominent characteristic of their setting is the nineteenth-century context (composed of listed, locally listed and unlisted buildings). Development within the subject site which results in a visible increase in height from the public realm outside of the subject site will result in a change to the setting of the listed buildings and appearance of the conservation areas. Whatever the design merits of the proposed height increases may be, the effect of an increase in height would be harmful to the setting of these heritage assets, albeit less than substantial harm. However it should be noted that Historic England were consulted on this application and raised no objections.

#### National Set Piece

- 10.196 This context for the site includes the "National Set Piece." This was originally defined in the Greater London Development Plan to cover an area from the British Library site (Camden) to Caledonian Road which therefore includes the Kings Cross Railway Station. National Set Pieces are described as "major groups and sequences of buildings, open spaces, processional ways, streets and monuments. They make a major contribution to the image of London as a Capital City". In Islington the Set Piece includes the junctions with York Way and Caledonian Road, the Lighthouse block and the curve of Grays Inn Road as it meets Euston Road. It is a remarkable

survival of a complete early to mid-19th Century central area townscape. There is a still largely intact Victorian 'town centre' - displaying a hierarchy of buildings and uses from offices, flats, larger shops and entertainment, via local shops with accommodation above, down to terraces of small houses and industrial premises. The juxtaposition of the scale of King's Cross Station with the much lower blocks fronting York Way is a key element in establishing the Victorian character of the area, and also the setting of King's Cross Station. The fact that one of London's oldest surviving railway station structures still retains most of its nineteenth-century townscape scale-relationship on the York Way side is remarkable, and worthy of retention.

10.197 The proposals would alter this scale-relationship and would also result in a historically uncharacteristic arrangement of the core of the block becoming visible above the C19th perimeter blocks. This is assessed in the paragraphs below.

#### Kings Cross Station/Conservation Area

10.198 The proposal results in the fifth floor parapet lining up to match the shoulder of the Grade I Kings Cross Station building. Historic England have been consulted on the impact of the proposals on the setting of Kings Cross Station but provided no comment.

10.199 The submitted verified views included in this report as images 35 to 42 as indicated in the revised Heritage Statement, have demonstrated that the upwards extensions would be partially visible from some points on Euston Road, adjacent to the Grade I statutorily listed Kings Cross Station. Officers consider that the impact of this, as demonstrated in the Views Assessment is considered to cause less than substantial harm to the setting of heritage assets.

10.200 It is acknowledged that the revisions to the scheme have sought to mitigate this impact, and the Council's Design and Conservation officers consider that the harm to the setting of King's Cross Station and the conservation area would be less than substantial. Although Kings Cross Station is outside of the LBI, the LBI has a statutory obligation to preserve or enhance its setting in relation to the subject site, under the tests identified in Section 72 of the Town and Country Planning Act. The CADG has regard to these tests and establishes the setting of Kings Cross Station as a key test in the assessment of development within the conservation area.

10.201 The proposed development has now been assessed under the tests required under Section 72 of the Town and Country Planning Act. The proposed development has been revised to mitigate the harm to the setting of heritage assets. The Council considers that there is still harm to setting, but that it is in the 'less than substantial' category as identified under the NPPF. During the course of the application, the applicants provided a Heritage Statement which assesses the impact of the proposals under *The Setting of Heritage Assets Historic Environment Good Practice Advice in Planning Note 3 (Second Edition)*.

10.202 The NPPF Directs that:

*Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

*The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.*

- 10.203 As the Council has identified harm in the proposal, the acceptability of the harm will have to be balanced against the public benefit and any other matters which may weigh favourably in balance required under the NPPF.
- 10.204 It is possible that an application which causes less than substantial harm to heritage assets may be acceptable by reason of the wider planning balance, but only where these benefits have been clearly identified in the submission.
- 10.205 The NPPG defines public benefits as ‘anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework’.
- 10.206 The applicant asserts that harm to heritage assets would not arise as a result of the scheme development, the revised Heritage Statement has set out interpretations of the impact on heritage assets should officers allege that the proposed development could result in a degree of harm to significance to a designated heritage asset or assets:

*‘..any such harm could only reasonably be very minor in the context of the particular heritage interests and relationship that the Site contributes to the heritage interests of a designated heritage asset or assets. Any such alleged heritage harm would be of the magnitude of ‘less than substantial’ as defined by the NPPF, and also towards the very lower end of that spectrum or scale.’*

- 10.207 In the Council’s view the degree of harm is less than substantial. Officers have therefore undertaken a balancing exercise to weigh the less than substantial harm against the public benefits of the proposal.

#### Heritage Conclusion

- 10.208 The impact of the proposed increase to height and mass on the character and quality of the Conservation Areas and adjacent heritage assets, including the Grade I Kings Cross Station, has been more appropriately considered since the initial pre-application proposals and changes made to the scheme including a reduction to height and mass to both buildings from the pre-application schemes. The changes are considered to cause less than substantial harm to the setting of heritage assets. However, it is the applicant’s contention that ‘harm would not arise’ and therefore there is no requirement to provide clear and convincing justification. Given that the Council considers that less than substantial harm would arise, paragraph 200-202 of the NPPF should be engaged in order for this application to be determined.
- 10.209 Paragraph 202 of the NPPF states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.



### Applicants Stated Public Benefits

10.210 The proposals as set out below are put forward by the developer as public benefits. The public benefits that the Local Planning Authority consider suitable to give weight to are provided towards the end of this report, in the Planning Balance section:

#### Economic

- Provision of new high quality flexible office space to support new economic development and growth within the Borough;
- Potential to deliver permanent on site jobs; and Gross Added Value;
- Additional spend of workers locally;
- Affordable workspace to supporting small businesses including SMEs and start ups and to encourage collaboration within the local business community;

#### Environmental

- Delivering an appropriate quantum and mix of uses that would contribute positively to the overall character of the surrounding conservation area and improve the currently underused internal yard;
- Enhancing key elements of the locally listed Laundry Building, in particular the enhancements to the facade fronting Laundry Yard;
- Introduction of a more active and interesting frontages to both Caledonia Street and within Laundry Yard as well as increased animation on York Way, including entrances and elevations which will enhance the character and appearance of the Kings Cross Conservation Area; and
- Provision of 25 short stay cycle stands for 50 cycle spaces across the courtyards in Block B and on the highways including 9 stands within Times Yard and Bravington's Walk, and the remaining 16 additional stands are located on the footway in Caledonia Street and Caledonian Road.

#### Social

- Delivering significant Social Value during the Construction Period;
- Employment and Training for local residents and Apprenticeships;
- Contributions to Affordable Housing to meet local housing need;
- Affordable Workspace – circa 10% of floor space
- Initiatives with Local Schools (Learning opportunities in partnership with Endurance Land);
- Designing a safer environment (on site security 24/7, CCTV and Secure by Design measures)
- Significant CIL/S106 Contributions

#### Endurance Land commitment to working with the local schools

10.211 Officers understand that Endurance Land has been in discussions with Winton Primary School and Hugh Myddelton Primary School through the Learning Quarter Partnership, to discuss how Endurance Land can engage with the Schools to support future learning opportunities. Endurance Land are proposing to work in partnership with the Schools to provide learning initiatives which may include:

- Hosting site visits to Regent Quarter and providing talks about the project
- Providing seminars to learn about the property industry and sector; and
- Encouraging future tenants within Regent Quarter to host seminars about their respective industries and sectors

10.212 Officers understand that Endurance Land are committed to working with the Schools and Learning Quarter Partnership to expand and enhance learning opportunities and would be willing to enter into an Engagement Plan with the Schools to cover the initiatives to be agreed.

#### Officer Assessment of Public Benefits

- 10.213 Officers consider that the scheme brings forward considerable public benefits as outlined above, with particular reference to the considerable uplift in high quality flexible office space to support new economic development and growth within the Borough, substantial contributions towards affordable housing delivery in the borough, and the provision of a self-contained affordable workspace unit which exceeds the adopted policy requirements, secured via s106 agreement. (Noting if the associated planning application is refused and this application approved a s106 obligation would be triggered to identify and agree an alternative affordable workspace unit within this application site boundary). The scheme brings forward a commitment to working with named local schools which is to be secured by s106 agreement. The scheme also brings forward considerable public realm improvements within Laundry Yard and Times Yard which are secured by condition. This package of public benefits weighs in favour of the overall scheme.
- 10.214 In accordance with the requirements of paragraph 202 of the NPPF, officers have weighed the less than substantial harm (at the lower ends of the scales) to heritage assets (statutorily listed buildings, conservation area and locally listed building setting) that has been identified by the Design and Conservation Officers, against these public benefits. Officers conclude that the public benefits outweigh the less than substantial harm caused to designated and non-designated heritage assets and therefore the scheme is acceptable in design and heritage terms in accordance with the NPPF and the Development Plan.

#### Internal layout

- 10.215 The internal layout and the future adaptability of the buildings should be considered with large commercial floorplates potentially becoming less desirable after the pandemic. The proposed building is designed to be adaptable, mainly due to the lifts and stair cores, enabling each floor of each part of the buildings to be self-contained. Therefore, it is considered that the proposed internal layout would offer a good level of adaptability for the future occupiers.

#### Solar gain and glare

- 10.216 The submitted Sustainable Design and Construction Statement confirmed that the window to wall ratio of the existing facades which are proposed to be retained is relatively low (35% for Times House and 28% for the Laundry Building), preventing too much solar radiation from entering the spaces. The design of the proposed new extension incorporates high performing glazing with low g-value (0.30 in the majority of glazing elements, apart from the ground floor reception) to limit solar gains entering the space. The specified glazing will have good visual light transmittance to maintain adequate daylight levels in the space. An external overhang has been proposed at the East elevation at the ground floor level, to provide shading to the glazing elements of the façade adjacent to the café area.
- 10.217 The overheating and ventilation issues are further discussed in the Energy and Sustainability Section below.

#### Roof terraces

- 10.218 The proposal results in the creation of roof terraces located at first, fourth and fifth floor levels at Times House in connection with the office use, and the removal of the

existing roof terraces at third and fourth floor levels.

10.219 Whilst there are flat roof areas on the roof extensions, they are proposed as intensive green roofs and blue roofs to enhance the greening and biodiversity of the site. Taking this into account, it is considered that the proposed outdoor terraces are acceptable in this case. In terms of the boundary treatment of the terraces, it is noted that metal railings are proposed at 1.1-1.8m in height. Further details of the balustrade would need to be submitted and agreed by the council prior to commencement of superstructure works and this is secured in **condition 3**.

### **Design and Heritage Summary**

10.220 It is concluded that the proposed development would have an acceptable appearance and materiality. The applicant has adequately addressed the comments raised by the design officer and the Design Review Panel during the pre-application and application stage. The material details and samples would need to be submitted to and agreed by the council prior to the commencement of the development. This would be secured by planning condition (**no. 3**).

10.221 Special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area, as well as special regard to the desirability of preserving the setting of the nearby listed buildings (including locally listed buildings) and features of special architectural or historic interest which it possesses.

10.222 Overall, it is considered that the proposed development would have acceptable impact in terms of massing, scale and appearance. Whilst less than substantial harm has been identified as being caused to heritage assets including the Kings Cross Station (Grade I listed), adjacent conservation areas and nearby locally listed buildings this harm has been weighed against the public benefits of the scheme and the harm is concluded to be outweighed. In this regard, the proposals accord with the NPPF and National Guidance. The proposals are also considered to accord with London Plan Policies D3 and D4, Islington Core Strategy Policies CS6, CS9, Development Management Policies DM2.1, DM2.3, DM2.5 the Urban Design Guide SPD. Whilst not all principles of the Conservation Area Design Guidance for Kings Cross are met, given the considerable change that has taken place in this particular area since its adoption almost 20 years ago and the rapid more recent increase in density, these material considerations and the balance struck between harm and public benefits outlined above, this departure is considered to be justified in this instance.

### **Archaeology**

10.223 The application site is located within the Battlebridge Medieval Settlement Archaeological Priority Area, which is defined in the Archaeological Priority Areas Appraisal by Historic England's Greater London Archaeological Advisory Service (July 2018). This APA is significant as it contains the remains of prehistoric and Roman occupation, medieval reclaimed land and extensive post-medieval development, significant to many minority groups.

10.224 The submission includes an Archaeological Desk-Based Assessment. The

submitted information has been reviewed by Historic England's Archaeological Advisor who considered that the proposed development is unlikely to pose any adverse impact to the site's archaeological potential.

10.225 Therefore, it is considered that the proposal would have an acceptable impact in terms of Archaeology.

### **Inclusive Design**

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

10.227 The Inclusive Design principles are set out in LP policy D5 which states that development proposals should achieve the highest standards of accessible and inclusive design. It should:

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

10.228 Locally, Islington's Development Management Policy DM2.2 requires all new developments to demonstrate that they:

- i) provide for ease of and versatility in use;
- ii) deliver safe, legible and logical environments;
- iii) produce places and spaces that are convenient and enjoyable to use for everyone, and
- iv) bring together the design and management of a development from the outset and over its lifetime

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

10.230 The key inclusive design considerations are as follows:

#### **Access**

- The site comprises of two buildings, Times House and Laundry Building. The entrance to the extended and refurbished office building at Times house is via the southern elevation of Laundry Yard. The reconfiguration of the ground floor

of Times House results in the creation of 4no. retail units all accessed via Times Yard. The entrances to the flexible active use unit for Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit is via York Way with a secondary entrance via a shared reception area from Laundry Yard. The flexible Class E(b) Food and Drink/Sui Generis Bar and drinking establishment uses located on the ground floor of Times House and Laundry Building, are all accessed either from both Caledonia Street and/or from Laundry Yard.

- The new basement level cycle and refuse storage is accessed via the linking passage way between Laundry Yard and Bravington's Walk.

#### Circulations

- The proposed extensions to the existing office building at Times House would be served by the two existing lifts and two sets of stairwell, which is considered to be appropriate given the scale of the building.
- There are two existing stair cores which would be retained and utilised for means of escape, one into Laundry Yard and other into the passageway linking to Caledonia Street. These arrangements are considered to be acceptable.

#### Facilities

- Accessible toilets are provided across all floors in all office buildings in Times House and Laundry Buildings and this is supported by officers.
- There is storage and charging for scooters which is noted and welcomed.

10.231 During the course of the application the scheme has been revised in response to Inclusive Design officer comments including the following:

- The Times House core has been revised following an internal review to improve efficiency of floorplate. The building envelope is not affected.
- Times House cycle lift and stair are to be reconfigured to improve access to cycle store which is welcomed.
- The secondary escape from the roof plant has been added on north wing (new balustrade to access hatch).
- UKPN room in basement enlarged following consultation with UKPN. Vents at ground floor updated accordingly.
- The cycle lift will have dimensions of 2300mm x 1200mm. The door to the cycle store will be power assisted and the secure entrance key fob will be located at height accessible to wheelchair users. Further details of this can be secured by condition.
- Audio-loops will be included within the reception desks.
- It has been confirmed the glazed entrance doors will need to visually contrast with their frames so that a user with visual needs can understand where the door frame is easily and clearly. A contrast of 30 LRV points is required and this is to be secured by condition (2 5).

10.232 Overall, it is considered that the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users subject to the above design measures being secured by **condition 25**.

#### Neighbouring Amenity

- 10.233 The NPPF para 130f) states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users.
- 10.234 All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy and an increased sense of enclosure. A development's likely impact in terms of air quality, dust, safety, security, noise and disturbance is also assessed.
- 10.235 London Plan Policy D3 part D states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.
- 10.236 Development Management Policies DM2.1 and DM6.1 which require all developments to be safe and inclusive and to maintain a good level of amenity, including consideration of noise and the impact of disturbance, hours of operation, vibration, pollution, fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.
- 10.237 The closest residential / quasi-residential properties which could potentially be affected by the development are shown on the map below (named in blue), including:



**Image 43 - Map of residential properties surveyed**

6. Premier Inn

7. Joiners Yard;
8. 13-17 Caledonian Road;
9. 1-11 Caledonian Road;
10. Residential Flat above The Fellow, Public House, 24 York Way;
11. 6-8 York Way;

## **Daylight and Sunlight Impact**

### Assessment

- 10.238 The Applicant has submitted an initial Daylight and Sunlight report prepared by Point2, dated 29/07/21. The report and addendums consider the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.
- 10.239 Residents commissioned Building Research Establishment (BRE) to undertake an independent review of the submitted Point2 daylight and sunlight report. BRE submitted a report dated 14 September 2021. In response to the BRE report, the applicant submitted a report by Point2 dated 8 October 2021.
- 10.240 The Point2 initial report concludes that the properties relevant for assessment are as follows:
- 1-15 Joiners Yard;
  - 1-11 Caledonian Road;
  - 13-17 Caledonian Road;
  - Residential Flat above The Fellow, Public House, 24 York Way;
  - 6-8 York Way;
  - Premier Inn Hotel;
- 10.241 It is noted that where the internal layout of neighbouring properties cannot be confirmed, the assessment would be carried out based on an assumed layout for the buildings identified above. It is accepted that due to the current restrictions relate to the pandemic, it was not possible to organise visits to the surrounding properties to inspect the accuracy of the internal room layout and window positions.
- 10.242 The layout of some of the residential properties identified above have been found to ensure that the assessment carried out is accurate; where the usage of the rooms are unknown, the assessment would be based on the worst case scenario and assumes that the room is habitable (i.e. living room) and requires daylight/sunlight.

### **Daylight and Sunlight Impact**

- 10.243 A number of the representations received during the consultation period of the application objected to the proposal in regards to loss of daylight, sunlight and overshadowing.
- 10.244 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.

- 10.245 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'.
- 10.246 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.
- 10.247 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.
- 10.248 Of note is the recent publication of Government's Planning Practice Guidance (PPG) revised on 22/07/2019, as follows:

***How are daylight and sunlight regulated?***

*Where a planning application is submitted, local planning authorities will need to consider whether the proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, as well as assessing whether daylight and sunlight within the development itself will provide satisfactory living conditions for future occupants.*

*In some cases, properties benefit from a legal 'right to light', which is an easement that gives a landowner the right to receive light through specified openings, and can be used to prevent this from being obstructed without the owner's consent. Such rights are not part of the planning system, but may affect the scope for development on neighbouring sites.*

*Paragraph 006 Reference ID: 66-006-20190722*

***What are the wider planning considerations in assessing appropriate levels of sunlight and daylight?***

*All developments should maintain acceptable living standards. What this means in practice, in relation to assessing appropriate levels of sunlight and daylight, will depend to some extent on the context for the development as well as its detailed design. For example in areas of high-density historic buildings, or city centre locations where tall modern buildings predominate, lower daylight and daylight and sunlight levels at some windows may be unavoidable if new developments are to be in keeping with the general form of their surroundings. In such situations good design (such as giving careful consideration to a building's massing and layout of habitable rooms) will be necessary to help make the best use of the site and maintain acceptable living standards.*

*Paragraph: 007 Reference ID: 66-007-20190722*

BRE Guidance: Daylight to existing buildings

- 10.249 The BRE Guidelines stipulate that... "the diffuse daylighting of the existing building may be adversely affected if either:
- the VSC [Vertical Sky Component] measured at the centre of an existing main window is less than 27%, and less than 0.8 times its former value.



- the area of the working plane in a room which can receive direct skylight is reduced to less than 0.8 times its former value.” (No Sky Line / Daylight Distribution).

- 10.250 At paragraph 2.2.7 of the BRE Guidelines it states: “If this VSC is greater than 27% then enough skylight should still be reaching the window of the existing building. Any reduction below this level should be kept to a minimum. If the VSC, with the development in place is both less than 27% and less than 0.8 times its former value, occupants of the existing building will notice the reduction in the amount of skylight. The area of lit by the window is likely to appear more gloomy, and electric lighting will be needed more of the time.
- 10.251 The BRE Guidelines state (paragraph 2.1.4) that the maximum VSC value is almost 40% for a completely unobstructed vertical wall.
- 10.252 At paragraph 2.2.8 the BRE Guidelines state: “Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the ‘no sky line’ in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside”.
- 10.253 Paragraph 2.2.11 states: “Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.” The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.
- 10.254 The BRE Guidelines at Appendix F give advice on setting alternative target values for access to skylight and sunlight. Appendix F states that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. An example given is “in a mews development within a historic city centre where a typical obstruction angle from ground floor window level might be close to 40 degrees. This would correspond to a VSC of 18% which could be used as a target value for development in that street if new development is to match the existing layout”.

#### BRE Guidance: Sunlight to existing buildings

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

- Receives less than 25% of annual probable sunlight hours, or less than 5% of annual probable sunlight hours during the winter months between 21 September and 21 March and;
- Receives less than 0.8 times its former sunlight hours during either period and;
- Has a reduction in sunlight received over the whole year greater than 4% of annual probable sunlight hours.”

10.257 The BRE Guidelines state at paragraph 3.16 in relation to orientation

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

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

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

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

BRE Guidance: Overshadowing

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

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

## Alternative Targets

- 10.262 Appendix F of the BRE Guidelines 'Setting Alternative Target Values for Skylight and Sunlight Access' provides a methodology for setting alternative daylight and sunlight target values. The guidelines provide a self-regulating methodology to establish a set of consistent target values which can be determined using the 'mirrored massing concept'. This essentially assumes a hypothetical massing is in place based on a development site which is of an equivalent height to the neighbouring building that could be affected by the new development.
- 10.263 No alternative targets have been undertaken and assessed by the applicant.

## Assessment

- 10.264 The Applicant has submitted an initial assessment within 'Times House & Laundry, Daylight, Sunlight & Overshadowing Report' dated July 2021 prepared by Point2. The assessment report and addendums considers the impacts of the proposed development on the residential neighbours in accordance with the 2011 Building Research Establishment (BRE) guidelines.
- 10.265 The submitted Daylight and Sunlight report includes information on where internal arrangements have been sourced (planning applications and estate agent detail).
- 10.266 It is noted that the 'Regents Quarter Residents Group' have submitted an 'Independent review of daylight and sunlight assessment for Times House, Regents Quarter', prepared by BRE and dated 16 September 2021. Within the executive summary of this report, BRE have reviewed the scope and methodology, text and conclusions of the Applicant's report, but no verification of the calculations. Further, it corrects assumptions within the Point2 report in regards to room uses, which has been acknowledged by Officers further below where necessary.
- 10.267 Following amendments to reduce the extent of the massing to the fifth floor extension to Times House an updated Daylight and Sunlight report has been submitted in January 2022. The report indicates the updated impacts of the latest Time House designs which show some small improvements to the results.
- 10.268 The following assessment includes the details submitted by the Applicant in the initial 'Daylight, Sunlight & Overshadowing Report' and subsequent further submissions, as well as the submissions from neighbouring residents and groups.

## **Impacts to Daylight**

- 10.269 The Applicant's submitted report indicates that a total of 80 windows facing the site and 51 rooms to neighbouring properties were assessed. The report demonstrates that 3/80 (3.75%) windows and 3/51 (5.9%) rooms would fail the BRE guidance criteria.
- 10.270 The following properties comply with the BRE guidance (reductions do not exceed 20% in VSC or NSL):
- 5 Caledonian Road;
  - 7-7a Caledonian Road

- 9 Caledonian Road;
- 24 York Way.

10.271 Transgressions (where window/rooms fail the BRE Guidance) are reported to neighbouring 1-15 Joiners Yard, 1-3, 11 and 13-17 Caledonian Road. These are individually considered further below:

8-15 Joiners Yard (labelled as 1-5 Joiners Yard by the Applicant)

10.272 This is a 5 storey building located adjoining to the east of the site. 12 windows and 12 rooms were assessed. 10/12 windows and all rooms, would meet BRE guidance.

Room Window /	Room Use	Vertical Component			Sky	No Skyline (Daylight Distribution)			
		Existing (%)	Proposed (%)	Reduction (%)		Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
<i>Third floor</i>									
R1/223 - W1	Bedroom	22.6	17.6	<b>22.24%</b>		15.3	15.4	15.3	0.6%
<i>Fourth floor</i>									
R1/224 - W1	LKD	31.5	25.1	<b>20.28%</b>		24.9	24.7	22.1	10.1%

**Table 1 – 8-15 Joiners Yard**

10.273 As shown in the table above, 2 windows which see reductions in VSC are located at third and fourth levels of the building. The reductions are only just beyond BRE guidance and would retain values in excess of 17%. The rooms to which these windows serve are a living/kitchen/diner and a bedroom, whilst both would not see a reduction in NSL beyond BRE guidance and as such the reduction in VSC to these windows is considered a negligible impact upon living conditions of the overall dwellings.

1-3 Caledonian Road

10.274 This building is located to the south east of the site. 12 windows and 8 rooms were assessed. All 12 windows, and 7 of 8 rooms, would meet BRE guidance.

Room Window /	Room Use	Vertical Component			Sky	No Skyline (Daylight Distribution)			
		Existing (%)	Proposed (%)	Reduction (%)		Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
<i>First Floor</i>									

R2/306 - W3	Bedroom (assumed)	20.3	17.9	11.7%	11.5	10.5	8.3	<b>20.7%</b>
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**Table 2 - 1-3 Caledonian Road**

10.275 The room which would see a minimal reduction beyond BRE guidance is located at first floor level of the outrigger and is a north facing window. The room is close to the main part of this building and is assumed by officers to be a bedroom given its size and orientation. The reduction is only a minor infraction beyond the BRE guidance and is therefore considered to be a negligible impact to the overall dwelling.

11 Caledonian Road

10.276 This building is located to the east of the site. 3 windows and 3 rooms were assessed. 2 of 3 windows, and all 3 of the rooms, would meet BRE guidance.

Room / Window	Room Use	Vertical Component			Sky	No Skyline (Daylight Distribution)			
		Existing (%)	Proposed (%)	Reduction (%)		Room (sq m)	Previous (sq m)	Proposed (sq m)	Reduction (%)
<i>First Floor</i>									
R2/251 - W2	Bedroom (assumed)	18.1	14.3	<b>20.97%</b>		11.1	10	9.1	10.1%

**Table 3 – 11 Caledonian Road**

10.277 The impacted window is located at first floor level to the rear of the building. The window is the only window serving the room, in which the room would meet BRE guidance with regards to NSL daylight distribution. The dwelling appears to be dual aspect with outlook from other rooms to the east over Caledonian Road. The reduction is only a minor infraction beyond BRE guidance and is therefore considered to have negligible impact to the overall dwelling.

13-17 Caledonian Road

10.278 This building is located to the east of the site. 17 windows and 8 rooms were assessed. All 17 windows, and 6 of 8 rooms, would meet BRE guidance.

Room Window	/	Room Use	Vertical Sky			No Skyline (Daylight Distribution)			
			Component	Existing (%)	Proposed (%)	Reduction (%)	Room (sq m)	Previous (sq m)	Proposed (sq m)
<i>First Floor</i>									
R2/231 – W4		Kitchen	16.4	14	14.36%	6.2	2.2	1.5	<b>33.6%</b>
<i>Second Floor</i>									
R2/232 – W3		Kitchen	23.4	20.5	12.41%	6.2	3.5	2.4	<b>29.1%</b>

**Table 4 - 13-17 Caledonian Road**

10.279 The two impacted rooms to this building are located at the same location on the first and second floors, and both relate to small kitchens. The reductions in NSL to these rooms would equate to losing one third of their view of the sky. This is considered acceptable given the small size of the windows and the area of these kitchens in relation to other rooms within the relevant dwelling. The dwellings are assumed to be dual aspect with outlook to the east over Caledonian Road. As such, the reductions to these rooms are considered to have a small impact to the overall dwelling.

### **Sunlight**

10.280 The submitted report indicates that only those buildings identified by application of the BRE guide's preliminary 25° line test and orientation test, as explained above, have been tested. There are no transgressions reported and all neighbouring properties would meet BRE guidance.

### **Overshadowing**

10.281 The BRE guidelines state that to appear adequately sunlit throughout the year, at least half of an amenity space should receive at least 2 hours of sunlight on 21st March (the spring equinox, when day and night are roughly the same length of time).

10.282 There is limited amenity and open space within the surrounding area due to the central London context. 6 neighbouring open space plots and 1 space within the application site have been identified and assessed by the Applicant. All of these spaces, which are located to the rear of buildings they serve, would meet BRE guidance, whilst one space to the rear of 1-15 Joiners Yard would see a minor increase in sunlight on the ground of 1%, however this appears to be a hard surfaced car park to this building.

### ***Overall Summary for Daylight, Sunlight and Overshadowing***

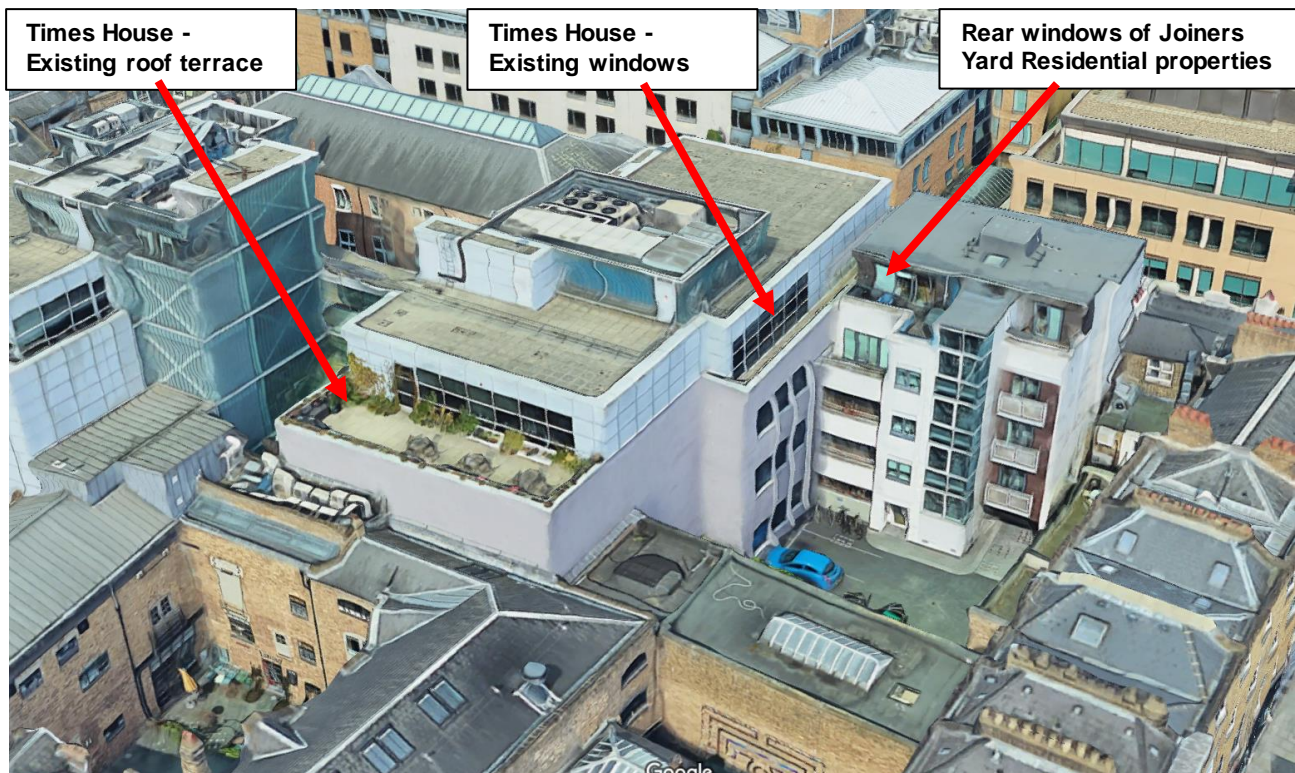
10.283 A comprehensive assessment of the impacts of the proposed development on surrounding windows, rooms and amenity areas to neighbouring dwellings has

been undertaken in accordance with BRE guidance and practice. It has to be acknowledged that there would be minimal impacts to neighbouring.

- 10.284 Quantitatively a small number of windows (3.75%) and rooms (5.9%) would fail to meet BRE guidance. Those that do fail BRE guidance do so by only minimal infractions, which officers consider to be acceptable due to the central London urban context of the surrounding area.
- 10.285 All neighbouring windows would meet BRE guidance with regards to Sunlight, whilst all neighbouring amenity/open spaces would also meet BRE guidance.

### **Overlooking**

- 10.286 The supporting text to IDMP Policy DM2.1 states at paragraph 2.14 that ‘to protect privacy for residential developments and existing residential properties, there should be a minimum distance of 18 metres between windows of habitable rooms. This does not apply across the public highway, overlooking across a public highway does not constitute an unacceptable loss of privacy’. In the application of this guidance, consideration should also be given to the nature of views between windows of the development and neighbouring habitable rooms. For instance, where the views between habitable rooms are oblique as a result of angles or height difference between windows, there may be no or little harm.
- 10.287 Paragraph 2.3.36 of the Mayor of London’s Housing SPG states that such minimum distances “can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density”. This is noted, and there have indeed been instances where window-to-window distances of less than 18m have been accepted where exceptional circumstances apply, however the Mayor’s guidance does not override Islington’s Development Management Policies, and there remains a need to ensure that proposed developments maintain adequate levels of privacy for neighbouring residents.
- 10.288 The proposed development includes no residential accommodation or habitable rooms, therefore the 18m window to window requirement does not necessarily apply. Nevertheless, there is potential for office windows to adversely affect the privacy of neighbouring residential properties through overlooking windows of habitable rooms.
- 10.289 It is noted that the existing windows on the eastern elevation of the Times House building already overlook the rear windows of the neighbouring occupiers at 8-15 Joiners Yard to some degree due to windows at ground to third floor level and officers note the existing angle of view is at an acute angle between these existing windows and Joiners Yard. This is because the windows at Times House face in an easterly direction whereas the windows at Joiners Yard face in a southerly direction. See image 44 below indicating the relationship between the properties.



**Image 44 – Existing relationship – Times House and Joiners Yard**

- 10.290 Therefore, the key consideration is whether the proposed roof extensions would result in unacceptable increase in the level of overlooking towards the windows of the neighbouring properties.
- 10.291 The proposed office development would result in an infill to the existing third floor level, proposing 3no. windows on the eastern boundary, with a similar relationship to the existing windows, albeit the angle of view to the windows of Joiners Yard has become slightly more acute.
- 10.292 4no. windows are proposed on the eastern elevation of the roof extensions at fourth and fifth floor levels, however the position of these windows is at a more acute angle than the existing windows at third floor, they are located at a higher level than the residential properties and the fifth floor elevation is recessed from the eastern boundary, further reducing the angle of view.
- 10.293 Taking into account the site's highly urbanised and central location, and the existing levels of overlooking between buildings at Times House and Joiners Yard, it is not considered that any unreasonable level of overlooking would need to be mitigated. Notwithstanding that, due to the short distance between the proposed windows at third floor and the windows to neighbouring residential properties, it is considered appropriate to secure details of the obscure glazing on the side (east) elevation of the proposed infill extension at third floor to be agreed by the Council prior to the occupation of the development. This would ensure that the proposed extension would not pose an adverse impact towards the adjoining neighbours. A condition is recommended (37).
- 10.294 The Council's policies do not protect privacy to existing outdoor amenity spaces,



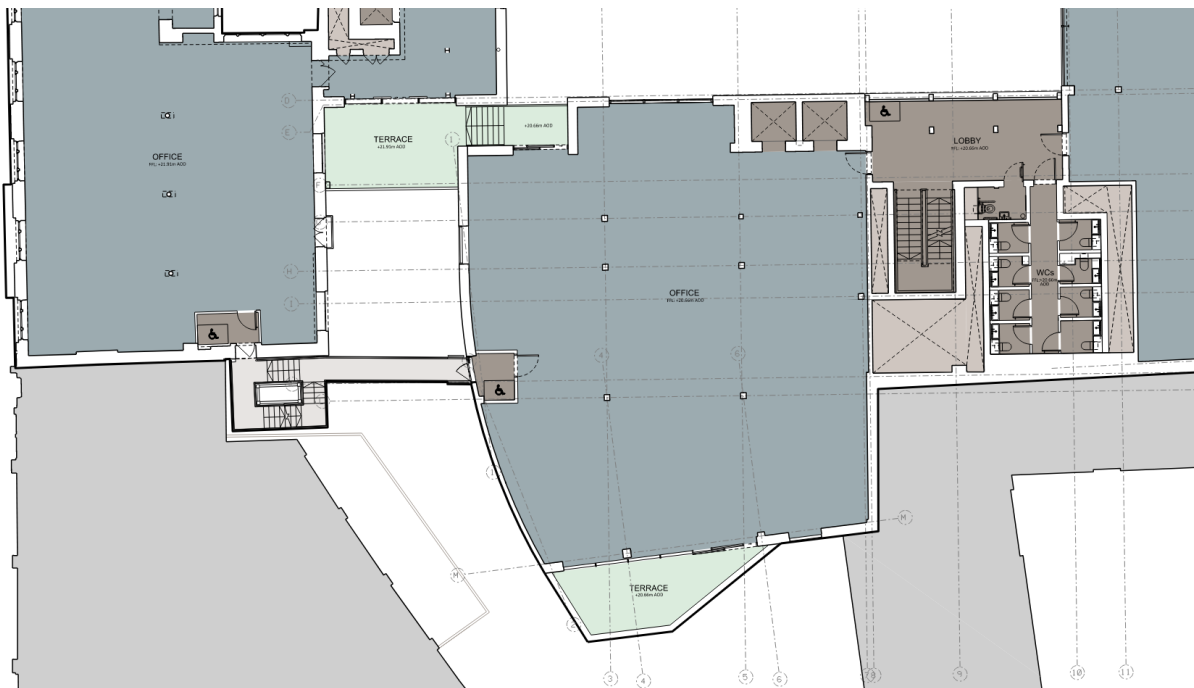
notwithstanding this, given the existing degree of overlooking towards the balconies of the Joiners Yard properties from the windows of Times House at ground to third floors, the additional windows at fourth and fifth floors are not considered to result in a materially harmful increase in overlooking as to require mitigation measures.

10.295 The eastern elevation of the roof extensions to Times House would face towards the rear elevation of properties at first to third floors which front onto Caledonian Road. The existing separation distance is approximately 18 metres and there is an existing level of overlooking from Times House due to windows at ground to third floors. The position and height of the additional windows on the proposed roof extensions is not considered to result in materially harmful increase in overlooking as to warrant mitigation measures. Notwithstanding this the third floor windows (as noted above) will be obscurely glazed to protect other closer properties.

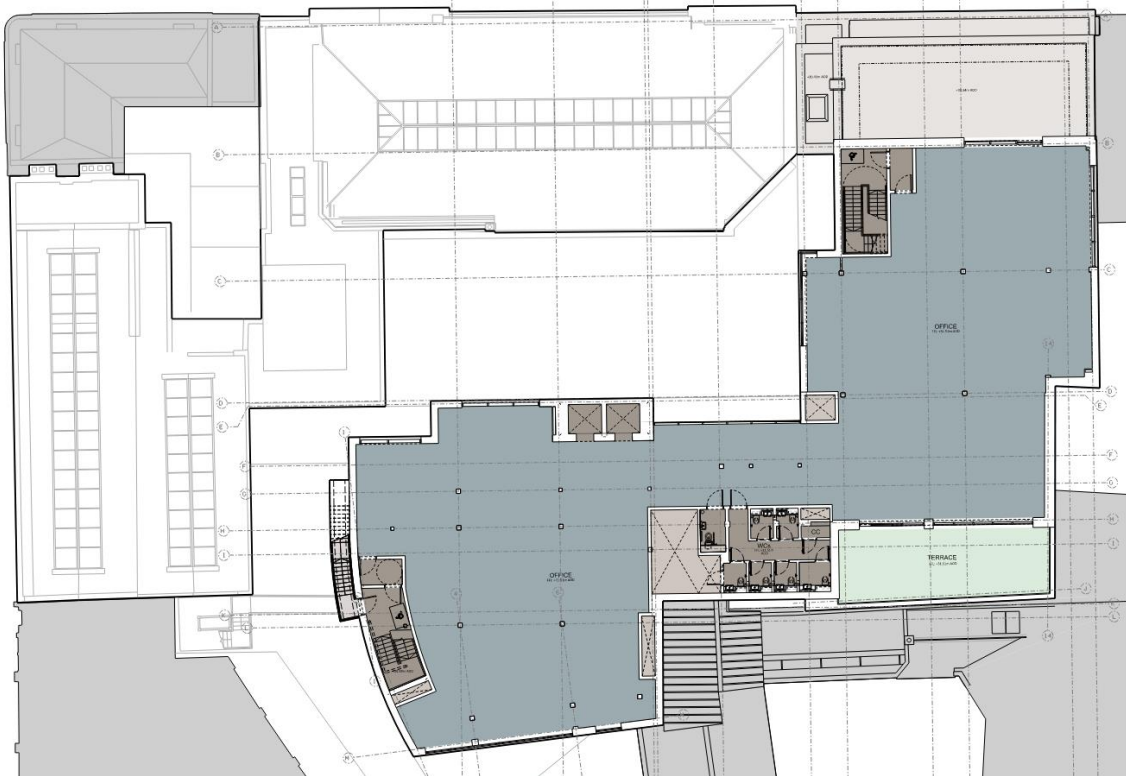
### Roof Terraces

10.296 There is an existing roof terrace on the rear elevation on the eastern side of Times House at third floor level, facing in a southerly direction. The proposals would remove this roof terrace and introduce a roof terrace at fourth floor level, located in the same position but at a higher level. This roof terrace would therefore not result in a materially different relationship to the adjacent residential properties as to require mitigation measures and could arguably reduce the degree of potential overlooking.

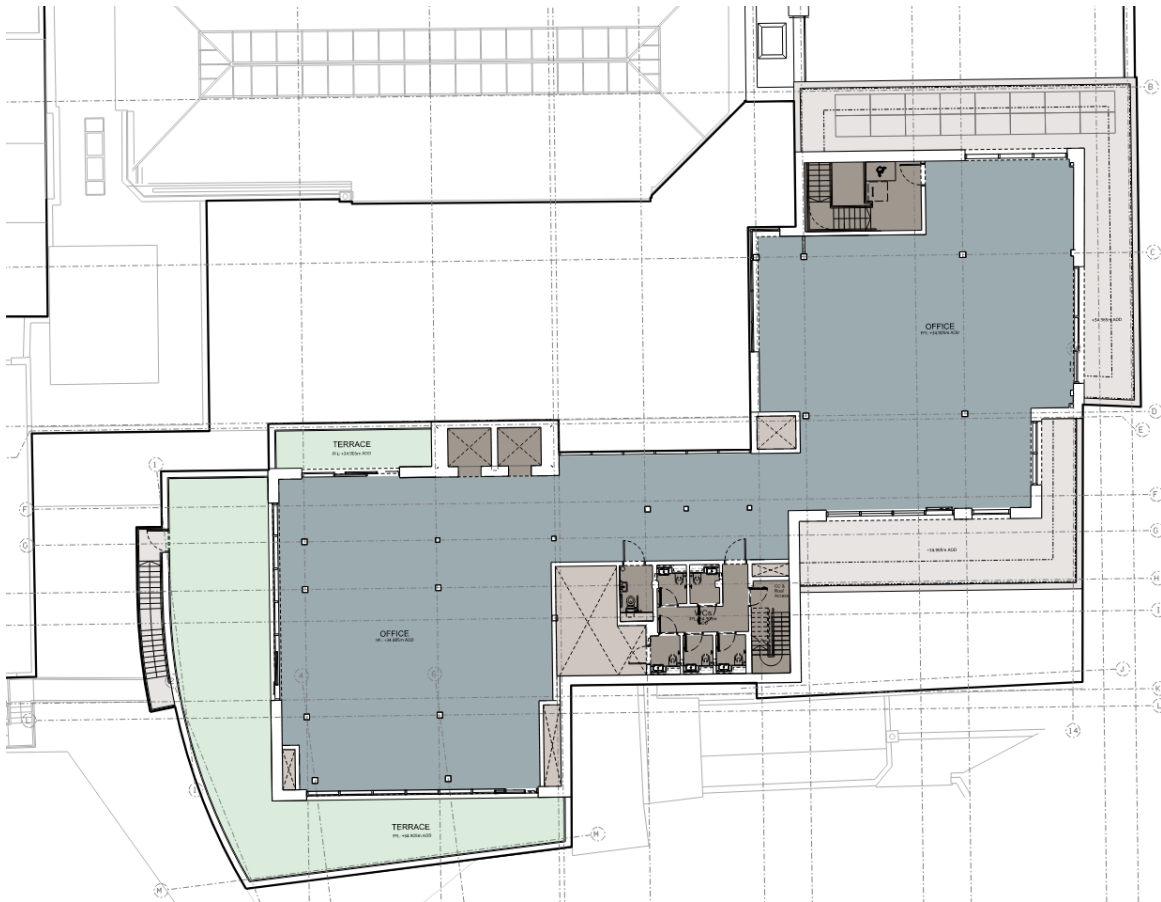
10.297 The proposals also introduce roof terraces on the western side of Times House at first, fourth and fifth floor levels. See images 45 to 47 below.



**Image 45 – Proposed Roof Terraces at first floor level**



**Image 46 – Proposed Roof Terrace at fourth floor level**



**Image 47 – Proposed Roof Terraces at fifth floor level**

- 10.298 The position of the proposed roof terraces at first and fifth floors is not located immediately adjacent to any residential properties. The roof terrace at fourth floor level is positioned in the same location as the existing third floor roof terrace. The rear elevations of the residential properties on the upper floors fronting onto York Way are blocked by the building at 10 York Way, known as Noah's Yard. Notwithstanding this, given the site's proximity to residential properties, the Acoustic Officer has requested that a condition is imposed requiring a noise management plan and restrictions on the hours of use of the proposed roof terraces (conditions **14 and 36**) to avoid potentially harmful amenity impacts.
- 10.299 Overall, officers are satisfied that the proposal would not unduly affect the neighbours' privacy and the proposed development would not result in unacceptable overlooking towards the adjoining neighbours. Conditions would mitigate any potential noise impacts from roof terrace use.

### **Outlook and enclosure**

- 10.300 The residential properties at 8-15 Joiners Yard adjoin the eastern boundary of Times House with the exception of the top floor to both buildings due to an existing recess of 1.5 metres between the third floor of Times House and the fourth floor of Joiners Yard, due to the difference in finished floor levels between the buildings. There is an existing plant room on Times House which is recessed by a further 1.8 metres from the shared boundary (See image **44**).
- 10.301 A The proposed extension at the fourth floor of Times House would infill the existing 1.5 metre recess with Joiners Yard, and add 3.5 metres on the height of the existing building. Scaling off the proposed context section East-West-Proposed drawing, there would be a total of 6.5 metre increase on the boundary and extend 10 metres to the south of Joiners Yard.
- 10.302 The fifth floor level roof extension would a further 3.8 metres recessed from the boundary by 2.4 metres. The plant room on top would be recessed by a further 2.1 metres (totaling 4.5 metres from the boundary).
- 10.303 The dual aspect properties at Joiners Yard have windows facing south and are located adjacent to the shared boundary with Times House. The closest windows to the proposed additional height, bulk and massing on Times House, are at the third and fourth floor level of the Joiners Yard building with a slight recess from the boundary of approximately 1.5 metres.
- 10.304 It is noted that the proposals result in an increase in height, scale, bulk and massing, located on the western boundary of the residential flats at fourth floor level. In assessing the impacts on outlook and enclosure to these properties, consideration is given to the existing generous outlook from these flats which face in a southerly direction, the dual aspect nature of the flats with a further outlook onto Caledonia Street to the north, and the existing setting and the distance between the surrounding properties.
- 10.305 There would be an increased sense of enclosure on the right side of the Joiners Yard properties, resulting in a detrimental impact on the outlook and sense of

enclosure to the top floor flat to Joiners Yard, compared to the existing situation. However the impact would be limited to the right side and the overall impact on amenity would not be unduly harmful. Therefore it is considered that the proposed development would not pose unacceptable harm to the adjoining neighbours in terms of outlook and perceived sense of enclosure.

- 10.306 It is noted that it is bad design practice to locate windows on a flank boundary as this is well known to have the potential to sterilize development potential of adjoining land. However in this instance, there are existing windows at ground to second floor levels on the eastern boundary of Times House, with existing windows recessed from the boundary at third floor level. The undeveloped land to the east of the site serves as a car park and refuse storage and its position allows for aspect to the rear elevations of 1-15 Joiners Yard. Therefore in the circumstances, the design is not considered to prejudice the potential for the future development of the adjoining site.
- 10.307 In respect of 1-17 Caledonian Road, given the existing large separation distances of circa 20m, it is not considered that a part one, part two storey extension resulting in an overall building height of 25m including the recessed fifth floor and plant room, at this distance would impact their outlook in a detrimental way, nor would it cause an overbearing appearance or sense of enclosure.

### **Noise and disturbance**

- 10.308 Noise and disturbance are likely to be generated from the proposed construction works, as well as the commercial operations proposed under this application, including the office uses on the upper levels, and the flexible commercial uses on the ground floors.
- 10.309 The Acoustic officer comments that there is the potential for noise impacts from the operation of the flexible class E units and there should be a commitment from the applicant to ensure that these impacts are considered at an early stage within the design. If the design is not sufficiently finalised, and this is the best assessment they can currently carry out, then there needs to be a further report looking at impacts when the design is finalized, which is secured by condition (13).
- 10.310 In regard to the plant noise, the Council's Acoustic Officer has reviewed the submitted noise assessment. The proposal includes rooftop plant and its specification has been reviewed. It is recommended that the acoustic specifications of the plant be controlled by **conditions 11** and post installation verification report **12**, to ensure that the noise impacts are minimised and that it would not adversely affect the surrounding occupiers in terms of noise.

### **Construction Impacts**

- 10.311 The construction works proposed under this application would unavoidably cause some degree of noise and disruptions which would affect neighbouring residents. It is considered that the construction works under this application would need to be carefully managed and controlled to minimise disturbance to the neighbours.
- 10.312 The Acoustic Officer recommended that a full and updated Construction and

Environmental Management Plan be submitted to and approved by the Council (in consultation with TfL) prior to the commencement of development, the plan shall include details including methods of demolition, quiet periods and noise mitigation, in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. This would be secured by **condition 5**. It is worth noting that outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

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

### Hours of operations

10.314 In terms of hours of use, it is considered that the operational hours of the proposed flexible commercial uses would need to be adequately controlled to ensure that the surrounding neighbours would not be unreasonably affected. The Council's Licensing Officer has recommended that the hours of operations are restricted as follows:

Use	Recommended hours of operations
E (b) – café/restaurant	Sunday to Thursday - 8am to 11pm Friday and Saturday - 8am to midnight
Sui Generis – Bar & Drinking Establishment	Sunday to Thursday - 8am to 11pm Friday and Saturday - 8am to midnight

10.315 Given the proximity to some residential uses in the surrounding area, the following uses, the hours of operation for the uses below, are to be controlled as follows:

E (a) – retail	Monday to Sunday - 7am - 11pm
E (d) – indoor sport, recreation or fitness	Monday to Sunday - 7am - 10pm

10.316 The hours of operations are controlled under **condition 20**.

### Odour control

10.317 The proposed flexible use on the ground floor includes restaurant use in which the potential for odours would need to be addressed adequately.

10.318 **Condition 10** is recommended to secure details of extract ventilation system to be submitted approved and installed /operational prior to commencement of any restaurant uses on site to ensure that any potential odour impact caused by the restaurant operations would be adequately mitigated through management and design / other measures.

## Air Quality

- 10.319 IDMP Policy DM6.1 requires developments to provide healthy environments, reduce environmental stresses, facilitate physical activity and promote mental well-being, and states that developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.
- 10.320 The application submission includes an Air Quality Assessment and Air Quality draft Dust Management Plan. The EPPP officer notes that this states NRMM should meet Stage IIIA. Inside the CAZ, NRMM should achieve at least Stage IV and outside the CAZ should achieve at least IIIB. The officer does not raise an objection in this regard.
- 10.321 The Dust Management Plan report states that prior to the implementation of appropriate mitigation measures, the potential impact significance of dust emissions associated with the preparation works of the proposed development has potential as 'medium' at some worst affected receptors without mitigation. The document states that appropriate site-specific mitigation measures have been proposed based on Section 8 of the IAQM 'Guidance on the Assessment of Dust from Demolition and Construction', 2014. The document concludes that with these appropriate mitigation measures in place, the risk of adverse effects due to emissions from the preparation works will not be significant.
- 10.322 The Officer from the EPPP Team has reviewed the scheme and raised no objection in this regard. It is judged that mitigation measures for dust suppression during the construction stage should form part of the Construction and Environmental Management Plan.
- 10.323 In regard to the operational phase of the development, it was concluded that the proposal would not adversely affect the air quality of the local area, as the proposals would be car free and most of the trips generated would be through public transport.

## Light pollution

- 10.324 The site usage has been established as commercial. The proposal would not alter the commercial nature of the site and therefore, it is not recommended that the hours of operation of the office uses be restricted. However, the proposal raises the possibility of night time light pollution occurring, should office staff need to work outside normal office hours; due to the proposed intensification of commercial use of the site, the cumulative impact is likely to be greater than existing and therefore measures would need to be in place to mitigate any adverse light pollution impact.
- 10.325 To address this, **condition 7** is recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties. The measures that are suggested and could be used include automated roller blinds, lighting strategies that reduce the output of luminaires closer to the façades or light fittings controlled through the use of sensors.
- 10.326 It is considered that this condition would ensure the extent of light being used within

the building is reduced and help minimise any impact on neighbouring properties, and address any light pollution concerns.

### **Neighbouring amenity summary**

- 10.327 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity.

### **Biodiversity, Landscaping and Trees**

- 10.328 LP policy G1 states that development proposals should incorporate appropriate elements of green infrastructures that are integrated into London's wider green infrastructure network. Policy G5 further states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.
- 10.329 ICS policy CS15 and IDMP policy DM6.5 state that the council will seek to maximise opportunities to 'green' the borough through planting, green roofs, and green corridors to encourage and connect green spaces across the borough; development proposals are required to maximise the provision of soft landscaping, including trees, shrubs and other vegetation, and maximise biodiversity benefits.
- 10.330 The existing site and existing buildings have no green coverage or soft landscaping, and therefore, it is judged that the proposal would not adversely affect the existing natural environment.
- 10.331 The applicant has submitted details of green roofs in the application. Green/Blue roofs are proposed on the roof of the Times House building to provide additional green coverage. The green roof is proposed under and around the PV panels to form a bio-solar roof. These details are welcomed by officers.
- 10.332 The sustainability officer queried the scope for additional green roof areas. The structural limitations prevent further green roofs on the areas around the plant equipment, however these areas will be maximised for blue roofs. The proposed terraces have been included to provide a reasonable size of amenity for the large office use within this dense urban location. In this respect, the request for additional green roof areas on these terraces would diminish the quality of the building for its future office use and additional green roofs would impact the structural load balance. These responses have been accepted by the Sustainability Officer and as such the scheme is considered compliant with policies CS15 and DM6.5.
- 10.333 The proposed green roofs would enhance the biodiversity and ecological value of the site. The scheme includes the provision of hedging through vertical greening in Laundry Yard.
- 10.334 Details of the proposed green and blue roofs would need to be submitted and approved prior to commencement of superstructure works to ensure it would promote and enhance the biodiversity of the site and surrounding area (**Condition**

6).

### Urban Greening Factor

- 10.335 The London Plan 2021 has introduced an Urban Greening Factor assessment required by Policy G5 (Urban greening) which states that all major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage to increase the overall urban greening factor of sites. The policy also expects councils to develop their own urban greening factor.
- 10.336 Draft Local Plan policy G1 (Green infrastructure) states that major developments are required to conduct an Urban Greening Factor (UGF) assessment in accordance with the methodology in the London Plan. Schemes must achieve an UGF score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.
- 10.337 Policy G1 received minor objections so has limited to moderate weight. An Urban Greening Factor assessment gives a rating to each type of surface on the site, with more biodiverse and permeable surfaces achieving a higher rating than hard landscaping and similar surfaces.
- 10.338 Currently the building has minimal ecological activity, with existing trees in the yards providing the only source of greening. The proposals include roof extensions, infill extension and refurbishment of the existing buildings.
- 10.339 The applicant has submitted a Biodiversity Net Gain Assessment and Urban Greening Factor Review. Following the removal of the planters from Albion Yard and Ironworks Yard, the UGF has been confirmed as 0.16. The report considers that opportunities for greening have been maximised. In addition to the retention of all existing ecological features and the provision of a green roof across much of the new rooftop, there will be other ecological features created, such vertical greening within Laundry and Times Yard and bird, bat and invertebrate boxes.
- 10.340 Whilst acknowledging the scheme comprises of refurbishment and infill development so it may not be able to reach an UGF of 0.3, the sustainability officer queried whether there are opportunities for the Urban Greening Factor score to be increased. The applicant has commented that there are no opportunities for tree pits due to the extent of the existing basement, and structural limitations prevent plant equipment from incorporating green roofs however the areas around the plant are used for blue roofs.
- 10.341 The Sustainability Officer has accepted that the site's constraints prevent the UGF from increasing towards the required 0.3 rating and raises no objections in this regard. Therefore the proposal is not considered to raise conflict with London Plan policy G5.



## **Energy and Sustainability**

- 10.342 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and standards relevant to sustainability are set out throughout the NPPF. Paragraph 152, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.
- 10.343 The NPPF para 157 states that in determining planning applications, LPAs should expect new development to a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- 10.344 LP policy GG6 seeks to make London to become a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero-carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.
- 10.345 LP policy SI 2, in support of the strategic objectives set out in Policy GG6 above, stipulates for new developments to aim to be zero carbon with a requirement for a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy. It requires all major development proposals to contribute towards climate change mitigation by reducing carbon dioxide emissions by 35% through the use of less energy (be lean), energy efficient design (be clean) and the incorporation of renewable energy (be green). Moreover, where it is clearly demonstrated that the zero carbon figure cannot be achieved then any shortfall should be provided through a cash contribution towards the Council's carbon offset fund.
- 10.346 In regard to Energy Infrastructure, policy SI 3 part D states that all major development proposals within Heat Network Priority Areas should have a communal low-temperature heating system, which should be selected in accordance with the following heating hierarchy:
- connect to local existing or planned heat networks
  - use zero-emission or local secondary heat sources (in conjunction with heat pump, if required)
  - use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)
  - use ultra-low NOx gas boilers

- 10.347 Where a heat network is planned but not yet in existence the development should be designed to allow for the cost-effective connection at a later date.
- 10.348 Policy SI 4 'Managing Heat Risk' of the new London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure; The submitted energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.
- 10.349 Core Strategy Policy CS10 requires that development proposals are designed to minimise onsite carbon dioxide emissions by maximising energy efficiency, supplying energy efficiently and using onsite renewable energy generation. Developments should achieve a total (regulated and unregulated) CO<sub>2</sub> emissions reduction of at least 27% relative to total emissions from a building which complies with Building Regulations 2013 (39% where connection to a Decentralised Heating Network is possible). Typically, all remaining CO<sub>2</sub> emissions should be offset through a financial contribution towards measures which reduce CO<sub>2</sub> emissions from the existing building stock.
- 10.350 IDMP Policy DM7.1 requires development proposals to integrate best practice sustainable design standards and states that the council will support the development of renewable energy technologies, subject to meeting wider policy requirements. Details are provided within Islington's Environmental Design SPD, which is underpinned by the Mayor's Sustainable Design and Construction Statement SPG.
- 10.351 The applicant has submitted the relevant details within an Energy Statement prepared by Norman Disney & Young dated 26 July 2021 (Version 3.0).

### **Carbon Emissions**

- 10.352 The London Plan sets out a CO<sub>2</sub> reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.
- 10.353 Based on SAP10 carbon factors, a saving of 45.8% is estimated, against a Part L 2013 baseline. This surpasses the London Plan target. Based on SAP 2012 carbon factors, a 25% reduction is anticipated. No objection was raised from the Energy Officer in this regard.
- 10.354 In terms of Islington's policies, the council requires onsite total CO<sub>2</sub> reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network is possible, and 30% where not possible. These targets have been adjusted for Building Regulations 2013 to of 39% where connection to a decentralised energy network is possible, and 27% where not possible.
- 10.355 The initial submission indicates that the development would achieve an overall saving of 29.1% on total emissions. However, for the existing building, the baseline is derived using the GLA's specification (in Appendix 4 of their 2020

Energy Assessment Guidance). For assessment against the Islington target, a baseline of an equivalent development complying with Part L 2013 should be used.

- 10.356 A subsequent comparison against a part L 2013 notional building has been undertaken. This shows that the development is anticipated to achieve a 12.9% on total emissions (SAP10 figures) which falls short against the council target.
- 10.357 However the Energy Officer has accepted that given the substantial refurbishment elements of both developments, it is extremely unlikely that either could make sufficient improvements to hit the 27% target – and the 11-13% reductions made are not insignificant in the circumstances. The officer notes that it might be possible to make some small improvements to the efficiency specifications and the PV capacities, but even if this is possible, this is only likely to have a small impact on overall emissions.
- 10.358 It is noted that latest updates provided by the applicant's energy consultant, mention detailed design stage, while the Environmental Design SPD places the onus on applicants to demonstrate that, for refurbishments not achieving the 27%, emissions have been minimised as far as reasonably possible. Given this, the Energy Officer has accepted the current energy position, and requested that an assessment of any potential further improvements is required by condition (23) prior to implementation.

### **Zero Carbon Policy**

- 10.359 As mentioned above, the London Plan Policy SI 2 stipulates development proposals to aim to be zero carbon, this is supported by Islington Core Strategy Policy CS10 which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO2 emissions associated with the building through a financial contribution towards measures which reduce CO2 emissions from the existing building stock.
- 10.360 The council's Environmental Design SPD states that "*after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution*", this includes both regulated and unregulated emissions. The SPD further states that the calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement.
- 10.361 The latest energy statement quotes an offset contribution of **£145,176** based on residual emissions of 157.8 tonnes, which includes both the regulated and unregulated CO2 emission. This has been confirmed by the Energy Officer that this value is correct. In the event efficiencies are found via condition 2 3, then this contribution is likely to be reduced accordingly.

### **BE LEAN – Reduce Energy Demand**

- 10.362 IDMP policy DM 7.1 (A) states "*Development proposals are required to integrate*

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

- 10.363 The proposed U-values for the development are new walls = 0.20; existing walls = 0.35 at Times House and 1.70 for Laundry Building (i.e. no insulation upgrade in this latter case), roof = 0.16 and floors = 0.50. The proposed U-values for windows are new = 1.60, with retained windows at Times House = 2.20 and at Laundry Building = 3.30.
- 10.364 An air permeability of 5m<sup>3</sup>/hr/m<sup>2</sup> is specified for new-build areas at Times House, with 10m<sup>3</sup>/hr/m<sup>2</sup> anticipated for retained areas at Times House, and 25m<sup>3</sup>/hr/m<sup>2</sup> anticipated for the Laundry Building. Since mechanical ventilation with heat recovery is proposed, the officer recommends that further improvements in air permeability for Times House and the Laundry Building are investigated.
- 10.365 Lighting controls include absence detection and daylight dimming are proposed in workspace areas. The luminous efficacies shown are relatively good, but the officer would suggest investigating further improvements to these, as the development falls short against the GLA 15% energy efficiency target for non-residential.
- 10.366 For the same reasons, the energy officer would suggest improvements to any of the other energy efficiency parameters is also considered. It is noted that external wall insulation is ruled out for the walls at the Laundry Building, due to heritage considerations. However, the officer requests that that internal wall insulation is investigated as a potential alternative.
- 10.367 The Energy Officer has accepted that no further amendments to the energy efficiency specifications are proposed for now, although there may be scope for further improvements at detailed design stage and this is secured by condition **(23)**. BREEAM credentials are to be secured by condition **(24)**.

### **Overheating and Cooling**

- 10.368 IDMP Policy DM7.5A requires developments to demonstrate that the proposed design has maximised passive design measures to control heat gain and deliver passive cooling, in order to avoid increased vulnerability against rising temperatures whilst minimising energy intensive cooling. Part B of the policy supports this approach, stating that the use of mechanical cooling shall not be supported unless evidence is provided to demonstrate that passive design measures cannot deliver sufficient heat control. Part C of the policy requires applicants to demonstrate that overheating has been effectively addressed by including details of internal temperature modelling under projected increased future summer temperatures.
- 10.369 Dynamic thermal modelling in line with CIBSE TM52 has been carried out. In general, the underlying assumptions for this analysis were considered to be reasonable. However, the energy officer noted that the modelling appears to

have been undertaken with a mechanically cooled building as the starting point. Natural ventilation has been identified as unfeasible due to local noise and pollution issues – so the officer requested that the development is at least initially modelled as a mechanically ventilated building with no active cooling, to see if this is sufficient to mitigate overheating risks and the officer requested that the analysis should be updated to take account of this.

- 10.370 Further details of the overheating modelling have subsequently been provided, including the results for modelling of the development with mechanical ventilation alone. This scenario shows many areas of the building failing the criteria by a significant margin. Therefore, the Energy Officer has accepted that active cooling can be used within the development.

### **The need for active cooling**

- 10.371 Council policy states “Use of technologies from lower levels of the hierarchy shall not be supported unless evidence is provided to demonstrate that technologies from higher levels of the hierarchy cannot deliver sufficient heat control”.
- 10.372 The use of active cooling in order to prevent overheating has been accepted by the Energy Officer as outlined above.

### **BE CLEAN - Low Carbon Energy Supply**

- 10.373 The development is identified as being relatively close to both the Somers Town Heat Network and the Kings Cross Heat Network, and contact has been made with both network operators. However, on the basis of this, it would appear that neither network is likely to extend in the direction of the development in the short or medium term. In addition, there are issues regarding capacity constraints as well as distance to the networks – and therefore, it has been decided that the development will not connect to either network. This is accepted by the Energy Officer.
- 10.374 Space heating and cooling will be provided to the development via a VRF system. Domestic hot water will be provided to Times House via an air source heat pump system, while point-of-use electric heaters will be provided to the upper floors of the Laundry Building. No objection was raised by the Energy Officer in this regard.

### **Connection to a DEN**

- 10.375 IDMP Policy DM7.3C states “major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.”
- 10.376 The energy statement does not propose connection to a network as neither of the local heat networks is likely to extend in the direction of the development in the short or medium term and this is accepted by the Energy Officer.

#### Site-wide communal system/network and design for district network connection

- 10.377 London Plan Policy 5.6C states “where future network opportunities are identified, proposals should be designed to connect to these networks.” Council Policy DM7.3A states “all major developments are required to be designed to be able to connect to a Decentralised Energy Network (DEN)”. The Council’s Environmental Design Guide states “to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).”
- 10.378 Council Policy DM7.3C states “major developments located within 500 metres of a planned future DEN, which is considered by the council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible.”
- 10.379 The Council’s Environmental Design Guide states “to enable this and to ensure schemes are future proofed for future connection to DENs, all schemes should incorporate a communal heating network linking all elements of the development (technical design standards to enable future connection are set out in Appendix 1).”
- 10.380 GLA Guidance 10.14 states “the site heat network should be supplied from a central energy centre where all energy generating equipment, such as CHP and boilers, is located.”
- 10.381 The energy statement suggests that, given the development design, future-proofing for connection would be accomplished via reserved plant room space. This is agreed. The applicant has provided a drawing showing further details of protected pipework routes from the edge of the development to the plant room, which the Energy Officer has accepted as sufficient and nothing further is required at this stage. This is secured at condition **39**.

#### Shared energy networks

- 10.382 Islington policy DM 7.3D states “Where connection to an existing or future DEN is not possible, major developments should develop and/or connect to a Shared Heating Network (SHN) linking neighbouring developments and/or existing buildings, unless it can be demonstrated that this is not reasonably possible.”
- 10.383 Potential for a shared heat network has not been assessed. The Energy Officer does not see that there is a clear opportunity for a shared heat network and longer-term, it would probably be more desirable to pursue a direct heat network connection in this area. Therefore, no further assessment of this is required.

#### CHP/CCHP or alternative low carbon on site plant

- 10.384 In accordance with the London Plan hierarchy where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of

the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).

- 10.385 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes."
- 10.386 On-site CHP is not proposed, on grounds of low heat loads and carbon factors. Given this, and the current GLA position on CHP, this is considered to be acceptable by the Energy Officer.

### **BE GREEN – Renewable Energy Supply**

- 10.387 The Mayor's SD&C SPD states "although the final element of the Mayor's energy hierarchy, major developments should make a further reduction in their carbon dioxide emissions through the incorporation of renewable energy technologies to minimise overall carbon dioxide emissions, where feasible."
- 10.388 The Council's Environmental Design SPD (page 12) states "use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets."
- 10.389 A solar PV array covering an area of ~78m<sup>2</sup> and 14,500kWh/yr outputs is proposed, and this is supported. The latest update confirms that the PV array is of outputs 18.3kWp and now 11,300kWh/yr.
- 10.390 The Energy Officer has asked for further information to be provided regarding the potential to increase the solar PV capacity and this is secured by condition **(23)**.

### **BREEAM - Sustainable Design Standards**

- 10.391 Council policy DM 7.4 A states "Major non-residential developments are required to achieve Excellent under the relevant BREEAM or equivalent scheme and make reasonable endeavours to achieve Outstanding".
- 10.392 The council's Environmental Design Guide states "Schemes are required to demonstrate that they will achieve the required level of the CSH/BREEAM via a pre-assessment as part of any application and subsequently via certification".
- 10.393 The submitted BREEAM pre-assessment tracker shows the development achieving a rating of 'Excellent' as required, with an overall score of 74.59%. This offers a fair margin of comfort over the minimum 70% required to achieve an 'Excellent' rating. This is secured through **Condition (24)**.

### **Draft Green Performance Plan**

- 10.394 IDMP policy DM7.1 and the Environmental Design SPD 8.0.12 – 8.0.18 states "applications for major developments are required to include a Green

Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy.” The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.

10.395 The initial draft Green Performance Plan did not include targets for renewable energy generation, based on the energy modelling of the building and more details were required in terms of Arrangements for Addressing Performance. Subsequently an amended GPP has been provided. At this stage, the Energy Officer has accepted the GPP, although there will need to be further updates under the s106 Draft and Full GPP requirements.

### **Circular Economy**

10.396 LP Policy SI.7 ‘Reducing waste’ states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.

10.397 The emerging SDMP policy S10 states that all developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible to minimise construction waste.

10.398 The proposal comprises of significant building works, including the alterations to the existing building as well as the new roof level and infill extensions.

10.399 It is required to demonstrate that materials extracted from demolition can be re-used where possible, and that the building will adapt to change over its lifetime. The development also needs to minimise the environmental impact of materials through the use of sustainably-sourced, low impact and recycled materials. The application includes a Site Waste Management and Circular Economy Statement. The Statement sets out how Circular Economy considerations have been a key part of the Development’s sustainability strategy and have informed the Whole Life Cycle Assessment. The statement provides key circular economy commitments including minimising the quantities of materials and other resources used, prioritising materials that are responsibly sourced and with a high recycled content, designing for reusability, and to design out construction waste arising. The statement sets out the plans for implementation of the circular economy and the end-of-life strategy.

10.400 It is recommended that the details within the Site Waste Management and Circular Economy Statement are secured and implemented by **condition (34)**.

### **Sustainable Drainage**

10.401 LP Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the ‘Wat 01’ water category or equivalent, and incorporate measures



such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.

- 10.402 ICS Policy CS10 requires all development to demonstrate that it is designed to be adapted to climate change, particularly through design which minimises overheating and incorporates sustainable drainage systems. IDMP Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water runoff to a 'greenfield rate', where feasible.
- 10.403 The Sustainability officer queried if the surface water runoff rates could be reduced beyond offsetting the increase in foul water flows, including evidence of the structural limitations imposed by the existing structure and foundations to determine if there are further opportunities for blue roofs or attenuation tanks. The applicant has confirmed that all of the new roofs are additional storeys supported on the existing structure which load the existing foundations. The strategy used to determine structural loading is a "load balance" approach where the engineers have observed that the original structure was overdesigned for high floor loads, and by re-assessing the actual floor loads needed, the engineers have freed up spare capacity in the foundations which is used for building the additional structure. Along with the floor and roof loads and building extra storeys, to ensure the foundations are not overloaded, it has been identified that 100mm blue roof thickness can be spared for blue roof in certain areas. The limited information on the foundations which means the applicant can't carry out calculations to add more load, and therefore must stay within the loads they were originally designed for.
- 10.404 The applicant's consultant has confirmed that the only place where it is feasible to introduce attenuation on the Times House and Laundry Buildings site is as a blue roof on Times House. This roof is very structurally constrained as it is building on top of existing structure and existing foundations. The calculation on flow rates was carried out at design stage and showed that the amount of blue roof attenuation required to offset the increase in foul water flow was already at the maximum that the structure could accommodate, and it would not be possible to increase attenuation further.
- 10.405 In relation to the surface water drainage, the applicant states that 'flow restrictors will be installed on the rainwater outlets from the blue and green attenuated roofs to reduce the surface water discharge flow rate into the sewer to meet local authority requirements.'
- 10.406 The Council's Sustainability Officer has reviewed the proposal and has welcomed the reduction of runoff rates.
- 10.407 In response to a further query by the Sustainability Officer, the applicant has confirmed that whilst rainwater and grey water recycling have been considered, the additional plant space and pipework distribution provision required would not make this feasible with the current schemes. The officer has reviewed the proposal and has welcomed the reduction of runoff rates and accepts that the proposal to reduce surface water runoff to offset the increase in foul water flows only.

- 10.408 The applicant has provided an existing plan demonstrating geocellular storage is unviable due to existing Network Rail structures.

### **Highways and Transportation**

- 10.409 The NPPF para 110 states that applications should ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up, given the type of development and its location. Development proposals should also ensure that any significant impacts from the development on the transport network or on highway safety, can be cost effectively mitigated to an acceptable degree.
- 10.410 The New London Plan Chapter 10 relates to highways and transportation. LP Policy T4 (A) states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Part (B) requires Transport Statements to be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of the same policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.
- 10.411 The IDMP Policy DM8.1 states that the design of the development is required to prioritise the transport needs of pedestrians, public users and cyclists above those of motor vehicles. Further, Policy DM8.2 states that proposals are required to meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice. Where the council considers that a development is likely to have a significant negative impact on the operation of transport infrastructure, this impact must be satisfactorily mitigated.
- 10.412 The site is well located in relation to public transport and has a Public Transport Accessibility Level (PTAL) of 6b (Best). The site is located opposite Kings Cross Rail Station which sits adjacent to St Pancras International Rail Station and also provides Kings Cross St Pancras underground station. The station provides train services on several London underground lines and National Rail lines as well as international train services. The site is also located at relative proximity to a number of bus routes including on York Way, Euston Road and Pentonville Road.

### **Proposal**

- 10.413 The site comprises of two buildings, Times House and Laundry Building. Times House has a number of existing access points. The existing sui generis flexible commercial units are accessed from Caledonia Street and Laundry Yard. The existing office building in Times House is accessed via Times Yard and the existing gym unit is also accessed via Times Yard. The existing offices in the Laundry Building which front onto Caledonia Street are accessed via Laundry Yard and the other office unit has access via both York Way and Laundry Yard with a reception area for the upper floors also accessed via Laundry Yard. There is no vehicle entrance to the site. The development is proposed to be car free,

with no vehicle parking proposed on-site.

- 10.414 In regard to disabled parking, due to the constraints of the current site, no dedicated vehicle access or parking can be facilitated on-site and any provision of new disabled parking facilities will therefore need to be accommodated on the adjacent carriageways. The applicant identifies potential capacity for up to 2 designated parking bays across both applications (P2021/2269/FUL and P2021/2270/FUL), 1 no. located within the existing general use bays provided on York Way and 1 no. located within the existing general use bays adjacent to the Albion Yard entrance to Block C, on Balfe Street. The Council's Highways Officer has no objections to these proposals.
- 10.415 In terms of cycle parking, it is proposed to provide 105 secure cycle spaces and associated shower and changing facilities and mobility scooter charging points to be located in the reconfigured basement for use by the office and retail workers. Visitor cycle parking is provided in the form of 25 short stay cycle stands for 50 cycle spaces across the courtyards in Block B and on the highways including 9 stands within Times Yard and Bravington's Walk, and the remaining 16 additional stands are located on the footway in Caledonia Street and Caledonian Road. There are also a number of existing on-street cycle parking areas in close proximity to the site, including around Kings Cross Station.

### **Vehicle parking**

- 10.416 No vehicle parking is proposed on-site, this is considered acceptable and in line with Islington's policies CS10 and DM8.5, which requires development to be car free. TfL has reviewed the application and has also expressed their support of the proposal being car free.
- 10.417 The site has a PTAL rating of 6b(Best), which indicates that the site benefit by excellent public transport provision. There are on street parking spaces within close proximity to the site on York Way; however, based on the scale and nature of the proposed development, it is considered that the proposed commercial development is unlikely to generate an unacceptable level of vehicle trips to the site to adversely affect the local highways network. The Council's Highways Team has commented on the application and no objection was raised in this regard.
- 10.418 In regard to disabled parking, there is no disabled parking proposed on site, however, it is anticipated that the need for disabled parking provision would increase as a result of the development. In accordance with Policy DM8.5 and the guidance with the Planning Obligation SPD, a financial contribution of £2,000 per space is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution (£8,000) is to be secured by the s.106 agreement.

### **Cycling**

- 10.419 In terms of cycling, LP Policy T5 states that development proposals should help remove barriers to cycling and create a healthy environment in which people

choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

- 10.420 The London Plan states that office development should provide 1 space per 75sqm of office floorspace.
- 10.421 IDMP Policy DM8.4(C) requires the provision of cycle parking in accordance with the minimum standards set out in Appendix 6 of the Development Management Policies document. Cycle parking is required to be designed to best practice standards and shall be secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible. Cycle parking shall include an adequate element of parking suitable for accessible bicycles and tricycles.
- 10.422 Appendix 6 sets out the cycle parking requirements for each use (the area relates to Gross Internal Area for the purpose of calculations). It is required to provide 1 space per 60sqm of retail, café/restaurant floorspace, 1 space per 80sqm of office floorspace, and for leisure and sports 1 space per 275sqm.
- 10.423 Based on the total floorspace of the refurbished and extended office building of 7,628sqm the proposal would be required to provide 105 spaces for office workers to accord with the London Plan requirement and 95 spaces to accord with the adopted Local Plan requirements.
- 10.424 The proposed 172sqm of retail would necessitate a further 2 spaces (1 long stay/1short stay) as required by the London Plan. For the flexible use units including café/restaurant and drinking establishments, the London Plan requires 1 space per 175sqm for employees and 1 space per 20sqm for visitors or customers.
- 10.425 The proposed long stay secure cycle storage would be located in the basement floor level, it would provide 68 doubled stacked spaces, with 5 oversized accessible spaces, 18 spaces will be adaptable spaces provided by Sheffield stands which could be used as oversized spaces; and 10 spaces will be provided as folding bike locker. This provision is to be secured by condition 4.
- 10.426 Given the site's constraints and the provision of cycle parking in the footway in close proximity to the site, the provision of 105 secure spaces for office and retail staff, and 50 short-stay cycle parking spaces provided for visitors, located within and around Block B and on the footway, is considered to accord with the aims of the new London Plan.
- 10.427 As per the requirement under Policy T5, 25 short stay cycle stands are required to meet the expected demand following the development. The cost of providing 25 short stay stands includes the design, consultation, approvals and implementation of the stands by the Traffic and Parking Team. This is to be secured by s106 obligation.
- 10.428 The applicant has committed to the required financial contribution for the provision of cycle stands in the public realm, which is to be confirmed by highways officers, and therefore, it is considered that overall, the proposal would provide an acceptable level of cycle facilities to support the development and to

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

### **Servicing and Waste management**

- 10.429 IDMP Policy DM8.6 (Delivery and servicing for new developments), Part A states that for commercial developments over 200 square metres, delivery/servicing vehicles should be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). Where servicing/delivery vehicles are proposed on street, Policy DM8.6 (Delivery and servicing for new developments), Part B, requires details to be submitted to demonstrate that on-site provision is not practical, and show that the on-street arrangements will be safe and will not cause a traffic obstruction/nuisance
- 10.430 The site has pedestrian access points from York Way, Caledonia Street, Caledonian Road and Pentonville Road. York Way, Caledonian Road and Pentonville Road are busy main roads within the area.
- 10.431 The southern end of York Way, extending from Pentonville Road to its junction with Caledonia Street, forms part of the Transport for London Road Network (TLRN). To the north of Caledonia Street, York Way is managed by LBI.
- 10.432 York Way provides a one-way route in a northbound direction along the western boundary of the site, connecting Euston Road / Pentonville Road to the A503 Camden Road. York Road feeds vehicular traffic onto Caledonia Street through Regent Quarter in an eastbound direction, whilst receiving westbound traffic from Railway Street at the northern edge of Regent Quarter. York Way is utilised as a major bus corridor by TfL with the western side of the carriageway reserved as a bus stand in the vicinity of the site. The eastern side of the carriageway is characterised by a series of loading bays, controlled parking bays and marked drop-off bays.
- 10.433 The site falls within Zone B of Islington's Controlled Parking Zone (CPZ) and as such the 2 controlled parking bays located adjacent to the southern portion of Regent Quarter are operational between the hours of 08:00 – 18:30 (Monday to Friday) and 08:00 – 13:30 (Saturdays), consistent with the other local parking bays. There are also 2 loading bays provided on the southern (TLRN) section of York Way, whereby stopping is not permitted between the hours 08:00-19:00, except for disabled parking and deliveries, with loading activity permitted between 10:00 and 16:00 hours for a maximum duration of 20 minutes.
- 10.434 The applicant has submitted a Transport Statement (RGP – 30 July 2021), and a Delivery and Servicing Management Plan (DSMP) (RGP - 30 July 2021) in support of the application, to demonstrate the proposed servicing arrangements and how waste would be managed on site. During the course of the application a Transport Statement Addendum has been submitted (RGP – October 2021).
- 10.435 TfL have confirmed their acceptance of the locations for the short-stay cycle parking, the proposed arrangements for the disabled parking on the eastern side of York Way, and the loading bays on York Way.

- 10.436 The Transport Statement Addendum anticipates that the additional office floor space to be provided as part of the proposed development at Times House and Laundry Building would likely generate a net increase of 15 two-way vehicle trips over the course of a typical weekday. As a worst-case scenario, 3 additional two-way movements could occur during the AM peak hour period. It is noted that some of the collections and deliveries trips generated by this development are unlikely to be new but already on the highway serving neighbouring properties.
- 10.437 The DSMP has not been updated to reflect the proposed change of use from office to flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit in Laundry Building. As a result, the details of the Delivery and Servicing Arrangements are proposed to be secured by condition (26).
- 10.438 The Council's Highways officer has reviewed the documents including latest Transport Statement Addendum and has not raised an objection to the details subject to conditions (4 and 5) and planning obligations.

#### Refuse and recycling

- 10.439 The DSMP anticipates that the office accommodation will generate 2 weekly refuse collections, which would be undertaken from the loading bays on York Way by a private waste removal contractor. All collections would be scheduled outside of the conventional highway peak hour periods.
- 10.440 The DSMP considers that based on the combined mix of uses, the site would be required to provide a capacity of 29,400L to accommodate a single weekly collection of waste and recycling on-site, equating to 27 x 1,100L Eurobins. The DSMP considers that the retail standards provide an accurate reflection of the requirements for the three flexible Class E (b) Food and Drink/Sui Generis Bar/Drinking Establishment Units and four Class E (a) Retail units.
- 10.441 Based on the council's guidance on refuse and recycling storage requirements, officers consider that 18 x 1,100L Eurobins would be required, and that 50% of this capacity should be retained for the storage of separated waste for recycling. However the guidance does recommend a maximum storage provision of no more than 8 Eurobins.
- 10.442 The DSMP states that 15 x 1,100L Eurobins would be provided for shared use of the site within the Laundry Yard, generating a requirement for 2 weekly collections to be scheduled as part of the site's operation post-development. This store would be shared between the office and flexible Class E (b) Food and Drink/Sui Generis Bar/Drinking Establishment Units and four Class E (a) Retail units and would accommodate bins allocated for the disposal of general waste and mixed dry recycling.
- 10.443 However the proposed ground floor plan indicates that the proposed refuse storage within the Laundry Yard would accommodate up to 8 Eurobins (1100L). Therefore based on the submission, officers considered that further information is required in relation to the storage capacity and frequency of the refuse collection. Waste/recycling capacity is also be required on-site for the use of the

active flexible Class E commercial unit, as the uses include retail, café/restaurant, fitness and office. The requirements of the retail or restaurant use is dependent on the type of retail or food outlet. The Council's guidance indicates that Street Environment Services will assess each proposal individually. Therefore it is considered that some of the flexible commercial uses (i.e. restaurant) may require additional and separate refuse storage to accommodate the uses. Therefore, it is recommended that final details of refuse storage to be submitted and agreed by the council prior to the occupation of the development (**Condition 8**), on how waste would be managed on site, especially in regard to the proposed flexible commercial uses.

### **Construction impacts**

- 10.444 The proposed construction works would inevitably have some impact to the local area during the construction period.
- 10.445 The draft Construction Traffic Management Plan was noted to have included arrangements are for the Highway Footway on the eastern side of York Way to remain open however the Council's Highways officer has objected this, and as such, a final revised version would need to be submitted and agreed by the Council prior to any construction work commence on site.
- 10.446 The Council's EPPP Team also recommended submission of a final version of a CEMP prior to commencement of development and to include measures set out by the Air Quality and Dust Assessment and should adhere to the guidance of Islington's CoPCS.
- 10.447 A full Construction and Environmental Management Plan should outline measures for the routing, accommodation, loading and unloading of construction vehicles during the entirety of the construction phase. A construction programme should also be provided within the CEMP and once a contractor has been appointed. This will set out indicative timescales for each phase of construction. This is secured in **condition 5**, to ensure that the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbouring amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.448 The council's Highways Team has recommended that the applicant would need to cover any cost to repair any damages to the public footway/carrageway caused by the development. This would be secured under section 106 agreement.
- 10.449 In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £3,076 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.
- 10.450 Furthermore TfL requested a financial contribution towards junction safety upgrades at the junction of York Way and Pentonville Road. However the

justification for this was not considered to be sufficient to meet the tests. Alternatively, the applicant has agreed to a £71,000 financial contribution (split equally (£35,500) between this application and the application for Jahn Court) to be spent on the public realm immediately adjacent to the site. This could include TfL junction improvements if through further discussions that was found to be the most appropriate public realm / highways project between all parties (including Camden). There are considered to be options to improve the functioning of the York Way public realm in particular.

### **Highways summary**

10.451 Overall, it is considered that the application would have adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, and includes a framework travel plan which sets out continued measures to promote sustainable modes of transport. Public realm and / or highways projects in the immediate vicinity of the site are to be funded via a financial contribution of £35,500 related to this application (£71,000 in total). The proposal would be acceptable subject to conditions and planning obligations, and would comply with London Plan (2021) Policy T5 and T6, Islington Core Strategy (2011) Policies CS10, CS11 and CS13; Islington Development Management Policies DM8.2, DM8.4, DM8.5 and 8.6

### **Safety and Security**

10.452 The surrounding area is mixed with commercial and residential uses. Block B has existing pedestrian access points from York Way, Caledonia Street, Pentonville Road and Caledonian Road.

10.453 As per consent P000434 (s106A) the existing gates in Block B from Caledonia Street and York Way are open between 08:00 and 21:00 hours on Mondays to Saturdays, and between 10:00 and 20:00 hours on Sundays.

10.454 It is proposed to close the gates at Pentonville Road and Caledonian Road between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk. These gates lie outside of the application site boundary and therefore it is propose to change the hours of operation of these gates via s106 agreement.

10.455 Cycling is prohibited within all the courtyards in Block B.

10.456 The applicant has confirmed that the Estate Security Control Room is unaffected by this application, and the client plans to retain that capability to serve both these buildings and the wider estate. The applicant states that a security management capability and security presence is described for each building in this application on top of the estate security measures.

10.457 The applicant has responded to queries from the Design Out Crime Officer at the Metropolitan Police (DOCO) as follows:

- The short-stay cycle parking on Bravington's Walk will experience good natural surveillance;
- The DOCO recommends the use of London cycle parking stands. This is to be



- secured by condition (27);
- The DOCO recommends that that access into the site be gated and access controlled overnight. Security rated gates be used at the key entry points. LPS 1175 SR2 (issue 8 B3) or STS 202 BR 2 (issue 9) are the preferred specification. The applicant has confirmed that the proposed accesses to the site will be gated and controlled overnight. The design of these gates will be bespoke and will minimise vulnerability to intrusion and climbing. It is considered that details can be secured by a planning condition (27);
  - The existing gate/shuttered area at Bravington's Walk is to be retained;
  - All proposed seating will be moveable at close of business and to be placed within the tenant space;
  - External lighting (including emergency lighting) will meet the relevant standards. The details are to be secured by condition (27);
  - The DOCO recommends the doors to the basement cycle store use PAS24:2016 security doors.
  - As requested, cycle stands will be set into the floor.
  - Reception desks will be configured to have a direct line of sight to the main entrance;
  - Existing site constraints mean that it is not practical to provide two bin stores per retail/commercial unit. However, the gate to the basement bin store will be sure and in-line with MET Police requests;
  - The DOCO requested that the entrance lobby should be 'airlock'. The applicant has responded that due to the layouts, this is not readily achievable. The applicant notes that the access stair from the entrance lobby will be controlled by a security gate.
  - The applicant has confirmed that a centralised post room in Times House basement will be provided and will be lockable when required.
  - No 'hit and miss' brick will be proposed with any graspable profile below 3.5m;
  - External planting to be included for the bin store and minimise risk of graffiti;
  - Appropriate anti-graffiti treatment will be proposed to none-glazed facades and developed through the detailed design;
  - Details of CCTV coverage and lighting strategy and design shall be submitted. The lighting should comply with BS 5489-1:2020. The CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB). Images should be retained for a minimum of 30 days. This system would need to be registered with the Information Commissioner's Office, as it would be recording public areas. Appropriate signage indicating this fact needs to be displayed.

10.458 Officers consider that following consultation with the DOCO, the applicant's responses to the DOCO and with the imposition of condition 27 (in consultation with the DOCO), ensure the proposals will accord with the principles of Secure By Design.

### **Fire Safety**

10.459 London Plan policy D12 states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. All major development proposals should be submitted with

a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

- 10.460 The Fire Statement submitted with the application, has prepared by Richard Sherwood of Norman Disney & Young, consulting engineers, a suitably qualified person, a member of the Royal Institute of Fire Engineers. The development has been consulted with the London Fire Brigade, who on 17/6/2021 provided a written response to the approved inspector.
- 10.461 In response to queries from the Council's Building Control Officer relating to the requirements of the London Plan policy D12b), a revised document has been submitted and amended in February 2022.
- 10.462 The submitted information is specific and relevant to the proposal and the fire statement form references compliance with BS9999.

<p>London Plan policy D12(b) requires all major development proposals should be submitted with a Fire Statement which details how the development proposal will function in terms of:</p>	<p>Response:</p>
<p>1. The building's construction: methods, products and materials used, including manufacturers' details</p>	<p>This is an existing retail and office building to be retained, with a proposed part 1, part 2 storey roof extension and infills to Times House. The existing structure will be retained and external wall cladding retained where possible, with new rooftop and infill extensions to be added. The extension elements consist of steel frame construction, with metal deck slabs. The external walls are predominantly a metal rainscreen cladding. The proposed roof is a flat roof with areas of green and blue roof.</p>
<p>2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach</p>	<p>The south-west external escape stair terminates at ground floor, which is shared by Times House and Laundry Buildings. The north-east escape stair terminates in a protected lobby at ground floor with a direct protected escape route out of the building. There is a separate escape stair from the basement also discharging into this protected lobby.</p>
<p>3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans</p>	<p>A Category L1 fire detection and alarm system is proposed with increased lobby protection to the perimeter stairs and disabled refuge points on all floors. Natural smoke clearance system provided to the basement.</p>
<p>4. Access for fire service personnel and</p>	<p>Fire service access will be via the</p>

equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these	existing locations off York Way and Caledonia Street, using the two existing dry risers which are visible from the street. The existing protected stairs will be provided with an uplift in lobby protection on all floors except the top (5th) floor.
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building	Both the south-west external escape stair and the north-east escape stair provide a dry riser inlet within sight of the appliance location, York Way and Caledonia Street respectively. An additional new dry riser is being proposed which can be accessed adjacent to the north-east stair inlet for further coverage of the basement storey only. A plan is included indicating the Fire Service Vehicle Access from York Way and Caledonia Street and the position of the existing and also the additional dry riser to serve the basement only.
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	There are no proposed further landlord modifications. Tenant fit-out modifications on floor would be in compliance with the buildings fire strategy. Any future modifications will be considered in conjunction with the basebuild fire strategy, with building control and LFB approval.

10.463 It is proposed that any permission should be subject to a condition **(35)** ensuring that the development should only be occupied and managed in accordance with the submitted fire strategy.

### **Resident Engagement/Consultation**

10.464 Paragraph 39 of the NPPF (2021) states:

*Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.*

10.465 Paragraph 132 of the NPPF (2021) states:

*Design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve*

*designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot*

10.466 A number of residents have submitted comments concerning the applicant's consultation with residents.

10.467 Details of the pre-application consultation can be found within the Statement of Community Involvement (SCI) that was submitted with the application. During the course of the application, the applicant has provided the following additional comments:

*As the long-term owner and steward of the Regent Quarter estate, the Applicant has committed to continuing its dialogue with residents beyond the life of the planning application that has been submitted. This includes discussions around the management of the estate and public spaces, with the aim to create an informed approach to the positive regeneration of the Regent Quarter.*

*This engagement has been undertaken by a range of methods including public meetings, one to one meetings with residents and newsletters and has led to the Applicant making significant alterations to the plans being brought forward and additional commitments to residents in order to respond to the concerns raised.*

#### **Post-submission engagement**

*On 28 August the Applicant issued a newsletter to all on-site residents and those living within close proximity to the Regent Quarter, summarising the planning applications that were submitted and notifying recipients of their opportunity to send comments on these applications directly to the local authority. This also outlined the Applicant's desire to continuing dialogue with residents going forward.*

*The Applicant has since hosted three resident meetings on site, on 13 July, 18 November and 30 November 2021 respectively. Both meetings were attended by representatives of the Applicant and the project team, including planning consultants, Savills, and architects, Piercy & Company. These meetings offered a chance for the project team to present the schemes coming forward and listen to residents' views, specifically about issues relating to the public realm and management of public spaces.*

*The Ward Councilors' were also notified of both meetings and offered a chance to attend. In light of this Cllr Una O'Halloran joined the event on 18 November.*

*In addition to these meetings, the Applicant has continued to host one-to-one meetings with residents. So far, 25 separate meetings have been held to this end and the Applicant remains committed to continuing this open and direct dialogue going forward.*

*Since the planning application was submitted, the Applicant has also held follow up meetings and site tours with key community stakeholders, including the Learning Quarter Partnership (Hugh Myddelton and Winton primary schools) and the Knowledge Quarter. This engagement has led to an ongoing collaboration and steps*

*toward a formal partnership.*

*The Applicant also took the opportunity to present the scheme to members of the planning committee and local ward councilors at a briefing that was held by the London Borough of Islington on 8 October.*

### **Feedback and Applicant's response**

*The Applicant has carefully considered the feedback it has received from residents and ward councilors during this period of engagement and in response has made a number of changes to the plans and commitments going forward. These include:*

- *Producing daylight and sunlight reports for individual properties upon request;*
- *Appointing TOREN security consultants to improve on-site security management;*
- *Committing to the appointment of a contractor who is part of the Considerate Constructors Scheme;*
- *Providing on-site cycle spaces for residents.*
- *Improving the interface of the development with York Way by providing more active uses and frontages where possible (Laundry Building on York Way).*

### **Planning Obligations and CIL**

- 10.468 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.
- 10.469 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a s.106 agreement.
- 10.470 ICS Policy CS 18 (Delivery and infrastructure) states that the council will work with its partners to deliver the infrastructure required to support development, and will require contributions from new development to ensure that the infrastructure needs are provided for and that the impacts of the development are mitigated. As mentioned in the previous section in the report, the proposed development would be subject to section 106 obligations to ensure that appropriate education and training opportunities arise from the development, which would require a local employment and training contribution and a construction training placement during the construction period. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.
- 10.471 In order for the development to mitigate its own direct impacts, and to be acceptable

in planning terms the following heads of terms are recommended, secured by a separate s.106 agreement for each application. The contributions outlined below relate solely to application P2021/2269/FUL:

- A contribution towards provision of off-site affordable housing of: £234,413.33.
- No occupation of any of the uses / development hereby approved unless and until the Affordable Workspace at 34b York Way has been delivered to the satisfaction of the Council. This shall be provided at peppercorn rent for 10 years with a 50% reduction in service charge for that whole period.
- In the event that the associated application P2021/2270/FUL is refused then an affordable workspace location shall be identified within this scheme to deliver a minimum of 5% of the uplift in floor area at a peppercorn rent for a minimum of 10 years including a 50% reduction in service charge.
- A contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Employment and training contribution of £24,582 to improve the prospects of local people accessing new jobs created in the proposed development.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount for this application is £145,176.00. This amount may be reduced in the event that through addressing condition **23** further energy efficiency is obtained and the financial contribution can be reduced accordingly.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £3,007 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 4 accessible parking bays or a contribution of £8,000 towards accessible transport measures.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
- Compliance with the Code of Employment and Training.
- Compliance with the Council's Code of Local Procurement.

- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of, and compliance with, a Green Performance Plan.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Locations of 16 short stay cycle parking stands (32 spaces) to be accommodated within the Highway at locations that will serve the development, to be agreed through the S278 Agreement.
- Changes to the hours of opening of Block B entrance gates to Pentonville Road and Caledonian Road. The gates at Pentonville Road and Caledonian Road to close between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk.
- Engagement Plan with local schools, Winton Primary School and Hugh Myddelton Primary School through the Learning Quarter Partnership, to secure Endurance Land engagement with the Schools to support future learning opportunities. To secure:
  - Hosting site visits to Regent Quarter and providing talks about the project
  - Providing seminars to learn about the property industry and sector; and
  - Encouraging future tenants within Regent Quarter to host seminars about their respective industries and sectors

### **Planning Balance Assessment**

- 10.472 Paragraph 47 of the NPPF dictates that "*Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise*".
- 10.473 The proposed development is considered acceptable in principle and in land use terms, the scheme is considered to be compliant with the London Plan policy SD5 and E1, Islington Core Strategy policies CS6 and CS13, Islington Development Management Policies DM5.1 subject to the acceptability of other material considerations. The proposal includes the provision of 388sqm of affordable workspace which accords with policy E3 of the London Plan 2021, and exceeds the minimum requirements of policy DM5.4 of the Islington Development Management Policies 2013.
- 10.474 The scheme would also comply with policies relating to design, archaeology, energy, sustainability, accessibility and transportation.

10.475 Whilst the proposed development in terms of its bulk and mass to Times House would cause less than substantial harm to the setting of adjacent and nearby listed buildings and the character and appearance of the King's Cross Conservation Area, that harm is considered to be outweighed by the public benefits brought forward within these proposals.

10.476 The proposals bring forward the following public benefits which should be afforded weight. These have been discussed throughout the report, and include:

- Uplift in commercial floorspace of 1,723.6sqm (GIA) with respect of this specific planning application within the CAZ, refurbishment to the existing office building, with flexible commercial uses on ground floor level to provide greater degree of active frontage on York Way;
- Provision of affordable workspace to support the council to provide affordable workspace within the borough, exceeding the minimum 5 percent stipulated the adopted policy (in the event both planning applications are approved);
- If the associated application is refused then a 5% affordable workspace provision shall be secured via approved details and plans at peppercorn rent for a minimum of 10 years with a 50% reduction in service charge;
- Provision of financial contributions towards affordable housing provision in the borough amounting to £234,416.33;
- Provision of a financial contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Significant improvements to the quality and permeability of the public realm, through works to the courtyards within Block B as secured by condition **29**.
- Heritage benefits, including works to enhance the courtyards within Block B by alterations to the paving through introducing a fine surface treatment to be secured by condition **3**, and works to both the street facing and courtyard facing façades of the Laundry Building.
- Increase in employment at the site, as well as the relevant jobs and training contributions set out in the Planning Obligations SPD;
- Enhancement to the appearance of the facades of the building;
- Improvements to the energy efficiency of the operation of the building and reuse of structural elements of the existing building in its redevelopment.
- Engagement with local schools to engage local pupils in an understanding of the construction processes. Further details are to be negotiated within the s106 agreement. Moderate weight is given to this initiative as it lends weight to both this application and the associated application to Jahn Court.

10.477 In summary, Officers consider that the aforementioned public benefits outweigh the less than substantial harm caused to the setting of adjacent listed buildings (including the National Set Piece) and to the character and appearance of the Kings Cross Conservation Area.

## **11. CONCLUSION**

11.1 As set out in the above assessment, the proposal has been assessed against the



adopted Development Plan, the emerging Local Development Plan and the comments made by residents and consultees.

- 11.2 The proposed commercial intensification of the site, with additional office and flexible commercial floorspace is considered to be the most appropriate use for this site, taking into account its location and the context of the area in CAZ, as well as the clear policy intent (E1) of the new London Plan (2021).
- 11.3 The proposed improvement to the appearance of the buildings is considered to contribute to an enhancement to the character of the area, particularly at street level surrounding the site, with enhancements to the conservation area and listed building settings in ground level views. Whilst the height and massing of the proposal will be visible in some (but minimal) views around the site and is concluded to cause less than substantial harm (to the lower end of the scale) to the setting of the nearby listed buildings and the character and appearance of the Kings Cross Conservation Area. However this harm is considered to be outweighed by the public benefits of the scheme. In terms of energy, the proposed development would represent significant improvement to the existing building in energy terms. The proposal would also have acceptable impacts on highways, sustainability and inclusive design.
- 11.4 The proposal would deliver affordable workspace that exceeds the minimum policy requirement of 5% of the uplift (10.4% of the two planning applications floorspace uplift) and covers a period of 10 years, with a 50% reduction in service charges. This would have to be delivered prior to first occupation of this development.
- 11.5 The proposals would cause minimal impact to daylight receipt of nearby properties, marginally in excess of BRE losses which given the context of the site in a highly urban location are considered to be acceptable, given those guidelines are intended to be applied flexibly.
- 11.6 The servicing arrangements propose amendments and refuse collection are secured by condition. The development is otherwise car free and would be secured as such. A financial contribution towards improvements to the public realm surrounding the site has been agreed with the applicant.
- 11.7 As such, the proposal represents sustainable development and would comply with the relevant national, regional, and local planning policies (including the Islington Core Strategy, the Islington Development Management Policies, and associated Supplementary Planning Documents).
- 11.8 It is recommended that planning permission is granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 - RECOMMENDATIONS.

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

That planning permission be granted subject to the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 between the Council and all persons with an interest in the land (including mortgagees) in order to secure the following planning obligations in relation to application P2021/2269/FUL to the satisfaction of the Head of Law and Public Services and the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service:

- A contribution towards provision of off-site affordable housing of: £234,413.33.
- Provision of Affordable Workspace at 34b York Way for 10 years at peppercorn rent with a 50% reduction in service charge. No occupation of this development unless and until the affordable workspace at 34b York Way has been delivered to the satisfaction of the Council / Inclusive Economy Team.
- In the event that the associated application P2021/2270/FUL is refused then an affordable workspace location shall be identified within the scheme to deliver a minimum of 5% of the uplift in floor area at a peppercorn rent for a minimum of 10 years including a 50% reduction in service charge.
- A contribution of £35,500 towards public realm improvement works in the streets immediately abutting the development site.
- Employment and training contribution of £24,582 to improve the prospects of local people accessing new jobs created in the proposed development.
- A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for Islington (currently £920). Total amount for this application is £145,176.00. This amount may be reduced in the event that through addressing condition 23 further energy efficiency is obtained and the financial contribution can be reduced accordingly.
- Facilitation, during the construction phase of the development, of the following number of work placements: 1. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £5,000.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £3,076 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- The provision of 4 accessible parking bays or a contribution of £8,000 towards accessible transport measures.
- The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the

applicant and the work carried out by LBI Highways. Conditions surveys may be required.

- Compliance with the Code of Employment and Training.
- Compliance with the Council's Code of Local Procurement.
- Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Submission of, and compliance with, a Green Performance Plan.
- Submission of a draft framework Travel Plan (for each building) with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
- Locations of 16 short stay cycle parking stands (32 spaces) to be accommodated within the Highway at locations that will serve the development, to be agreed through the S278 Agreement.
- Changes to the hours of opening of Block B entrance gates to Pentonville Road and Caledonian Road. The gates at Pentonville Road and Caledonian Road to close between midnight and 1am as the last gates to close following closing time at the bars and restaurants in Vanisher's Yard and Bravington's Walk.
- Engagement Plan to be agreed with Local Schools prior to implementation of the development.
  - During construction – Endurance Land will host site visits and seminars on construction and property matters for two local schools where there is an existing relationship with the developer:
    - Winton Primary School; and
    - Hugh Myddelton Primary School;
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

That, should the Section 106 Deed of Planning Obligation not be completed within 2 weeks from the date of the Planning committee meeting when a resolution to approve the application is reached (or a future date as agreed by officers and the applicant), the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

## RECOMMENDATION B

That the grant of planning permission be subject to **conditions** to secure the following:

### List of Conditions:

1	<p><b>Commencement (compliance)</b></p> <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	<p><b>Approved plans list (compliance)</b></p> <p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents:</p> <p>Site location Plan - 13601-A-Z2-LXX-00-001; Existing Site Plan (1:500) - 13601-A-02-LXX-00-020; Existing Site Plan (1:200) - 13601-A-02-L00-01-050; Existing Basement Plan - 13601-A-02-LG1-01-099; Existing Ground Floor Plan - 13601-A-02-L00-01-100; Existing First Floor Plan - 13601-A-02-L02-01-101; Existing Second Floor Plan - 13601-A-02-L02-01-102; Existing Third Floor Plan - 13601-A-02-L03-01-103; Existing Fourth Floor Plan - 13601-A-02-L04-01-104; Existing Roof Plan - Lower - 13601-A-02-L05-01-105; Existing Roof Plan - Upper - 13601-A-02-L06-01-106; Street Elevations - Existing (North and West) - 13601-A-02-LXX-01-150; Context Section - Existing (North - South) - 13601-A-02-LXX-01-160; Context Section - Existing (East - West) - 13601-A-02-LXX-01-161; Existing North Elevation - 13601-A-02-LXX-01-200; Existing West Elevation - 13601-A-02-LXX-01-201; Existing South Elevation - 13601-A-02-LXX-01-202; Existing East Elevation - 13601-A-02-LXX-01-203; Existing Section AA - 13601-A-02-LXX-01-300; Existing Section BB - 13601-A-02-LXX-01-301; Existing Section CC - 13601-A-02-LXX-01-302; Existing Section DD - 13601-A-02-LXX-01-303; Existing Section EE - 13601-A-02-LXX-01-304; Existing Section FF - 13601-A-02-LXX-01-305; Existing Section GG - 13601-A-02-LXX-01-306; Existing Section HH - 13601-A-02-LXX-01-307; Existing Section II - 13601-A-02-LXX-01-308;</p> <p>Basement Plan - Demolition - 13601-A-02-LG1-02-099; L00 Plan - Demolition - 13601-A-02-L00-02-100; L01 Plan - Demolition - 13601-A-02-L02-02-101; L02 Plan - Demolition - 13601-A-02-L02-02-102; L03 Plan - Demolition - 13601-A-02-L03-02-103; L04 Plan - Demolition - 13601-A-02-L04-02-104; Lower Roof Plan - Demolition - 13601-A-02-L05-02-105; Upper Roof Plan - Demolition - 13601-A-02-L06-02-106; Times House North Elevations - Demolition - 13601-A-02-LXX-02-200; Times House West Elevations - Demolition - 13601-A-02-LXX-02-201; Times House South Elevation - Demolition - 13601-A-02-LXX-02-202; Times House East Elevation - Demolition - 13601-A-02-LXX-02-203; Laundry Buildings North Elevation - Demolition - 13601-A-02-LXX-02-204; Laundry Buildings West Elevation - Demolition - 13601-A-02-LXX-02-205; Laundry Buildings South Elevation - Demolition - 13601-A-02-LXX-02-206; Laundry Buildings East Elevation - Demolition - 13601-A-02-LXX-02-207;</p> <p>Proposed Site Plan (1:500) - 13601-A-02-LXX-07-020 P1; Proposed Site Plan (1:200) - 13601-A-02-L00-07-050 P1; Proposed Basement Plan - 13601-A-02-LB1-07-099 P1; Proposed Ground Floor Plan - 13601-A-02-L00-07-100 P2; Proposed First Floor Plan - 13601-A-02-L01-07-101 P1; Proposed Second Floor Plan - 13601-A-02-L02-07-102 P1; Proposed Third Floor Plan - 13601-A-02-L03-07-103 P1; Proposed Fourth Floor Plan - 13601-A-02-L04-07-104 P 2; Proposed Fifth Floor Plan - 13601-A-02-L05-07-</p>

105 P2 ; Proposed Roof Plan - Lower - 13601-A-02-L06-07-106 P 2; Proposed Roof Plan - Upper - 13601-A-02-LRF-07-107 P 2; Street Elevations - Proposed (North and West) - 13601-A-02-LXX-07-150 P 2; Context Section - Proposed (North - South) - 13601-A-02-LXX-07-160 P 2; Context Section - Proposed (East - West) - 13601-A-02-LXX-07-161; Proposed North Elevation (Caledonia Street) - 13601-A-02-LXX-07-200 P 2; Proposed West Elevation - 13601-A-02-LXX-07-201 P2; Proposed South Elevation - 13601-A-02-LXX-07-202; Proposed East Elevation - 13601-A-02-LXX-07-203 P 2; Proposed Section AA - 13601-A-02-LXX-07-300 P1; Proposed Section BB - 13601-A-02-LXX-07-301 P2 ; Proposed Section CC - 13601-A-02-LXX-07-302 P2; Proposed Section DD - 13601-A-02-LXX-07-303; Proposed Section EE - 13601-A-02-LXX-07-304 P2 ; Proposed Section FF - 13601-A-02-LXX-07-305; Proposed Section GG - 13601-A-02-LXX-07-306; Proposed Section HH - 13601-A-02-LXX-07-307 P1; Proposed Section II - 13601-A-02-LXX-07-308 P1;

Laundry Yard and Times Yard Existing Plan - 0182c\_PR3-P-X-LY-01 rev B; Laundry Yard Existing Sections AA, BB, CC + DD - 0182c\_PR3-P-X-LY-02 rev A; Laundry Yard Existing Sections EE, FF, GG + HH - 0182c\_PR3-P-X-LY-03 rev A; Laundry Yard + Times Yard Proposed Plan - 0182c\_PR3-P-GA-LY-01 rev B; Times Yard Proposed Sections AA, BB, CC + DD - 0182c\_PR3-P-GA-LY-02 rev A; Laundry Yard Proposed Sections EE, FF, GG + HH - 0182c\_PR3-P-GA-LY-03 rev A; Laundry Yard and Times Yard Proposed Services Plan - 0182c\_PR3-P-DT-LY-02 rev B; 0182c-PR3-P-GA-BlockB Rev B; 0182c-PR3-P-GA-LY-04 Rev B; Laundry Yard Proposed Detail Plan + Isometric - 0182c\_PR3-P-DT-LY-01 rev A; Laundry Yard Proposed Plan - 0182c\_PR3-P-DT-LY-03 rev A;

Air Quality Assessment - Tetra Tech July 2021; Air Quality Dust Management Plan - Tetra Tech July 2021; Arboricultural Impact Assessment - TMA July 2021; Archaeological Desk Based Assessment - Savills August 2021; Biodiversity Net Gain Assessment and Urban Greening Factor Review - MKA Ecology July 2021; Construction Traffic Management Plan - RGP July 2021; Cover letter - Savills 2 Aug 2021; Daylight sunlight and overshadowing report - Point 2 Surveyor July 2021; Delivery and Servicing Management Plan - RGP July 2021; Design and Access Statement - Piercy and Company July 2021; Economic Benefits and Social Value Infographic July 2021; Flood Risk Assessment and Drainage Strategy Report - Arup July 2021; Framework Travel Plan - RGP July 2021; Geoenvironmental and Geotechnical Report - Campbell Reith July 2021; Health Impact Assessment Screening Form - Savills July 2021; Heritage and Townscape Statement - Turley July 2021; Noise Impact Assessment - Scotch Partners July 2021; Planning Statement - Savills July 2021; Preliminary Ecological Appraisal and Preliminary Roost Assessment - MKA Ecology July 2021; Public Realm report - Publica July 2021; Statement of Community Involvement - London Communications Agency July 2021; Sustainable Design and Construction Statement - Normal Disney and Young July 2021; Transport Statement - RGP July 2021; DRP Response Schedule 27.08.21; Letter from Point2 dated 8 October 2021; Noise Impact Assessment Addendum Revision 02 27 October 2021; Transport Statement Addendum October 2021 Ref: 19/4978/TN11; Energy Statement Responses to Planning Comments 18 October 2021; Heritage and Townscape Statement October 2021; NDY-G-SK-048[1.0]; MKA Ecology-Regents Quarter-Bat Mitigation Close Down Report 1.0; Letter from Savills 8 December 2021; Regent Quarter - Affordable Workspace Statement November 2021; Letter form Savills 26 January 2022; Times House - Massing & Materiality Progression Summary January 2022; Design & Access Statement Addendum January 2022; Fire Planning Statement dated 28 January 2022 ref: 14220-004;

	<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>
<b>3</b>	<p><b>Materials and Samples (Details)</b></p> <p>CONDITION: Details and samples of the following facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> <li>a) Precast red entrance elements with complementary rendered facades;</li> <li>b) Pale yellow brickwork;</li> <li>c) Gold coloured metal work;</li> <li>d) White render;</li> <li>e) Articulated green coloured metal cladding;</li> <li>f) Profiled glass cladding;</li> <li>g) Metal cladding;</li> <li>h) Window treatment (including sections and reveals);</li> <li>i) Roofing materials including roof extension facing;</li> <li>j) Balustrading treatment (including sections);</li> <li>k) Green Procurement Plan</li> <li>l) Paving slabs and any other materials to be used as part of works to public realm in Laundry Yard and Times Yard</li> <li>m) Any other materials to be used</li> </ul> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>4</b>	<p><b>Cycle Parking (Compliance)</b></p> <p>CONDITION: The bicycle storage area(s) hereby approved and shown on drawings Proposed Basement Plan 13601-A-02-LB1-07-99-P1 and Proposed Ground Floor Plan 13601-A-02-L00-07-100-P2, shall be covered, secure and comprise of no less than</p> <ul style="list-style-type: none"> <li>- 101 secure cycle spaces with associated shower, changing facilities, lockers and mobility scooter charging points.</li> <li>- 25 short stay cycle spaces;</li> </ul> <p>The secure bicycle spaces shall be provided prior to the first occupation of the development hereby approved and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
<b>5</b>	<p><b>Construction and Environmental Management Plan (Details)</b></p> <p>CONDITION: Notwithstanding the details submitted with the application, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The Construction and Environmental Management Plan shall include details and arrangements regarding:</p> <ul style="list-style-type: none"> <li>a) The notification of neighbours with regard to specific works;</li> </ul>

- 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 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;
- e) Details of waste storage within the site to prevent debris on the surrounding highway and a scheme for recycling/disposing of waste resulting from construction works;
- f) 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;
- 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 neighbouring 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)
- l) 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.

The report shall assess the impacts during the preparation and construction phases of the development, together with means of mitigating any identified impacts. The report shall also identify other local developments and highways works, and demonstrate how vehicle movements would be planned to avoid clashes and/or highway obstruction on the surrounding roads.

The CEMP must refer to the new LBI Code of Practice for Construction Sites. The CEMP shall specify the hours of construction, vehicle movements are restricted to take place outside of the peak times of 8am-10am and 4pm and 6pm. It should also provide details on method of demolition, quiet periods and noise mitigation.

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

The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent

	<p>of the Local Planning Authority.</p> <p>REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.</p>
<b>6</b>	<b>Green roofs (Details)</b>
	<p>CONDITION: Notwithstanding the approved plans, details of all proposed green/blue/brown roofs across the approved development shall be submitted and approved by the Local Planning Authority prior the commencement of superstructure works on site. The proposed green/blue/brown roofs shall be designed, installed and maintained in a manner that meets the following criteria:</p> <p>a) green roofs shall be biodiversity based with extensive substrate base (depth 120 - 150mm);</p> <p>b) laid out in accordance with plans hereby approved; and</p> <p>c) planted/seeded with a mix of species within the first planting season following the practical completion of the building works (the seed mix shall be focused on wildflower planting, and shall contain no more than a maximum of 25% sedum). The biodiversity (green/brown) roof shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be accessed for the purpose of essential maintenance or repair, or escape in case of emergency.</p> <p>The green roofs hereby shall not be used as an amenity or sitting out spaces of any kind whatsoever and shall not be used other than for essential maintenance or repair, or escape in case of emergency.</p> <p>The biodiversity roofs shall be installed strictly in accordance with the details as approved, shall be laid out within 3 months or the next available appropriate planting season after completion of the external development works / first occupation, and shall be maintained as such thereafter.</p> <p>REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.</p>
<b>7</b>	<b>Lighting (Details)</b>
	<p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site and subsequently implemented prior to first occupation of the development hereby permitted. These measures might include:</p> <ul style="list-style-type: none"> <li>- Automated roller blinds;</li> <li>- Lighting strategies that reduce the output of luminaires closer to the façades;</li> <li>- Light fittings controlled through the use of sensors.</li> </ul> <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p> <p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
<b>8</b>	<b>Refuse and Recycling (Details)</b>
	<p>CONDITION: Details of the site-wide waste strategy for the development shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing onsite.</p>



	<p>The details shall include:</p> <ul style="list-style-type: none"> <li>a) the layout, design and appearance (shown in context) of the dedicated refuse/recycling enclosure(s);</li> <li>b) a waste management plan</li> <li>c) Any additional or separate refuse storage required for the flexible commercial uses, including Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) uses.</li> </ul> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved. The physical enclosures shall be provided/erected prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
<b>9</b>	<p><b>Bird and Bat Nesting Boxes (Details)</b></p>
	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of superstructure works, details of a minimum of 12 bird and bat boxes shall be submitted and approved by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
<b>10</b>	<p><b>Extract ventilation for restaurant use (Details)</b></p>
	<p>CONDITION: Notwithstanding the approved plans, the restaurant uses (Class E(b)) as part of the flexible uses hereby permitted shall not commence operation unless details of extraction/ventilation system and odour assessment in relation to such use, is submitted to and approved by the Local Planning Authority.</p> <p>The approved extraction/ventilation system shall be fully installed and operational prior to the occupation of the restaurant use, and shall be maintained in perpetuity.</p> <p>REASON: To protect the neighbouring occupiers and ensure that the restaurant operation would have an acceptable impact in terms of noise and odour control.</p>
<b>11</b>	<p><b>Plant Equipment (Compliance)</b></p>
	<p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level <math>L_{Aeq,T}</math> arising from the proposed plant, measured or predicted at 1m from the façade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level <math>L_{AF90,T}</math>. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>The development shall be carried out strictly in accordance with the scheme prior to first occupation, shall be maintained as such thereafter, and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>

<b>12</b>	<b>Plant equipment - Post-Installation Verification (Details)</b>
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 12. The report shall include site measurements of the plant insitu.</p> <p>The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity or business operations.</p>
<b>13</b>	<b>Scheme for the Management of Uses (Details)</b>
	<p>CONDITION: A scheme for the management of the Class Eb) Café/restaurant / Sui Generis uses within the development shall be submitted and approved by the Local Planning Authority prior to first occupation of the units hereby approved. The Scheme of Management shall include:</p> <ul style="list-style-type: none"> <li>a) sound insulation measures including walls/floors, glazing, ventilation, doors and lobbies;</li> <li>b) hours of use;</li> <li>c) a full dispersal policy and procedure;</li> <li>d) a door policy;</li> <li>e) signs to request patrons to leave in a quiet manner and not to loiter in the surrounding streets;</li> <li>f) servicing and delivery times/arrangements as part of a site wide plan;</li> <li>g) bottling out and waste management noise and times as part of a site wide plan;</li> <li>h) control and levels of noise from any amplified music within the unit;</li> <li>i) control of any noise from any designated smoking areas;</li> <li>j) control of noise from any external areas;</li> <li>k) close down policy with amplified music shut-off and increased lighting;</li> <li>l) security, including any additional proposed CCTV;</li> <li>m) any additional external or security lighting;</li> <li>n) capacity (of each use);</li> <li>o) private hire facilities/functions;</li> <li>p) any use of roll cages/trolleys</li> </ul> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>14</b>	<b>Restricted use - roof terraces (Compliance)</b>
	<p>CONDITION: The roof terraces at first, fourth and fifth floor levels hereby approved shall not be used for any purpose except as an ancillary outdoor space in association with the office use (Class E(g)(i)).</p> <p>The roof terraces hereby approved shall not operate outside the hours of:</p> <ul style="list-style-type: none"> <li>- 0800 to 1800 hours Monday to Friday</li> </ul> <p>REASON: To protect the amenity of the neighbouring properties and the other commercial operations within the building.</p>
<b>15</b>	<b>Restriction of PD rights - Class E to residential (Compliance)</b>
	<p>Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-</p>

	<p>enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>16</b>	<b>Restriction of office use (upper levels) (Compliance)</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to permitted office use. With the exception of the ground floor level uses specified under condition 18, the upper floors of Times House building and Laundry Building hereby approved shall only be used for office use and for no other purpose (including any other purpose within Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 and subsequent Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020) or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office floorspace in this location and retains control over the change of use of the building in the future.</p>
<b>17</b>	<b>Restriction of commercial uses (ground floor) (Compliance)</b>
	<p>CONDITION: Operation of Section 55(2)(f) of the Town and Country Planning Act 1990 is precluded with regard to the flexible units on the ground and first floor levels, except the permitted use(s) hereby approved (as shown on plan no. 13601-A-02-L00-07-100-P2):</p> <p>A) Times House - 4no. Ground floor retail units only - Class E (a) – retail</p> <p>B) Times House – 2 No. Ground floor Flexible Use Units Class E b) – Food and Drink Sui Generis Bar &amp; Drinking Establishment</p> <p>C) Laundry Building 1no. Ground floor Flexible Use Unit Class E b) – Food and Drink Sui Generis Bar &amp; Drinking Establishment</p> <p>D) Laundry Building 1no. Ground floor Active Flexible Use Unit Class E (a) – retail Class E b) – Café/Restaurant Class E (d) - fitness Class E (g)(i) - office</p> <p>and for no other purpose, including any purpose falling solely under Class E of the Schedule 2 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and subsequent Town and Country Planning (Use Classes) (Amendment) (England)</p>

	<p>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 ensure that the Local Planning Authority can restrict the use of the building to this specific commercial use(s) only and retains control over the change of use of the building in the future.</p>
<b>18</b>	<b>Accessible Showers/WC's (Compliance)</b>
	<p>CONDITION: For the hereby approved development the accessible showers and WC's shall be installed in accordance with drawing no's 13601-A-02-LB1-07-099-P1; 13601-A-02-L00-07-100-P2; 13601-A-02-L01-07-101 P1; 13601-A-02-L02-07-102 P1; 13601-A-02-L03-07-103 P1; 13601-A-02-L04-07-104 P2; 13601-A-02-L05-07-105-P2 ; and shall be available for users upon the first occupation of the development.</p> <p>The layout shall be retained in accordance with the approved drawings for the lifetime of the building.</p> <p>REASON: To provide an accessible environment for future occupiers.</p>
<b>19</b>	<b>Lifts (Compliance)</b>
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p> <p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
<b>20</b>	<b>Hours of Operation (Compliance)</b>
	<p>CONDITION: The flexible uses on the ground and first floor levels hereby approved shall only operate between the following hours:</p> <p><u>Class E (a) – Retail:</u></p> <p>7am - 10pm Monday to Saturday 8am - 8pm Sundays</p> <p><u>Class E (b) – Restaurant:</u></p> <p>7am to 11pm - Monday to Thursday 7am to midnight - Friday and Saturday 8am to 9pm Sundays</p> <p><u>Class E (d) – indoor sport, recreation or fitness:</u></p> <p>7am - 10pm Monday to Saturday 8am - 8pm Sundays</p> <p><u>Sui Generis – Bar &amp; Drinking Establishment</u></p> <p>8am to 11pm - Monday to Thursday 8am to midnight - Friday and Saturday 8am to 10pm Sundays</p>

	<p>The restrictions shall be applied and permanently adhered to unless otherwise agreed with the Local Planning Authority.</p> <p>REASON: In the interests of protecting neighbouring residential amenity.</p>
<b>21</b>	<b>No Plumbing or Pipes (Compliance)</b>
	<p>CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the northern external elevation of the building hereby approved.</p> <p>REASON: To ensure that such plumbing and pipes would not detract from the appearance of the building, the character and historic significance of the area.</p>
<b>22</b>	<b>No obscure glazing or vinyl graphics (Compliance)</b>
	<p>CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the front elevation.</p> <p>REASON: To ensure that the approved elevation would provide clear views onto the street from inside, and to ensure the building would provide an active frontage and natural surveillance to the area.</p>
<b>23</b>	<b>Energy (Details)</b>
	<p>CONDITION: Prior to commencement of superstructure works the following updated Energy information shall be submitted to the Local Planning Authority and approved in writing:</p> <ol style="list-style-type: none"> <li>a) Potential improvements to air permeability for Times House and the Laundry Buildings (U-values), including internal wall insulation for the Laundry Building;</li> <li>b) Potential improvements to luminous efficacies;</li> <li>c) Potential increase to solar PV capacity and additionally to secure the following details (solar PVs): <ul style="list-style-type: none"> <li>- Location;</li> <li>- Area of panels;</li> <li>- Design (including elevation plans);</li> <li>- PV specification / efficiency; and</li> <li>- How the design of the PVs would not adversely affect the provisions of green roofs on site</li> </ul> </li> </ol> <p>The updated Energy efficiency measures and increased solar photovoltaic panel capacity shall be installed prior to the first occupation of the development in accordance with the updated details so approved and retained as such permanently thereafter.</p> <p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that C02 emission reduction targets by energy efficient measures/features are met.</p>
<b>24</b>	<b>BREEAM (Compliance)</b>
	<p>CONDITION: All business floorspace within the development hereby approved shall achieve the most relevant and recent BREEAM (2018) rating of no less than "Excellent".</p> <p>REASON: In the interests of sustainable development and addressing climate change.</p>
<b>25</b>	<b>Inclusive Design Principles (Details)</b>
	<p>CONDITION: Prior to occupation of the development, to ensure compliance with the</p>

	<p>principles of Inclusive Design, the following amendments/details shall be submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing:</p> <p>a) The glazed entrance doors shall visually contrast with their frames, with a contrast of at least 30 LRV points.</p> <p>b) The cycle lift will have dimensions of 2300mm x 1200mm. The door to the cycle store will be power assisted and the secure entrance key fob will be located at height accessible to wheelchair users. Details shall be submitted to demonstrate this for approval.</p> <p>c) Audio-loops will be included within the reception desks.</p> <p>The details so approved shall be installed prior to first occupation of the relevant building and retained as such permanently thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>26</b>	<p><b>Servicing and Delivery Plan (Flexible Use Unit) (Details)</b></p>
	<p>DELIVERY &amp; SERVICING: A Delivery and Servicing Plan (DSP) detailing servicing arrangements for the proposed non-office uses, including the flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)) unit, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the units hereby approved.</p> <p>The development shall be constructed and operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>27</b>	<p><b>Crime Prevention (Details)</b></p>
	<p>CONDITION: Details of measures to prevent crime and anti-social behaviour shall be submitted to and approved in writing by the Local Planning Authority prior to occupation including:</p> <p>a) Access into the site is required to be gated and access controlled overnight. Security rated gates are to be used at the key entry points. LPS 1175 SR2 (issue 8 B3) or STS 202 BR 2 (issue 9) are the preferred specification.</p> <p>b) Details of the proposed London Cycle stands.</p> <p>c) Details of external lighting (including emergency lighting).</p> <p>d) Details of any externally accessed refuse stores should be LPS 1175 SR1 or STS 202 BR2 security rated doors. They should be single leaf and have an auto close feature.</p> <p>e) Details of the basement level cycle store door should be either PAS24:2016 or LPS 2081 security rated. Accessed through encrypted key fob with data logging facility (not a digital key pad). Auto-close and lock feature to prevent tail gating.</p> <p>f) Details of CCTV coverage and lighting strategy and design shall be submitted. The lighting should comply with BS 5489-1:2020. The CCTV with complimentary lighting to be considered for the exterior/entrance and communal areas (internal). A formal, overt CCTV system should be installed and maintained by a member company of either the National Security Inspectorate (NSI) or the Security Systems and Alarms Inspection Board (SSAIB). Images should be retained for a minimum of 30 days. This system would need to be registered with the Information Commissioner's Office, as it would be recording public areas. Appropriate signage indicating this fact needs to be displayed.</p> <p>g) Details of Anti-graffiti treatments for exposed gable ends where appropriate.</p>

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
<b>28</b>	<p><b>Wildlife friendly planting (Details)</b></p> <p>CONDITION: Prior to first occupation of the development hereby approved, details of the wildlife friendly shrub/perennial planting including species type and location, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>All landscaping in accordance with the approved scheme shall be completed / planted during the first planting season following practical completion of the development hereby approved.</p> <p>REASON: In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained</p>
<b>29</b>	<p><b>Public Realm Improvements (Details)</b></p> <p>CONDITION: Details of the proposed public real improvements shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby approved. The proposed improvements to the public realm shall include the following works:</p> <ol style="list-style-type: none"> <li>a) Reconfiguration of the ground floor of Times House to open up the pedestrian link to Bravington's walk and removal of the gate and replacement of paving slabs within courtyard;</li> <li>b) Installation of a new bin store enclosure with planter;</li> <li>c) Reinstatement of the entrance to Laundry Building from Caledonia Street, including associated passages and new Times Yard;</li> <li>d) Installation of new paving to the threshold of Times House south elevation on Bravington's Walk;</li> <li>e) Installation of circular light reflectors to all covered passages, and light reflectors and painting the wall in the passage way from Caledonia Street;</li> <li>f) Addition of planters adjacent to Bravington's Walk and vertical planting within Laundry Yard;</li> <li>g) Installation of wall mounted lighting to Laundry Building and Times House;</li> <li>h) Installation of cycle stands across courtyards and on Caledonia Street southern pavement, including 4 located on surrounding highway (outside of red-line);</li> <li>i) Replacement railings to the railway cutting adjacent to Bravington's Walk.</li> </ol> <p>The public realm improvements shall be implemented strictly in accordance with the details so approved within six months of first occupation, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the scheme brings forward sufficient provide public realm improvements.</p>
<b>30</b>	<p><b>Network Rail – Construction Methodology</b></p> <p>CONDITION: Development shall not commence until a construction methodology has been submitted to and approved in writing by the Local Authority. The construction methodology shall demonstrate consultation with the Asset Protection Project Manager at Network Rail. The development shall thereafter be carried out in accordance with the approved construction methodology unless otherwise agreed in writing by the Local Planning Authority.</p>

	REASON: The safety, operational needs and integrity of the railway.
<b>31</b>	<b>Network Rail – Ground investigation</b>
	<p>CONDITION: No development should take place in proximity to a tunnel or tunnel shafts without prior submission of details of ground investigation and foundations of the works.</p> <p>Such details to be approved in writing by the local planning authority in consultation with Network Rail.</p> <p>REASON: The safety, operational needs and integrity of the railway.</p>
<b>32</b>	<b>Tree Protection</b>
	<p>CONDITION: Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>Specific issues to be dealt with in the TPP and AMS:</p> <ol style="list-style-type: none"> <li>a. Location and installation of services/ utilities/ drainage.</li> <li>b. Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.</li> <li>c. Details of construction within the RPA or that may impact on the retained trees.</li> <li>d. a full specification for the installation of boundary treatment works.</li> <li>e. a full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.</li> <li>f. Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.</li> <li>g. A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.</li> <li>h. a specification for scaffolding and ground protection within tree protection zones.</li> <li>i. Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.</li> <li>j. details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires</li> <li>k. Boundary treatments within the RPA</li> </ol>



	<p>l. Methodology and detailed assessment of root pruning</p> <p>m. Reporting of inspection and supervision</p> <p>n. Methods to improve the rooting environment for retained and proposed trees and landscaping</p> <p>The development thereafter shall be implemented in strict accordance with the approved details.</p> <p>REASON: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality.</p>
<b>33</b>	<b>Roof-Top Plant &amp; Lift Overrun (Details)</b>
	<p>CONDITION: Details of any roof-top structures/enclosures shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The details shall include the location, height above roof level, specifications and cladding and shall relate to:</p> <p>a) roof-top plant;  b) ancillary enclosures/structure; and  c) lift overrun</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of good design and also to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
<b>34</b>	<b>Site Waste Management and Circular Economy (Compliance)</b>
	<p>CONDITION: The details and measures regarding the Site Waste Management and Circular Economy Statement within the submitted Sustainable Design and Construction Statement dated July 2021 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<b>35</b>	<b>Fire Strategy (Compliance)</b>
	<p>CONDITION: The details and measures set out in the Fire Statement dated 28 January 2022 shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Safety Strategy would need to be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out in accordance with the Fire Safety Strategy under this condition and shall be maintained as such thereafter.</p>

	REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.
<b>36</b>	<b>Noise Management Plan</b>
	<p>CONDITION: Prior to the first use of the first, fourth and fifth floor level roof terraces hereby approved and indicated on drawings 13601-A-02-L01-07-101 P1, 13601-A-02-L04-07-104 P2 and 13601-A-02-L05-07-105 P 2, a Noise Management Plan for use of the terraces, covering management of the space, controls of noise and numbers shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The use of these terraces shall take place strictly in accordance with the details so approved (and condition 14).</p> <p>REASON: To ensure that the development does not have an undue adverse impact on nearby residential amenity.</p>
<b>37</b>	<b>Obscure Glazing and Privacy Screens (Details)</b>
	<p>CONDITION: Notwithstanding the plans hereby approved, further details of obscured glazing and privacy screens to prevent overlooking from the windows on the eastern elevation of the proposed roof extension (Times House) to the neighbouring properties at Joiners Yard shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The obscure glazing and privacy screens shall be installed prior to the occupation of the relevant units and retained as such permanently thereafter.</p> <p>REASON: In the interest of preventing undue overlooking, to protect the amenity and privacy of residents.</p>
<b>38</b>	<b>Inclusive Design (Compliance)</b>
	<p>CONDITION: The development shall be designed in accordance with the principles of Inclusive Design and the measures shown in the drawings hereby approved shall be implemented prior to first occupation of the development.</p> <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<b>39</b>	<b>Future connection to a district energy network (Compliance)</b>
	<p>CONDITION: The details of the plant room allocated for the future connection to a district energy network shall be provided prior to first occupation of the development hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the facility is provided and allows for the future connection to a district heating system.</p>
<b>40</b>	<b>Surface Water Discharge (Compliance)</b>
	<p>CONDITION: Prior to the occupation of the development hereby approved, in accordance with the submitted details, flow restrictors will be installed on the rainwater outlets from the blue and green attenuated roofs to reduce the surface water discharge flow rate into the sewer, and maintained as such throughout the lifetime of the development.</p> <p>REASON: To improve sustainability, reduce flood risk and reduce water runoff rates</p>
<b>41</b>	<b>Air Quality Assessment</b>
	<p>CONDITION: During the construction of the development hereby approved, the proposals shall achieve a Non-Road Mobile Machinery score of at least Stage IV as outlined in the Air</p>

	<p>Quality Assessment and dust management plan, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the construction of the development would not adversely affect the air quality of the local area.</p>
<b>42</b>	<b>Hours of opening – Gates (Details)</b>
	<p>CONDITION: The opening hours of the gates to Block B shall continue to operate as per those in condition P000434(S106A) unless revised opening hours are submitted to and agreed in writing by the Local Planning Authority.</p> <p>For the avoidance of doubt, the permitted hours of opening of the gates to Block B are as follows:  the Internal Walkways in Block B: the period from 0800 to 2100 hours on Monday to Saturday inclusive and 1000 to 2000 hours on Sundays (but excluding in both cases Christmas Day, Boxing Day and New Year’s Day) or such other periods as may arise from time to time be agreed in writing between the Developer and the Council such agreement not to be unreasonably withheld or delayed by either party;</p> <p>REASON: For the protection of neighbouring residential amenity.</p>

## List of Informatives:

<b>1</b>	<b>S106</b>
	<p>SECTION 106 AGREEMENT</p> <p>You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
<b>2</b>	<b>Superstructure</b>
	<p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION'</p> <p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
<b>3</b>	<b>Car-Free Development</b>
	<p>INFORMATIVE: (Car-Free Development) All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.</p>
<b>4</b>	<b>Roof top plant</b>
	<p>The applicant is advised that any additional roof top plant not shown on the approved plans will require a separate planning application.</p>
<b>5</b>	<b>Construction works</b>
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email <a href="mailto:pollution@islington.gov.uk">pollution@islington.gov.uk</a>) or seek prior approval under Section 61 of the Act if you anticipate any difficulty in carrying out construction other than within the hours stated above.</p>
<b>6</b>	<b>Highways Requirements</b>

	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to “Precautions to be taken in doing certain works in or near streets or highways”. This relates, to scaffolding, hoarding and so on. All licenses can be acquired through <u>. All agreements relating to the above need to be in place prior to works commencing.</u></p> <p>Compliance with section 174 of the Highways Act, 1980 - “Precautions to be taken by persons executing works in streets.” Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through <u>streetworks@islington.gov.uk. Section 50 license must be agreed prior to any works commencing.</u></p> <p>Compliance with section 140A of the Highways Act, 1980 – “Builders skips: charge for occupation of highway. Licenses can be gained through <u>streetworks@islington.gov.uk.</u></p> <p>Compliance with sections 59 and 60 of the Highway Act, 1980 – “Recovery by highways authorities etc. of certain expenses incurred in maintaining highways”. Haulage route to be agreed with streetworks officer. Contact <u>streetworks@islington.gov.uk.</u></p>
<b>7</b>	<b>Highways Requirements (2)</b>
	<p>Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact <u>highways.maintenance@islington.gov.uk</u></p> <p>Approval of highways required and copy of findings and condition survey document to be sent to planning case officer for development in question.</p> <p>Temporary crossover licenses to be acquired from <u>streetworks@islington.gov.uk</u>. Heavy duty vehicles will not be permitted to access the site unless a temporary heavy duty crossover is in place.</p> <p>Highways re-instatement costing to be provided to recover expenses incurred for damage to the public highway directly by the build in accordance with sections 131 and 133 of the Highways Act, 1980.</p> <p>Before works commence on the public highway planning applicant must provide Islington Council’s Highways Service with six months’ notice to meet the requirements of the Traffic Management Act, 2004.</p> <p>Development will ensure that all new statutory services are complete prior to footway and/or carriageway works commencing.</p> <p>Works to the public highway will not commence until hoarding around the development has been removed. This is in accordance with current Health and Safety initiatives within contractual agreements with Islington Council’s Highways contractors.</p>

<b>8</b>	<b>Highways Requirements (3)</b>
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer.</p> <p>All lighting works to be conducted by Islington Council Highways Lighting. Any proposed changes to lighting layout must meet the approval of Islington Council Highways Lighting. NOTE: All lighting works are to be undertaken by the PFI contractor not a nominee of the developer. Consideration should be taken to protect the existing lighting equipment within and around the development site. Any costs for repairing or replacing damaged equipment as a result of construction works will be the responsibility of the developer, remedial works will be implemented by Islington's public lighting at cost to the developer. Contact <a href="mailto:streetlights@islington.gov.uk">streetlights@islington.gov.uk</a></p> <p>Any damage or blockages to drainage will be repaired at the cost of the developer. Works to be undertaken by Islington Council Highways Service. Section 100, Highways Act 1980.</p> <p>Water will not be permitted to flow onto the public highway in accordance with Section 163, Highways Act 1980</p> <p>Public highway footway cross falls will not be permitted to drain water onto private land or private drainage.</p>
<b>9</b>	<b>Secured by Design:</b>
	<p>You are reminded to refer to the provisions of the Secured by Design Commercial Developments 2015 Guide (or any replacement guidance), in relation to the risk of crime within both the public and non-public areas of the proposed development, and preventative measures.</p>
<b>10</b>	<b>Fire Safety</b>
	<p>It is recommended that you obtain technical advice regarding compliance with the Building Regulations (and/including matters relating to fire safety and evacuation) prior to any further design work commencing and prior to the selection of materials. In particular, you should seek further guidance regarding the design of the external fabric (including windows) to limit the potential for spread of fire to other buildings. Islington's Building Control team has extensive experience in working with clients on a wide range of projects. Should you wish to discuss your project and how Islington Building Control may best advise you regarding compliance with relevant (building control) regulations, please contact Building Control on 020 7527 5999 or by email on <a href="mailto:Building Control@islington.gov.uk">Building Control@islington.gov.uk</a>.</p>
<b>11</b>	<b>Thames Water – Ground Water</b>
	A Groundwater Risk Management Permit from Thames Water will be required for

	<p>discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a>. Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section</p>
<b>12</b>	<b>Thames Water – Surface Water</b>
	<p>With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services">https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services</a>.</p>
<b>13</b>	<b>Thames Water - WASTE WATER NETWORK and SEWAGE TREATMENT WORKS</b>
	<p>The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a PILING METHOD STATEMENT (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a>. Should you require further information please contact Thames Water. Email: <a href="mailto:developer.services@thameswater.co.uk">developer.services@thameswater.co.uk</a> Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB</p>
<b>14</b>	<b>Draft Travel Plan</b>
	The draft Travel Plan to be submitted as part of the discharge of the Planning

	Obligations shall include measures to remind cyclists that cycling is prohibited within the block, and to promote responsible cycling to the site, and to discourage inappropriate cycling the wrong way down York Way and Balfe street.
<b>15</b>	<b>Thames Water</b>
	<p><u>Waste Comments</u></p> <p>As required by Building regulations part H paragraph 2.36, Thames Water requests that the Applicant should incorporate within their proposal, protection to the property to prevent sewage flooding, by installing a positive pumped device (or equivalent reflecting technological advances), on the assumption that the sewerage network may surcharge to ground level during storm conditions. If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing <a href="mailto:trade.effluent@thameswater.co.uk">trade.effluent@thameswater.co.uk</a> . Application forms should be completed on line via <a href="http://www.thameswater.co.uk">www.thameswater.co.uk</a>. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p> <p>Thames Water would advise that with regard to the COMBINED WASTE WATER network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.</p> <p><u>Water Comments</u></p> <p>There are water mains crossing or close to your development. Thames Water do NOT permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes. <a href="https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes">https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes</a></p>
<b>16</b>	<b>Network Rail</b>
	<p>Network Rail own, operate and develop Britain's railway infrastructure. Our role is to deliver a safe and reliable railway. All consultations are assessed with the safety of the operational railway in mind and responded to on this basis.</p> <p>Given the proximity of the site to operational railway tunnels and the nature of the works proposed, it is imperative that the below requirements are met prior to any work commencing on site.</p> <p>The relationship between the work proposed and the York Road Cure railway tunnel is unclear from the information submitted. The developer must provide a survey showing the position of this work in relation to the tunnel. Additionally, the documentation provided in support of this application indicates that the design will</p>



result in increases in loads on Network

Rail assets beneath and adjacent to the site. Detail relating to this design and loading must be agreed with our Asset Protection Team (details below) prior to work commencing on site. The developer will also be required to liaise with our Asset Protection Team during construction works. Early engagement with Network Rail to address these points is strongly recommended.

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations

" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel will be necessary.

Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.

The above details should be submitted to the Council and only approved in conjunction with Network Rail.

Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel. No right of support is given or can be claimed from Network Rails tunnels or railway land.

#### Works in Proximity to the Operational Railway Environment

##### Development Construction Phase and Asset Protection

Due to the proximity of the proposed development to the operational railway boundary, it will be imperative that the developer liaise with our Asset Protection Team (contact details below) prior to any work taking place on site to ensure that the development can be undertaken safely and without impact to operational railway safety. Details to be discussed and agreed will include construction methodology, earthworks and excavations, use of crane, plant and machinery, drainage and boundary treatments. It may be necessary for the developer to enter into a Basic Asset Protection Agreement (BAPA) with Network Rail to ensure the safety of the operational railway during these works.

#### Additional Requirements

##### Tunnels

Network Rail's Engineer is to approve details of any development works within 15m, measured horizontally, from the outside face of the tunnel extrados with special reference to:

" The type and method of construction of foundations

" Any increase/decrease of loading on the tunnel both temporary and permanent. Certified proof that the proposals shall have no detrimental effect upon the tunnel

	<p>will be necessary.</p> <p>Any proposal must not interfere with Network Rail's operational railway or jeopardise the structural integrity of the tunnel.</p> <p>The above details should be submitted to the Council and only approved in conjunction with Network Rail.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the tunnel structures nor for any noise or vibration arising from the normal use and/or maintenance of the tunnel.</p> <p>No right of support is given or can be claimed from Network Rails tunnels or railway land.</p>
<b>17</b>	<b>Network Rail</b>
	<p><u>Fail Safe Use of Crane and Plant</u></p> <p>All operations, including the use of cranes or other mechanical plant working adjacent to Network Rail's property, must at all times be carried out in a "fail safe" manner such that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following.</p> <p>Crane usage adjacent to railway infrastructure is subject to stipulations on size, capacity etc. which needs to be agreed by the Asset Protection Project Manager prior to implementation.</p> <p><u>Excavations/Earthworks</u></p> <p>All excavations/ earthworks carried out in the vicinity of Network Rail property/ structures must be designed and executed such that no interference with the integrity of that property/ structure can occur. If temporary works compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail.</p> <p>Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Project Manager should be undertaken.</p> <p>Network Rail will not accept any liability for any settlement, disturbance or damage caused to any development by failure of the railway infrastructure nor for any noise or vibration arising from the normal use and/or maintenance of the operational railway. No right of support is given or can be claimed from Network Rails infrastructure or railway land.</p> <p><u>Security of Mutual Boundary</u></p> <p>Security of the railway boundary will need to be maintained at all times. If the works require temporary or permanent alterations to the mutual boundary the</p>

applicant must contact Network Rail's Asset Protection Project Manager.

#### Demolition

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to the operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Project Manager before the development can commence.

#### Vibro-impact Machinery

Where vibro-compaction machinery is to be used in development, details of the use of such machinery and a method statement should be submitted for the approval of the Local Planning Authority acting in consultation with the railway undertaker prior to the commencement of works and the works shall only be carried out in accordance with the approved method statement.

#### Scaffolding

Any scaffold which is to be constructed within 10 metres of the railway boundary fence must be erected in such a manner that at no time will any poles over-sail the railway and protective netting around such scaffold must be installed.

#### Bridge Strikes

Applications that are likely to generate an increase in trips under railway bridges may be of concern to Network Rail where there is potential for an increase in 'Bridge strikes'. Vehicles hitting railway bridges cause significant disruption and delay to rail users. Consultation with the Asset Protection Project Manager is necessary to understand if there is a problem. If required there may be a need to fit bridge protection barriers which may be at the developer's expense.

#### Abnormal Loads

From the information supplied, it is not clear if any abnormal loads will be using routes that include any Network Rail assets (e.g. bridges and level crossings). We would have serious reservations if during the construction or operation of the site, abnormal loads will use routes that include Network Rail assets. Network Rail would request that the applicant contact our Asset Protection Project Manager to confirm that any proposed route is viable and to agree a strategy to protect our asset(s) from any potential damage caused by abnormal loads. I would also like to advise that where any damage, injury or delay to the rail network is caused by an abnormal load (related to the application site), the applicant or developer will incur full liability.

#### Two Metre Boundary

Consideration should be given to ensure that the construction and subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land, and therefore all/any building should be situated at least 2 metres from Network Rail's boundary. This will allow construction and future maintenance to be carried out from the applicant's land, thus reducing the probability of provision

	<p>and costs of railway look-out protection, supervision and other facilities necessary when working from or on railway land.</p> <p><b><u>ENCROACHMENT</u></b></p> <p>The developer/applicant must ensure that their proposal, both during construction, and after completion of works on site, does not affect the safety, operation or integrity of the operational railway, Network Rail and its infrastructure or undermine or damage or adversely affect any railway land and structures. There must be no physical encroachment of the proposal onto Network Rail land, no over-sailing into Network Rail airspace and no encroachment of foundations onto Network Rail land and soil. There must be no physical encroachment of any foundations onto Network Rail land. Any future maintenance must be conducted solely within the applicant's land ownership. Should the applicant require access to Network Rail land then must seek approval from the Network Rail Asset Protection Team. Any unauthorised access to Network Rail land or airspace is an act of trespass and we would remind the council that this is a criminal offence (s55 British Transport Commission Act 1949). Should the applicant be granted access to Network Rail land then they will be liable for all costs incurred in facilitating the proposal.</p> <p><b><u>Access to the Railway</u></b></p> <p>All roads, paths or ways providing access to any part of the railway undertaker's land shall be kept open at all times during and after the development.</p>
<b>18</b>	<b>Trees</b>
	<p>With regards to the works to protect trees, the following British Standards should be referred to:</p> <p>BS: 3998:2010 Tree work – Recommendations.</p> <p>BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations.</p>
<b>19</b>	<b>Transport for London</b>
	<ul style="list-style-type: none"> <li>- To be in line with London Plan policy T1 (Strategic Approach to Transport) and T2 (Healthy Streets), the surrounding footways and carriageways on York Road, Pentonville Road and Caledonia Street and Road must not be blocked during the construction. Temporary obstruction must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians, bus passengers and cyclists or obstruct the flow of traffic.</li> <li>- All vehicles associated with the development must only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.</li> </ul>

- |  |   |
|--|---|
|  | <ul style="list-style-type: none"><li>- Any hoarding for the proposed development would be subject to a separate Section 172 licence application under the Highways Act 1980 to the Asset Operations team at TfL.</li></ul> |
|--|---|

## **APPENDIX 2: RELEVANT POLICIES**

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

### **National Guidance**

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

### **Development Plan**

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

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

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

**Policy GG1** Building strong and Inclusive Communities

**Policy GG2** Making best use of land

**Policy GG3** Creating a healthy city

**Policy GG4** Delivering homes Londoners need

**Policy GG5** Growing a good economy

**Policy GG6** Increasing efficiency and resilience

## **2 Spatial Development Patterns**

**Policy SD4** The Central Activities Zone

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

## **3 Design**

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

**Policy D4** Delivery good design

**Policy D5** Inclusive Design

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

**Policy D12** Fire safety

**Policy D13** Agent of Change

**Policy D14** Noise

## **4 Housing**

**Policy H4** Delivering affordable housing

## **6 Economy**

**Policy E1** Offices

**Policy E2** Providing suitable business space

**Policy E3** Affordable workspace

**Policy E11** Skills and opportunities for all

## **7 Heritage and Culture**

**Policy HC1** Heritage conservation and growth

**Policy HC3** Strategic and Local Views

**Policy HC6** Supporting the night-time economy

## **B) Islington Core Strategy 2011 Spatial strategy**

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

**Policy G1** Green Infrastructure

**Policy G5** Urban Greening

**Policy G6** Biodiversity and access to nature

## **9 Sustainable Infrastructure**

**Policy SI1** Improving air quality

**Policy SI2** Minimising greenhouse gas emissions

**Policy SI3** Energy Infrastructure

**Policy SI4** Managing heat risk

**Policy SI5** Water infrastructure

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

**Policy SI12** Flood risk management

**Policy SI13** Sustainable drainage

## **10 Transport**

**Policy T2** Healthy streets

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

**Policy T4** Assessing and mitigating transport impacts

**Policy T5** Cycling

**Policy T6** Parking

**Policy T6.2** Office parking

**Policy T6.5** Non-residential disable persons parking

**Policy T7** Deliveries, servicing and construction

**Policy T9** Funding transport infrastructure through planning

## **11 Funding the London Plan**

**Policy DF1** Delivery of the Plan and Planning Obligations

**Policy CS11** Waste

**Policy CS6** King's Cross Road and Pentonville Road

**Policy CS12** Meeting the housing challenge

**Policy CS13** Employment Space

### **Strategic Policies**

**Policy CS8** Enhancing Islington's character

**Policy CS9** Protecting and Enhancing Islington's Built and Historic Environment

**Policy CS10** Sustainable Design

### **Infrastructure and Implementation**

**Policy CS18** Delivery and Infrastructure

## **C) Development Management Policies June 2013**

### **2. Design and Heritage**

**DM2.1** Design

**DM2.2** Inclusive Design

**DM2.3** Heritage

**DM2.4** Protected views

### **5. Employment**

**DM5.1** New business floorspace

**DM5.2** Loss of existing business floorspace

**DM5.4** Size and affordability of workspace

### **6. Health and open space**

**DM6.1** Healthy development

**DM6.5** Landscaping, trees and biodiversity

**DM6.6** Flood prevention

### **7. Energy and Environmental Standards**

**DM7.1** Sustainable design and construction statements

**DM7.2** Energy efficiency and carbon reduction in minor schemes

**DM7.3** Decentralised Energy Networks

**DM7.4** Sustainable design standards

**DM7.5** Heating and cooling

### **8. Transport**

**DM8.1** Movement hierarchy

**DM8.2** Managing transport impacts

**DM8.3** Public transport

**DM8.4** Walking and cycling

**DM8.5** Vehicle parking

**DM8.6** Delivery and servicing for new developments

### **9. Infrastructure**

**DM9.1** Infrastructure

**DM9.2** Planning obligations

**DM9.3** Implementation

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

The following SPGs and/or SPDs are relevant:

### **Islington Local Plan**

- Affordable Housing Small Sites Contributions (October 2012)
- Development Viability (January 2016)
- Environmental Design (October 2012)

### **London Plan**

- Affordable Housing & Viability (August 2017)
- Crossrail Funding (March 2016)
- Housing (March 2016)
- Central Activities Zone (March 2016)



- Inclusive Design in Islington (February 2014)
- Islington Urban Design Guide (January 2017)
- Planning Obligations (Section 106) (December 2016)
- Accessible London: Achieving an Inclusive Environment (October 2014)
- The control of dust and emissions during construction and demolition (July 2014)
- Character and Context (June 2014)
- London Planning Statement (May 2014)
- Sustainable Design and Construction (April 2014)
- Planning for Equality and Diversity in London (October 2007)

### Draft Islington Local Plan Policies

The following policies are considered relevant to the site and this application:

<b>Draft Islington Local Plan Policies</b>	
<p><b>Policy PLAN1</b> – Site appraisal, design principles and process</p> <p><b>Policy SP2</b> – Kings Cross and Pentonville Road</p> <p><b>Policy SC3</b> – Health Impact Assessment</p> <p><b>Policy B1</b> – Delivering business floorspace</p> <p><b>Policy B2</b> – New business floorspace</p> <p><b>Policy B4</b> – Affordable workspace</p> <p><b>Policy B5</b> – Jobs and training opportunities</p> <p><b>Policy R1</b> – Retail, leisure and services, culture and visitor accommodation</p> <p><b>Policy S1</b> – Delivering Sustainable Design</p> <p><b>Policy S2</b> – Sustainable Design and Construction</p> <p><b>Policy S3</b> – Sustainable Design Standards</p> <p><b>Policy S4</b> – Minimising greenhouse gas emissions</p> <p><b>Policy S5</b> – Energy Infrastructure</p> <p><b>Policy S6</b> – Managing heat risk</p> <p><b>Policy S7</b> – Improving Air Quality</p> <p><b>Policy S8</b> – Flood Risk Management</p>	<p><b>Policy T1</b> – Enhancing the public realm and sustainable transport</p> <p><b>Policy T2</b> – Sustainable Transport Choices</p> <p><b>Policy T3</b> – Car-free development</p> <p><b>Policy T4</b> – Public realm</p> <p><b>Policy T5</b> – Delivery, servicing and construction</p> <p><b>Policy DH1</b> – Fostering innovation and conserving and enhancing the historic environment</p> <p><b>Policy DH2</b> – Heritage assets</p> <p><b>Policy DH3</b> – Building heights</p> <p><b>Policy DH4</b> – Basement development</p> <p><b>Policy DH5</b> – Agent of change, noise and vibration</p> <p><b>Policy DH7</b> – Shopfronts</p> <p><b>Policy ST1</b> – Infrastructure Planning and Smarter City Approach</p> <p><b>Policy ST2</b> – Waste</p> <p><b>Policy ST3</b> – Telecommunications, communications and utilities equipment</p> <p><b>Policy ST4</b> – Water and wastewater infrastructure</p>

<p><b>Policy S9</b> – Integrated Water Management and Sustainable Drainage</p> <p><b>Policy S10</b> – Circular Economy and Adaptive Design</p>	
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## **APPENDIX 3 – DRP COMMENTS**

**CONFIDENTIAL**

ATT: Nicola Forster  
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nicola.forster@savills.com

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Our ref: Q2020/3318/PPA

Date: 19<sup>th</sup> April 2021

Dear Ms Forster,

**ISLINGTON DESIGN REVIEW PANEL**

**RE: Regent Quarter, Kings Cross, London N1 (Pre-Application Ref. Q2020/3318/PPA)**

Thank you for attending Islington's Design Review Panel meeting on 13/04/21 for a 1st Review of the above scheme. The proposal is for multiple development and (quasi) public realm interventions and insertions within two historic, fine grain, urban blocks with the primary focus being changes to Jahn Court and environs to the northern block, and to the Laundry and Times Buildings to the southern block together with associated improvements and rationalisation of the public realm.

**Review Process**

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. Given the Covid 19 Pandemic situation, this DRP was carried out virtually.

The scheme was reviewed by Richard Portchmouth (Chair), Tim Ronalds; Sarah Featherstone; Martin Pearson; and George Saumarez Smith

It included a presentation by the development team followed by a question and answer session, and a discussion of the proposals. The site visit was presented virtually, as part of the presentation by the applicant team.

The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

## **Panel's Observations**

The Chair of the Panel welcomed the opportunity to comment on the scheme and thanked the design team for such a clear presentation. A question and answer session then took place followed by a commentary on the scheme provided by each panel member. The meeting concluded with the Chair's summing up. Each section is therefore recorded below.

## **Questions and Answers**

**Panel Query:** The Panel sought clarification with regard to cycle infrastructure including connectivity to existing or planned cycle routes. Also would like to understand the hierarchy of movement through and adjacent to the site – existing and proposed.

**Answer:** Secure cycle parking is to be accommodated within each block, in two distinct locations. Visitor cycle parking proposed to be located to Caledonia Street. Servicing strategy currently being formulated.

**Panel Query:** How has the applicant arrived at the phasing strategy? Queried the benefits of first investing in the heart of the blocks and not the periphery given the latter more likely to draw people in. The pedestrianisation of Caledonia Street seems an obvious 'early win'.

**Answer:** All about the financing. Must demonstrate a commercial return on the principal buildings before going further with public realm. But investing early in a major upgrade of Laundry Yard will further enhance and support the already successful uses and activities within the adjacent Varnishers Yard.

**Panel Query:** Concerned at the claim that some buildings are wrongly identified as Locally Listed. Clarification was sought.

**Answer:** Jahn building has been significantly altered including a large element that was demolished to create a new and enlarged opening. The fenestration to the flank is also not therefore original and the proportions at odds with those of the host. These changes detract from its significance leading the team to consider the listing potentially faulty.

**Council response:** The site lies within a conservation area which protects all buildings from unregulated demolition. The guidance states that all 19<sup>th</sup> C buildings are positive contributors, regardless of listing status, and should therefore be protected and enhanced. The Grade I and II listings across the site are all accurate.

**Panel Query:** Was it the design team's intention to create a unified identity for the whole masterplan area as well as an inter-relationship between the 2 sites? The two buildings are quite different in their approach – the southern being more granular and crumbly with extensions that sit amidst the roof tops while Jahn Court reads almost as a standalone. Also routes such as Bravington Walk are excluded and yet seem integral from the outset.

**Answer:** The Southern block is to be more civic and more active - more "city". The Northern block is more residential and more "Islington".

Overall the conception for the 2 main buildings is very different. This is to reflect the more granular and crumbly form of the southern block which is of a more complex character. Scale and massing to north is larger therefore requires a different form and approach.

Focusing on improved connections as a unifying element and together with devices such as proposed use of a pigmented base material to new build elements throughout.

**Panel Query:** Panel queried how the masterplan could be achieved given the number of sites that are outside of the applicant's control.

**Answer:** The applicant has a strong commercial relationship with the hotel owners and other landholdings that are outside of their demise. Does not see this as a barrier to change given the likely benefits arising from the changes proposed that will enhance neighbouring buildings and their settings.

**Panel Query:** How does the planned removal of gates and railings create a safe and defensible place? Is access to be offered 24/7 or will it be controlled in some way?

**Answer:** There will be a managed programme with some parts being closed relatively early, particularly those with residential adjacencies, while less sensitive spaces will be open for longer and later. A nuanced approach is proposed to hours of operation and access. Removal of some railings and gates is also needed to remove clutter and to upgrade boundary treatments not to threaten safety.

**Panel Query:** Is the approach to the ground floor social and hospitality activities and interactions similar to both north and south blocks?

**Answer:** No. The southern block will be much livelier reflecting its existing uses and proximity to the station forecourt and to the busy Pentonville Road while the northern block will be less active and quieter given it contains more residential uses with less commercial adjacencies.

### **Panel Commentary**

**SF:** How do you attract and draw people in? Public realm changes will signal some change but would suggest that earlier intervention on improvements to the exterior faces of the blocks, rather than the focus on the interior, may be more beneficial and make the invitation to enter into the heart of the block clearer.

Routes and desire lines through the blocks as well as to the blocks need to be better explored and explained. Are there existing barriers to be overcome? Where are people coming from – who are they? Is it a new audience being catered for? Is the scheme competing with the Kings Cross offer to the west or looking to move towards a greener and more local character? What are you offering that is different? Didn't get the sense that the proposals are actively building on the strengths of the existing food and cultural offers.

Concerned that there may be conflicts arising between the realities of servicing requirements and the pedestrian environment including movement. Transforming Caledonia Street from vehicle to pedestrian would be a big win.

Inputs and commentary from residents living in the northern block would be useful to be fed back to the next DRP.

**GSS:** Not convinced about the merit of challenging classifications of some locally listed buildings and would advise against it.

Found it difficult to fully appreciate the change proposed to the movement routes and spaces. An overlay of the proposed on the existing plan would have been useful.

Advised team to consider the function and quality of the public realm just outside of the site's boundary and how it could inform change.

There needs to be clarity that the scheme is deliverable in its entirety by the current owners of the site given the position of the redline boundary.

Security and surveillance of the yards needs to be factored into the design process.

The architecture is still quite high level but a bit more integration between the two sites might be needed, in terms of materials and palette. Any increase in bulk and mass will need to be justified if it has an impact on heritage assets. Additional height and mass may not be a problem, but justification would be expected given there is a visual impact.

**TR:** There has been lots of discussion about public realm inside the blocks. But the public realm on the perimeter of the blocks/street is horrendous at the moment. Could the scheme improve the public pavement and street junctions in conjunction with TFL/Islington/relevant owners?

There needs to be a sunlight/daylight study assessing the impact of the proposed blocks on the internal courtyards as there is reduced benefit in creating an attractive courtyard which is permanently in shade.

At the moment there is a strong contrast between the old and the new buildings in terms of materials, glass against brick, void vs solid etc. The existing site isn't particularly successful in this sense. The proposed new and re-faced buildings are also very glazed. A less contrasting palette may be preferable and allow for a more detailed architectural conversation between old and new.

**MP:** There is some confusion as to what is driving the design decisions. The base-pavilion-crown arrangement on the north block and the interlocking volumes on the south block seem to lack a context in the retained form of the rest of the site. An overarching architectural narrative is needed.

The public realm feels too distinct from the architecture and composite drawings showing the landscape and architecture engaging with one another would be helpful.

The Times House extension is bulky and a more consistent approach to the roofscape as a whole would provide more articulation to the site as a piece of cityscape.

### **Chair's Summing Up**

DRP is supportive of the principles of the project which have the potential to contribute positively to the area. There is tremendous ambition to make this somewhat underused

precinct a more permeable and inviting quarter of the city and to see the location of the blocks as a hinge site within a wider rich and varied urban context.

The analysis and background study, to date, is very responsible and informative in its approach. Identifying key opportunities is a constructive outcome from all of this initial work.

The Panel has highlighted the development of the north and south blocks as an opportunity to bring forward proposals for the perimeters of the blocks to ensure that the outside and inside are consistently inviting. The materials within the public realm could form a stronger and more cohesive link between the two blocks.

Servicing for food/beverage and retail will need to be considered soon as this will have an impact on the design and character of the public space.

There is a need to work closely with the existing heritage of the site and not to challenge designations. The different ownerships of the site needs to be better understood in terms of the connections etc being proposed. As the design moves forward the need to avoid or justify any non-positive impacts on heritage assets will need to be demonstrated and the role and form of the roofscape in long views and key views will require refinement. Views 05 of Jahn Court from York Way and View 10 from Caledonian Road of the Times House & Laundry Buildings were noted as being of particular significance within the Key View Study document.

The detailed architectural design needs to be developed to offer more sense of what is driving the contextual development of the site, a clearer architectural narrative. A process of questioning the conjunction of the old and new and considering how the two address each other is needed. A more conversational approach might be more enriching and sophisticated and lend greater quality to the buildings and spaces. The sense of detachment between the public realm and the architecture could be avoided by more collaboration in the design process and both could better inform and enrich the other. The opportunities to improve Kings Cross/ York Way/Pentonville public realm are there and need to be explored.

There is a question of how much consistency and inter-relationship is legible between the proposed blocks. Having said that, Laundry Yard and the other yards have their own historical character and the proposals could capitalise on the history of the site to lend to the character and atmosphere of the spaces. The new elevations could be more referential to the historic street elevations and more use of brick might be made. Generally a more homogenous approach to materials may give greater coherence and legibility across the quarter.

The roof-form of Jahn Court has industrial northlights which then change direction at the south, undermining the authenticity of the form. There needs to be a more logical relationship between the form and roofscape references to create a convincing relationship with the surrounding heritage context.

The proposals have a lot of potential, but a considerable amount of detailed development is needed. The DRP would be pleased to consider future iterations of this scheme.

### **Confidentiality**

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.



Yours sincerely

**Linda Aitken**  
Principal Design Officer

**APPENDIX 4 – DRP CHAIR AND ONE PANEL MEMBER REVIEW OF APPLICATION SCHEME**

**CONFIDENTIAL**

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Our ref: Q2020/3318/PPA

Date: 23<sup>rd</sup> December 2021

Dear Ms Forster

**ISLINGTON DESIGN REVIEW PANEL**

**RE: Regent Quarter, Kings Cross, London N1 (Pre-Application Ref. Q2020/3318/PPA)**

Thank you for attending Islington's Design Review Panel, Chair's Review, meeting on 17<sup>th</sup> December 2021 for a 2<sup>nd</sup> Review of the above scheme.

The proposal is for multiple development and (quasi) public realm interventions and insertions within two historic, fine grain, urban blocks with the primary focus being changes to Jahn Court and environs to the northern block, and to the Laundry and Times Buildings to the southern block together with associated improvements and rationalisation of the public realm.

**Review Process**

The Design Review Panel provides expert impartial design advice following the 10 key principles of design review established by Design Council/CABE. Given the Covid 19 Pandemic situation, this DRP was carried out virtually.

The scheme was reviewed by Richard Portchmouth (Chair), and Martin Pearson.

It included a presentation by the development team followed by a question and answer session, and a discussion of the proposals.

The views expressed below are a reflection of the Panel's discussions as an independent advisory board to the Council.

## **Panel's Observations**

The Chair of the Panel welcomed the opportunity to comment further on the scheme and thanked the design team for such a clear presentation noting that 'untangling' such a complex site with its pair of intricate urban blocks and associated issues is not an easy task. He acknowledged the amount of detailed design work that had gone into the proposals to produce such a coherent and successful response.

A question and answer session then took place followed by a commentary on the scheme provided by the two members. The meeting concluded with the Chair's summing up.

Each section is therefore recorded below.

## **Questions and Answers**

**Panel Query:** The applicant team was commended on its very clear presentation and the considerable amount of work that has gone into this scheme since the Panel last saw it in April 2021.

It was noted from last DRP meeting that there had been a lot of discussion around the potential wider public realm benefits that lie outside of the red line and sought an update on the progress of any opportunities beyond the red line. Was there still a reliance on the spaces and routes outside of the applicant's control? To what extent, for example, is the applicant physically proposing changes to connections such as Bravington's Walk as a key threshold into the site?

**Answer:** The most recent revisions focused on improvements onto York Way. While there are relatively limited opportunities to do this, due in part to the heritage buildings to the frontage and the amount of building line actually within the red line boundary which is quite limited, solid doors have been replaced with clear glazed doors and opaque glazing replaced with clear glazing. Changes have also been made to the ground floor to the corner unit to Jahn Court to increase the site's visual permeability to the York Way edge. Sensitive signage is being considered to further promote the uses and spaces within the blocks and encourage and welcome people into the core of the blocks.

The applicant team is examining how to comprehensively treat the multiple entrance points off the surrounding streets to the entire estate. This is an extensive exercise which will take time. But there is an intention to produce that study going forward.

The applicant confirmed that Piercy & Co have just been instructed to consider design changes for Bravington's Walk and environs as a next phase of the project. So while the proposed changes to the Times Court block establish new and improved connections with this important Bravington's Walk route, actual works to Bravington's Walk will come forward following the Times House and Laundry Yard project.

The applicant team has been in discussion with Transport for London with regard proposals to improve the pedestrian environment to the junction of York Way with Pentonville Road.

The team reported that TfL's intention is to widen the pavement and reorganise the crossing points to make them safer and to improve the alignment of the cycle lane. This work was not expected to be undertaken for two to three years.

**Panel Query:** It seems a shame to have lost the pergola and seating initiatives to the northern block and these particular spaces now feel as though they are lacking something as a result.

**Answer:** The applicant acknowledges that these features did contribute to the richness of the area but that these changes are because of resident objections. The applicant confirmed their preference to do something more interesting and so will engage with residents going forward to find a middle ground.

**Panel Query:** Clarification was sought on the sunlight and daylight impacts to both the squares and to residential amenity

**Answer:** The applicant confirmed that the proposal will result in some limited over shadowing on the courtyards. However these are already quite overshadowed but nevertheless, the spaces will continue to meet the BRE 21<sup>st</sup> March assessment date standards.

Some impacts on the flats in the Ironworks building is also evident but those impacts are to some degree worsened by the existing overhang providing reasonable mitigating reasons for the impact. Where impacts affect residential homes these are mostly to bedrooms – or to rooms with additional windows/dual aspect.

**Panel Query:** Is there a sustainability and energy strategy for the revamped offices

**Answer:** The design team confirmed that the Mayoral required target for urban greening factor would be achieved.

BREEAM excellent is demonstrated as being achieved on both buildings. Carbon reductions are to GLA standards and will significantly exceed these standards.

Renewable energy and green factors – both new build elements have green roofs.

A net increase in biodiversity is being achieved on both sites.

**Panel Query:** Are you planning on reusing any existing materials after demolition?

**Answer:** Yes.

To Jahn Court – there is very limited demolition and therefore little opportunity for this. However to Times House, with a greater element of demolition, as much of the existing fabric as possible will be reused.

Both schemes, with their limited amounts of demolition, are highly sustainable and make good use of retaining materials and their reuse. Looking internally to retain existing floors as well.

## **Panel Commentary**

### **Times House and Laundry Building**

The Panel commented it considers this to be a very carefully considered and successful scheme. While there had been some concerns expressed in the spring at the earlier DRP review about the impact on longer views, the subsequent refinement of the massing has been successful, particularly to the backdrop to the heritage sensitive Kings Cross Station.

The choice of materials and applied materiality is also successful which coupled to the change to the massing has had a really positive impact. The colours of the materials proposed were also supported.

The evolution of the designs of the roof form have created a more sympathetic response to the broader townscape including in its response to Kings Cross and as seen in the longer views. The historic referencing to Victorian water tanks is a particular delight.

Struggled to fully understand the approach to the landscape design to the yard spaces which historically are generally quite fluid spaces that evolve over time. And yet there are rather 'civic' styled interventions proposed.

However consider the proposed interventions to York Way, including visual connections are negotiated very well. Since the first DRP the applicant has made beneficial improvements to the new 'Times Yard. This space opens up oblique views, improves legibility, and creates a better sense of connection with Laundry Yard.

There is a real distinction between the two blocks, their characters and nature are quite different.

The paving to the Laundry Yard is working at 2 levels – the orientation of the joining creating a suggestion of movement through the yard as one transitions from York Way to Caledonia Street and the triangle patterning successfully responding at a larger scale responding to the buildings that address and hold the space.

If the scheme gets the materials right, i.e. a good stone or granite – this will result in an interesting duality of geometries going on there – simple and subtle but influential as to how one experiences that space.

Times Yard – considers this is working well as a sequential space – an ante room. This is commended as a very important element as it is this intervention around the new Times Yard in particular that heightens the block's overall legibility.

The balconies to the offices above significantly help to animate the space and are supported.

The new Bravington's Walk link is also greatly helping in terms of opening up this key route. The importance of that link is stressed given connections to it create the opportunity for the success of this route in the future.

The Panel very much liked the way the arcade is enhancing the public realm and the circular light motive gives coherence and consistency for the route through Block B.

Caledonia Street – new frontage at street level is successful, creating an enhanced rhythm and transparency to the street. Coupled with the planned removal of the railings will help activate this as an important east/west link street. The Panel supports the work that has been done to this street edge.

In respect of the architecture, previously struggled to understand the overarching architectural approach. However, consider there is now a really strong materiality and that the refinement of detail and language are all really successful.

The Panel commend the design team on a very interesting architectural narrative with Times House. It supports the more filigree top and crown with its integrated glazing and this contrast with the more solid base.

The Panel consider this to be a well-crafted, sensitive and tailored response and consider that the modifications have enhanced the buildings. The Panel now feels very positive about the scheme.

### **Jahn Court**

The Panel acknowledges the considerable amount of work that has gone into the evolution of the massing. Combined with the work undertaken to reduce the heights, the building now feels calmer and recessive – a suitable backdrop to the heritage buildings to the fore. This works well.

The Panel therefore considers that changes to the Jahn Court building are now appropriate and successful having moved forward from the earlier interesting and characterful reference to industrial buildings with the saw tooth roof form, which perhaps was not quite appropriate in this location.

The concept around the revised and simplified crown is successful including the reference to Victorian water towers. The result is a much calmer appearance on the street front but with a very effective jostling of volumes on the courtyard side.

The massing, particularly the way the top floors in the longer views have been addressed, now creates a calmer, more coherent backdrop including in relation to the classic heritage views and settings.

As such, the design team has created a fine backdrop with proportions that work very well including the suitably recessive treatment to roof top plant. This all evidently follows a series of sophisticated and clever moves.

It was particularly noted how the design has succeeded in taking an interesting ensemble of buildings and elements on York Way – the Chimney, Jahn and Hub building and created a complimentary 4<sup>th</sup> element – the entrance – as a positive contribution to the other trilogy of elements.

The Gate House, with its solid brick base, works very well and the subtle changes and opening up to the public realm in this important frontage location are successful.

The design is referential and the way key elements have been picked out and celebrated – the gatehouse, pavilion, plinth, and crown, coupled with making the base more permeable – are all part of a successful scheme design.

Publica's, and others, work on York Way to create active uses, and to changes to the ground floor of the Jahn building, now create positive contributions and enhancements to the busy York Way and to the broader conservation area. The proposals will make an interesting and subtle backdrop to the activities and events of this street.

The Panel feels fully comfortable and supportive of these moves which reflect the design teams long and hard thinking about the narrative it seeks and which now it successfully portrays.

The Panel considered it a shame to have lost the earlier proposed pergola and the public seating within courtyards, losses which now somewhat diminish the character of the spaces. It was suggested that perhaps they could be subsequently softened, perhaps just with planting rather than simply stripping out all the characterful features in response to public objections?

The applicant's amendments to the courtyards in response to resident concerns is understood. However it would be interesting to see what could be introduced that adds character and give something back to the residents while promoting a rich journey through the interiors of the urban blocks – designs that reflect to the transitional nature of moving through the lanes and courtyards.

The choice of materials and the refinement of the character and approach to materiality is coming through very successfully. This is considered to be a particularly successful element of the proposal.

The Panel commended the applicant and design team on the work that has been done – including in particular the pedestrian movement and wheelchair users and cyclists – all can now access the activities and functions at ground floor level throughout the block making everyone feel much better connected.

### **Chair's Summing Up**

The Panel supports what you have created and enhanced – a great, high quality and sympathetic range of new office and workshop spaces. This will be a fantastic place to come and visit and to work in. Every aspect of the place will be much better as a result and will likely continue to improve over time.

The proposals capture and enhance the heritage setting with their clear and coherent architectural narrative. There is now a much clearer hierarchy of routes and these have themselves been significantly enhanced with specific regard to improved levels of accessibility and cyclist movements.

There will also be a significant upgrading of the office space.

The Chair wished to credit the applicant team with the work undertaken beyond the red line, particularly to York Way and to the Pentonville Road junction at the threshold of the development.

The Chair considers that the team has now developed a successful approach to scale and massing. These important elements respond well to the immediate and wider context. In addition to that, a significant amount of public benefit is evident that The Panel would support and agree with which encompasses economic, social and environment benefits.

A last thought – in all of this demonstrable enhancement and improvement it is important that at the end of the day, in terms of the public realm and using it, that these urban blocks feel like they are a part of the city, and not separated from it.

In a recent visit the Chair felt overly surveilled, as though there were cameras all over the place. Guards were popping out and the effect was a feel of trespassing as one moved through an urban block.



The Panel do not want these blocks to feel like they are gated communities. Rather the aspiration should be to feel like you are strolling through the lanes and courtyards of Covent Garden and Soho. This is the sort of ambience the proposals should strive for.

**Confidentiality**

Please note that since the scheme is at pre-application stage, the advice contained in this letter is provided in confidence. However, should this scheme become the subject of a planning application, the views expressed in this letter may become public and will be taken into account by the Council in the assessment of the proposal and determination of the application.

Yours sincerely

**Linda Aitken**  
Principal Design Officer

**APPENDIX 3 – MINUTES OF PLANNING COMMITTEE MEETING HELD ON 22  
FEBRUARY 2022**

London Borough of Islington

**Planning Committee - 22 February 2022**

Minutes of the meeting of the Planning Committee held at Council Chamber, Town Hall, Upper Street, N1 2UD on 22 February 2022 at 7.30 pm.

**Present:**      **Councillors:**      Klute (Chair), Poyser (Vice-Chair), Khondoker  
(Vice-Chair), Clarke, Convery, Ibrahim, Jackson,  
North and Picknell

**Councillor Martin Klute in the Chair**

**280      INTRODUCTIONS (Item A1)**

Councillor Klute welcomed everyone to the meeting. Members of the Committee and officers introduced themselves and the Chair outlined the procedures for the meeting.

**281      APOLOGIES FOR ABSENCE (Item A2)**

Apologies were received from Councillor Woolf.

**282      DECLARATIONS OF SUBSTITUTE MEMBERS (Item A3)**

Councillor Khurana substituted for Councillor Woolf.

**283      DECLARATIONS OF INTEREST (Item A4)**

Councillor North declared a personal interest with regards to items B3, B4 & B6.

**284      ORDER OF BUSINESS (Item A5)**

The order of business would be B3, B4, B6, B2, B5 and B1

**285      14 CHARTERHOUSE BUILDINGS, LONDON, EC1M 7BA (Item B1)**

Change of use of building from Class F1 (genealogy library) to Class E (office); erection of two-storey roof extension to provide additional Class E (office) floorspace; fourth floor terrace; recladding of existing building; installation of mechanical plant; and associated works and alterations.

(Planning application number: P2021/1386/FUL)

In discussion the following points were made:

- The Planning Officer advised that site is not statutorily or locally listed nor is located within a designated conservation area, however the site is located within proximity to the Charterhouse Square Conservation Area and Hat & Feathers Conservation Area.
- The character and use of the vicinity is dense and mixed with commercial, residential and educational uses located within a close range.

## Planning Committee - 22 February 2022

- Members were advised that the existing use of the building as a genealogical library is no longer required as the nature of their work has now been digitalised.
- The existing building will be refurbished and extended to create a five storey providing a total of 1487sqm of office floor space.
- The extension would be constructed from metal and concrete cladding with glazing and that the roof space is proposed as an amenity terrace for the office occupiers with associated balustrading around the perimeter.
- The proposal includes two small/micro office units (91sqm each ) at lower ground level, which represents 12% of the floor space of the overall proposal.
- In addition, the Planning Officer advised that permission is being sought for a new façade to the front of the building to replace the existing brickwork elevation with textured concrete panels as well as metal cladding and enlarged glazing with vertical fin detailing and that at ground level, the entrance of the building is proposed as a large glazed opening with a metal finish to create an office reception area.
- The proposal will provide 19 cycle parking spaces at lower ground floor level with another separate plant area proposed to be located at roof level.
- In land use terms, the Planning Officer advised that the loss of the genealogy library is acceptable and that the proposed provision of 1478sqm of office floor space is acceptable given that it is located within multiple designated areas where the development, growth and maximisation of business floorspace is encouraged.
- In terms of neighbouring amenity, the Planning officer acknowledged that a number of objections have been received regarding loss of daylight and sunlight to their properties. Meeting was advised that although there are marginal transgressions to BRE guidance, it is considered that these transgressions are marginal and that conditions recommended will minimise the impact of the development upon neighbouring amenity such as privacy and overlooking, noise and light disturbance to an acceptable level.
- The planning reiterated both the sustainability and energy measures highlighted in the report and the planning benefits.
- The agent described the scheme as a sustainable form of development including energy efficiency measures, that it will deliver high quality accommodation in an area of high demand whilst enhancing the street scene and the character of the area.

Councillor Poyser proposed a motion to grant planning permission. This was seconded by Councillor Klute and carried.

### **RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of

Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

286

**30 BASTWICK STREET, LONDON, EC1V 3PS (Item B2)**

Demolition of existing building and construction of a four-storey building (with basement levels) comprising Office use (Class E) with associated works (Planning application number: P2021/1692/FUL) In the discussion the following points were made:

- The Planning Officer informed the meeting that since the agenda was published, a further 8 representations were received bringing the number up from 23 to 31, with no new issues raised, as they have been addressed in the report.
- The site is currently built out to a single commercial storey with a pitched roof, was historically used as a vehicle repair workshop and more recently as a temporary photographers and prop store.
- The uses surrounding the site are mixed with both commercial and residential. Commercial use is located at lower level in neighbouring nos. 26, 27 and 29 Bastwick Street and 50 Pear Tree Street and other buildings along Bastwick Street
- Members were advised that the scheme proposes to build a 4 storey building with basement levels and it comprises 1,778sqm office floor space.
- Feedback as a result of consultation has been taken on board which has resulted in revisions such as the lowering of the uppermost storey building by 0.5m from 3m to 2.5m and the partition of the occupation of the office space into five SME sized units which will all be accessed from Bastwick Street.
- Main considerations of the scheme include land use, its design and appearance, neighbouring amenity, transport and highways and energy and sustainability.
- The proposed 4 storey office building complies with the overarching land use policy as it would result in the increase business use of office floor space and the provision of SME's within the Employment Priority Area and Central Activities Zone in accordance with both Local and London Plans.
- In terms of layout the proposed ground floor level will include the main entrance and the reception lobby to the building, office floor space and the bin store accessed from Bastwick Street
- The SME's floor space will be located in the entirety of the basement level, with 4 small units measuring between 66 and 77sqm to be accessed via the main entrance and the office space and the floors above would have access to the cycle storage at the lower basement levels.
- The Planning Officer advised that natural light will be achieved through all the units for the SME's via the light wells and the stepped back light well in the front, which is a similar arrangement of the nearby basement office space in Pear Tree Street.
- Conditions/obligations have been recommended to restrict the use of the building for office use only within Class E and that the SME's will remain in perpetuity and not be amalgamated.
- In terms of the proposed 4th storey, meeting was advised that this will be set back from the principle elevation so that it would largely not be visible

from the other side of Bastwick street and although slightly visible within view of Central street, the uppermost floor of the 4th storey will be zinc clad just like the whole building. Members were advised that specific details for both brick and cladding is to be submitted for approval to planning officers as per condition 3.

- With regard to the east elevation, the meeting was informed that this will be lower to the neighbouring properties on 29 Bastwick Street, and the uppermost storey will be set back from the façade which is considered acceptable and will not cause harm to the wider street scape.
- In addition to the above, the Planning Officer noted that the scheme offers a better design with the street scape due to the screening of the plant and side elevations of adjoining neighbouring buildings of both no 29 and 37 Bastwick Street.
- The scheme is a car free development with no on-site car parking being proposed; drop kerbs will be reinstated on the pavement; cycle storage will be located at the lower basement level of the building with access by way of a lift; 24 long stay cycle storage spaces will be provided whilst zero short stay parking is proposed due to site constraints and as such a contribution in lieu will be secured through a S106 agreement to be used within a wider area.
- Meeting was advised that although schemes of this size will generate daily deliveries and servicing, any form of servicing and delivery for the scheme will mirror other neighbouring properties on Bastwick Street and will not worsen the existing situation.
- In terms of Energy and Sustainability, the Planning Officer noted that the proposed scheme will achieve a 53% reduction in regulated Co2 emissions and a financial contribution of £25,806 has been secured for the remaining co2 emissions; and that the scheme will achieve excellent 'BREEAM' rating.
- Furthermore, members were advised that the scheme has been future proofed for potential connection to a District Energy Network, and will be subjected to a green performance plan secured through s106 for measurable targets such as gas and energy usage
- The Planning Officer reiterated as outlined in the report, that the proposal will lead to reductions in daylight and sunlight to windows / rooms and overshadowing to gardens of neighbouring residential properties, however following careful assessment it is considered overall that the scheme is viewed as having a low adverse impact overall, and where there are transgressions, their impact is at the lower end of the spectrum.
- The proposal will provide a number of benefits in particular it will result primarily in an uplift in priority use (office floorspace) within the CAZ and EGA, and is considered to maximise the site.
- A resident living in Pear Tree Street was concerned with the scheme's mass and its impact on loss of outlook, its sense of enclosure and daylight and sunlight loss. He was also concerned that the committee report does not adequately address the impact of the scheme at the rear with the 10m distance to the neighbouring residents, simply dismissing the impact by describing it as not unduly harmful given its central London location.

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- Resident was concerned that the report ignores or fails to mention where set separation distances have been applied for other developments, a key principle that was upheld by the planning inspector when No 44 Pear tree development was considered.
- Resident was concerned with the daylight and sunlight assessment, that members are not being provided with 3 dimensional imaging which shows the true impact of massing but instead officer and applicant had submitted 2 dimensional imaging, questioning how a considered decision could be taken without visualising these alternative images.
- In addition, the objector was concerned that the report erroneously focusses on percentage loss rather than actual figures, questioning the conclusion of the report when it describes the impact as minor because of its central London location. Members were advised that the proposal is not in keeping with its surrounding, requesting that the scheme be rejected so that the main concerns could be addressed
- The Chair informed the meeting that considering the meeting had exceeded its cut off time of 10.30pm, he would use his discretion under Rule 51 to extend the meeting. A member seconded the motion to proceed.
- A resident of 26 Bastwick Street requested that the application be refused, inviting committee members to a site tour to observe the close proximity of the development to both Bastwick street and 44 Pear Tree Street.
- Members were reminded of the 2 daylight/sunlight assessments carried out, the first in 2021 originally included in the application scheduled for 8 Feb 2022 and the later one that was based on an outdated design of 44 Pear Tree Street. Resident was concerned about the inaccuracies from the new survey which states that NSL results are double the BRE guidelines however officer still indicate that this is acceptable as the rooms are dual aspect when it should be applied to single aspect rooms also.
- Resident was concerned with the rooms tested in particular incorrectly stating in the report that it was a kitchen rather than a family kitchen dining area.
- Another neighbouring resident was concerned that the proposed 5 storey office block will harm resident's amenity due to its overbearing and oppressive nature, that the structure was much taller than the residential surroundings. Resident also queried the assertion by the developers that there will be no loss of light to his home as incorrect as he will be viewing a wall if scheme goes ahead. Meeting was informed that neighbours at 37 Bastwick will have their roof terraces bordered by a south west brick wall which is 2 storeys higher, a fact not acknowledged in the report
- Bastwick Street and Pear Tree Street are both thriving residential neighbourhoods and objectors claimed that filling the gaps between residential dwellings with a large office development will cause major noise pollution, concerns which they said have been disregarded by planning officers, that an amphitheatre was being created between his dwelling to the east, Bastwick Street to the south and Pear Tree Street to the North and with the previously consented scheme of 44 Pear Tree Street, that this would result in a sense of enclosure on all sides.

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- Resident had concerns with noises emanating from all these buildings, plant noises from the roof, construction workers and movement of refuse vehicles, all of which have not been sufficiently addressed.
- Resident was concerned about the various omissions in the report, misleading surveys, lack of consultation with neighbouring residents and the new drawings and light surveys that suddenly came to light recently.
- Cllr Graham on behalf of residents, reminded committee that this is a small and residential area, and that with the amount of ongoing works residents have had to put up with, noting that a number of applications which had received consent had not even commenced.
- Cllr Graham invited members to undertake a site visit to Bastwick Street and listen to residents' concerns instead of taking decisions on drawings and reports which appear to be flawed especially having heard from the objectors of the various inconsistencies in the report, that this is not an application adjoining a main road but in a small street where residents have suffered a lot over a number of years.
- In response, the applicant acknowledged that the proposed 4 storey office building will provide approximately 200 jobs, that the site currently is occupied by a photographic studio employs 5 people covering a space of 500sqm.
- Members were reminded that the temporary use ceases in 2022 and the long-standing use of the site is for a car repair garage which could cause nuisance to neighbouring residents if reinstated.
- Meeting was advised that the Project Team have worked intensely with council officers since 2020, noting that the scheme has undergone numerous revisions in response to feedback received.
- In terms of land use, members were advised that the scheme is policy compliant as it increases use of office floor space and caters for dedicated SME's floor space through the provision of 4 units totally 281sqm floor space which equates to 19% in terms of net total area, therefore exceeding policy requirements.
- Members were informed that the scheme is of high quality design and will not cause harm to the wider street scape and that in comparison to the existing site and size, the scheme offers a better resolution of the street scape compared to the large single storey industrial type building from the 1950's.
- Meeting was advised that in terms of height, massing and size of the proposed building, it is keeping with rest of the buildings in Bastwick Street whilst the sufficient separation distance is considered reasonable to both the neighbouring Bastwick and Pear Tree Street properties.
- In terms of sustainability, the planning agent reiterated that the proposal will achieve BREEAM excellent and as the development is located within 60m of the Bunhill Network, it is proposed that the development will connect to this network which to be is welcomed. In addition 90sqm of Photo Voltaic Panel is proposed for the scheme.
- The agent reiterated the benefits of the scheme, an uplift in high quality modern employment business space, provision of sufficient floor space for 200 new jobs, a contribution of £312,000 towards the councils affordable



housing provision of site and sustainable transport measures and a car free development, redevelopment and intensification, of an under-utilised brown field site providing high quality office building with an enhanced internal environment for staff in the CAZ where offices should be prioritised.

- The scheme also provides a building capable of multi-let occupation to support local small businesses size firms specifically 4 SME units within the site, totally 19% and importantly the scheme removes the risk of the existing unit reverting back to the car repair business which could cause nuisances to nearby businesses
- The proposal provides a stable office building and responds to its contexts, and conditions have been recommended to mitigate concerns such as daylight and sunlight.
- In response to objectors comments about the recent submitted drawings and plans, meeting was advised that since December following discussions with officers on detailed amendments to the fire strategy to changes to the doors, stair wells and fire mitigation measures, that the changes did not require further consultation.
- In response to concerns from the adjoining residents, the agent informed members that having worked with council officers, revisions have resulted in further reductions and cutback to the scheme, noting that the site is in a central London location and that most uses especially in Bastwick Street is commercial in nature.
- In terms of report accuracy, the daylight and sunlight consultant confirmed to committee that the design of the scheme has been fully assessed and it has been done with or without the future development of 44 Pear Tree Street to assess its cumulative impact
- In terms of pictures provided, the consultant confirmed that it has been accurately assessed, acknowledging that there are isolated shortfalls of BRE guidelines to a number of properties particularly at 45 -56 Pear Tree Street and 37 Bastwick Street and also the garden shortfall at 45 Central Street.
- Members were reminded that although there are isolated shortfalls to a few windows and rooms, it is important to note that mitigation measures have been taken into account in designing the scheme.
- On assessing the cumulative impact of daylight and sunlight loss from the scheme and from other proposed development when built up, the consultant noted that there would be none and the assessment exercise had taken everything into consideration.
- With regard the noise levels from the fixed plant on the roof and delivery and servicing arrangement, meeting was advised that condition 4 addresses this issue
- In response to a question on whether conditions be included to restrict the use of roof terraces, the officers advised that no roof terraces were proposed. Clarified that condition can restrict and mitigate against internal light pollution. Officers advised a restriction to office hours was not considered to be required in this case.
- On whether condition 11 regarding servicing and delivery times could be tightened up as it appears vague, meeting was advised that any

arrangements will adhere to existing arrangements and that there is an expectation that it will 1-2 deliveries per day.

- On the question of the possible removal of a top floor to address overshadowing and light pollution concerns, the planning officer acknowledged that for the scheme to be BRE compliant a certain extent of the top floor and the second floor of the front and back of the building will have to be removed.
- During deliberations, the Chair acknowledged that most of the noise and light concerns could be addressed with conditions and that in general the area is both mixed commercial and residential use. He also noted that with regard to the overall massing concerns of the building, that it is no different from other buildings in the area, however the area is congested in the immediate vicinity and that the main issue is whether the daylight and sunlight assessment is sufficient.
- A member acknowledged residents' concerns about the disruption to their lives with the amount of ongoing works, but felt that similar to the 44 Pear Tree Street development when the same questions were asked if the developer had done enough to mitigate the daylight and sunlight loss, that in this instance he is minded to agree that the site massing has been reviewed as far as it can and policy compliant.
- A member indicated that having considered the diagrams and noted officers explanation on the possibility of removing a floor to make the building BRE compliant, a motion was moved for the item to be deferred.

Councillor Khondoker proposed a motion to defer this item. This was seconded by Councillor Poyser and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

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**34 YORK WAY (JAHN COURT), 34B YORK WAY (THE HUB), ALBION YARD AND IRONWORKS YARD, REGENT QUARTER, KINGS CROSS, LONDON N1 (Item B3)**

Refurbishment of existing building; 5 storey partial infill extension to eastern elevation, single storey extension to northern elevation and two storey roof extension with roof terrace to provide additional Office floorspace (Class E(g)(i)); reconfiguration and alterations of front and rear entrances to the western and eastern elevations; provision of one flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i) unit at ground floor level; provision of cycle store and associated facilities at basement level and plant at basement and roof level with green roofs and other associated works. Listed Building Consent application: P2021/2360/LBC also submitted.  
(Planning application number: P2021/2270/FUL)

**Item was taken in conjunction with item B4 which is seeking listed building consent**

In the discussion the following points were made:

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- Meeting was advised that since the publication of the report officers have received additional comments from 9 residents and that Officers consider that no new material planning issues have been raised.
- Planning Officer highlighted a correction to paragraph 6.14 of the report, that the fourth floor roof extension to Jahn Court is recessed by 2.5 metres from the eastern elevation rather than 2.7 metres.
- Meeting was advised that on further review of the daylight assessment, officers would like to make the following minor corrections to the total figures in the daylight assessment in the officer's report as follows:
  - At paragraph 10.244 on page 227, 149 rather than 102 rooms were assessed;
  - That 42 instead of 40 windows and 12 rooms and not 9 as stated in the report would fail the BRE guidance criteria, so 15.1% of the windows would fail to meet the BRE Guidance rather than 14.4% and 8.0% of rooms would fail BRE guidance rather than 8.8%.
  - In addition a correction to paragraph 10.248 on page 229, that in the Ironworks, 40 windows rather than 42 would meet the BRE guidance and 11 rather than 14 rooms would meet the BRE guidance with the result that 54.7% rather than 57.5% of windows passing and 61.1% of rooms rather than 77.8%
- Meeting was informed that site is part of the Regents Quarter which comprises two city blocks of building and lies within Kings Cross Area and is within the designated Central Activities Zone and Employment Growth Area.
- The Planning Officer advised the meeting that the key material considerations are principle of development, land use, affordable workspace, design, conservation and heritage, neighbouring amenity, biodiversity, energy and sustainability, highways and transport, safety and security and fire safety.
- Meeting was advised that the existing building was consented as part of a redevelopment approved in 2002 and that the proposal would primarily increase the floor space and improve the quality and efficiency of the existing floor space within the building as well its flexibility of use and is acceptable in principle.
- With regards land use, members were advised that Jahn Court has an existing Class E(g)(i) office use and that the provision of additional class E office use within the Kings Cross Employment Growth Area and the Central Activities Zone is policy compliant.
- That the inclusion of flexible Class E office, retail, café/restaurant or fitness unit on the ground floor seeks to provide active ancillary uses to the predominant office use, whilst ensuring quiet frontages to the Ironworks Yard to respect the residential character of this part of Regent Quarter.
- The proposal would redevelop the site to provide a building that comprises 10,286.2sqm (GIA) of commercial floor space and that it is estimated that the proposed development would generate approximately 156 additional full time jobs on site a significant uplift from the existing 460 jobs.
- The Planning Officer informed the committee that through the use of appropriate planning conditions 15, 16 and 17, the Council would be able to

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retain control over any subsequent change of use of the site and prevent any unacceptable change of uses within Class E which would result in significant loss of office and employment floor space.

- Members were advised that the entirety of the existing commercial unit at 34b York Way which amounts to the provision of 388sqm will be dedicated affordable workspace for the council to subsequently lease to a council approved operator, secured by S106 Agreement.
- The Planning Officer advised that with this application, it will amount to an uplift of 2,315.7sqm of guaranteed office floor space and that the linked application at Times House and Laundry Buildings will bring an uplift of 1,427.2sqm of office floor space.
- Members were advised that taking the current and emerging local plan into account it is considered that an on-site affordable workspace unit based on a 10.4% of the uplift of guaranteed office floor space across the two applications (Jahn Court and Times House and Laundry Buildings) at peppercorn rent for 10 years would be acceptable and support was received from the Council's Inclusive Economy Team.
- The Planning Officer advised that the proposed development would create additional height and massing on site and would inevitably increase the visual prominence of the buildings within the site
- In addition, the meeting was advised that having carefully assessed the visual and heritage impact, it is considered that the proposed development would not cause a large degree of harm to the character and appearance of the area.
- Meeting was informed that in design terms, the proposed extensions and alterations to the existing building would result in improvements to its overall appearance and its relationship to the wider public realm.
- Meeting was advised that Officers have considered that any harm to heritage assets should be weighed in its planning balance with its public benefits.
- The proposal includes energy and sustainability measures such as the creation of green/blue roofs, installation of 73no. solar panels, attenuation tanks and future proofing for connection to a district energy network to ensure that the proposal would maximise energy efficiency and the sustainable design of the site.
- With regards the impact of the scheme on residential properties in terms of loss of privacy, overlooking or noise impacts, the meeting was advised that it is not considered to have an unacceptable impact and conditions have been imposed to mitigate any concerns that might have raised.
- Members were advised that it is a car free development and would be secured by condition.
- In summary, Planning Officer noted that in the overall planning balance, the public benefits as listed in the report outweigh the limited harm caused from the development to neighbouring amenity in relation to loss of daylight (VSC) and loss of sunlight to properties in the Iron Works and to the character and appearance of the Kings cross Conservation Area.
- In response to a question on whether the demand for office space is based on pre or post pandemic projections, members were reminded that the

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council's current policy requirements state that office space is required in the area.

- In response to a question about the proposed affordable work space offer for 34B York Way and in particular the 10 year lease at peppercorn rent and 50% service charge, the planning officer stated that the offer is policy compliant as the scheme offers 10% which exceeds the requirement of 5%.
- On the issue of more animation to the York Way frontage especially to its courtyard and walkways which at the moment is relatively sterile, the meeting was advised that a flexible active use unit has been introduced within Jahn Court on the ground floor which brings forward a number of uses such as cafe, restaurant, gym, office. In addition the alterations to the glazing facing York way to the windows and the amended entrance have been introduced to increase animation and it is important to note that the scheme is restricted as it is within a Conservation Area.
- A resident requested that the committee refuse the application, questioning the committee report attempts to justify every failing and then concluding that the benefits from the scheme outweighs its harms. Resident questioned the notion that the scheme will allow 125 cyclist to pass through the development despite its current prohibitions which is currently not being enforced, that this will result in an increase in anti-social activities. Resident noted that in light of post covid working arrangements that there is no evidence of a demand for office space especially as there is an increase of empty office floor spaces in the area and queried if the proposed £312,000 could be regarded as a substantial affordable housing construction.
- Resident also had concerns with the proposed 9 cycle parks in the public realm area, as this could not be regarded as a replacement for the secured lock cycle parks for residents which will be removed from Block B. Concerns about plans to invite local schools into the development would result in the increase in the number of people traffic passing through the area thereby affecting residents amenity.
- An Iron Works resident had concerns with the proposal, noting its impact due to its close proximity to nearby heritage assets and 52 flats. He indicated that the Jahn building is too tall, twice the height of other buildings resulting in the reduction of lights to flats and its adverse impact on the contextual heritage assets. He queried the loss of 34.5% VSC and 43% skyline loss to bedrooms and light reduction of 28.7% in hallways, stating that this is not acceptable.
- Resident was concerned that despite the scheme being described as a place to visit and work, nothing in the report makes any reference to residents and its impact on those who live in one bedroom flats. Resident was concerned with officers claim that any loss of light is acceptable as it only affects bedroom describing it as minor, reminding the meeting that amenity of residents should be protected by the Council. Resident also had concerns about the height and mass of the building especially as this will result in loss of privacy and overlooking concerns. Additional concern raised by resident was the impact of the building on heritage assets as it is in close proximity to Kings Cross and St Pancras, reminding members of concerns raised by Islington Society.

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- Another Iron Works resident reminded the meeting that when consent was granted in 2002, residents were assured that the scheme will protect the amenity of existing residents within a mixed use area and heritage areas, that Jahn Court is a tall building an increase in height within a low setting urban area which contravenes policy D3 of the local plan. He disagreed with Officers comment that it does not exceed the 30m requirement.
- He was also concerned that due to the size of the building, multiple properties within the area will lose light exceeding BRE guidelines, that within Iron works alone 95% of the windows tested failed and that due to the scheme's design, between 50-90% of the flats will be energy inefficient. He also queried why considerate weight should given to the benefits despite the harms already identified to residents amenity and local heritage assets.
- An Albion Yard resident was concerned that despite the fact that Jahn Court is surrounded by listed buildings and sited within the Kings Cross Conservation area, there appears to be no consideration been given to the impact of the scheme, noting the external works being proposed to be carried out to Jahn Court, reminding the meeting of objections from Islington Society.
- Members were reminded that Jahn Court will overlook the rooms of neighbouring homes, that the proposal will result in a radical alteration from its original intention. Meeting was informed that the building will stand out and not in line with the Kings Cross Area, that that the chimney of 34 B York way will no longer be prominent along the skyline and that the proposed Victorian brick materials used would be a break from the other neighbouring property and it will distract.
- Councillor Hyde on behalf of Caledonian ward residents welcomed the attempt to re enliven some of the heritage and listed buildings, however had concerns of lack of engagement with residents noting that right from its commencement in December 2020, developers did not engage with residents until July 2021. Councillor Hyde was concerned with the reports description as the area being commercial and importantly its failure to recognise non-designated assets which need to be protected. She noted that despite revisions to the scheme, the proposed extension to Jahn Court is too tall with the additional proposed floor an increase of 10m or 60% of what is there at the moment, that it is not only unsympathetic and monolithic in scale and massing, it is inappropriate and will have an adverse impact on the immediate Conservation Area.
- Councillor Hyde acknowledged the corrections to BRE levels, but was concerned that only 54.7% of windows in IronWorks and 67 windows in Albion Yard met BRE guidelines.
- Members were reminded that the area is a tranquil area, that the item should be deferred for further consideration, an opportunity to allow applicants and officers to work in collaboration with residents and produce a scheme that is in harmony with locally listed buildings, that developers could bring back a smaller, congruent and sympathetic scheme that benefits both the residents and the community.
- On the question of possible improved offer for the local schools instead of non- paid work experience jobs secured under s106, the agent informed the

meeting that recently they have been engaging with local schools on partnership offers with primary school. In addition the agent stated that although non paid and work experience is secured through s106, there is scope for more paid jobs for young people.

- On the lack of consultation on conservation concerns and impact of scheme on heritage assets, the agent reminded members that both the heritage design officers and residents views had been taken on board for example with regards to the changes which have been focussed on the contemporary elements of the scheme, the heritage element such as the listed building, the hub building and the adjacent Jahn building to the south have been respectively refurbished with minimal changes and also with the contemporary glass entrance which does not sit well with the brick entrance have been replaced and there have been some setbacks so that they don't dominate the heritage assets to the front and the additional height 5th floor has been set 18.5m from York way
- On the question of provision of 600 jobs and 1 million GVA, the agent acknowledged that they are net jobs, that the net increase will see an increase of 150 additional employees.
- On the question of a locked bike park being removed, the agent advised that this is related to an existing cycle storage which is not actually on the application site in block B, that it will be removed, that the proposal is a 6 bicycle stand which is to be installed on a public way.
- The Chair in summary acknowledged that although it is a complicated scheme, that the removal of cycle park seems unfair, concerns still exist regarding the public realm, further animation to the frontage, that it appears that the height of Jahn Court appears to be the overriding concern.
- A member welcomed the proposals attempt to reposition the building and the offer of affordable workspace but had questions on the impact due to the height of Jahn Court, that it was too big, that issues with the transgressions of 20% plus of BRE guidance was too much. On the issue of affordable workspace and the peppercorn rent for 10years member felt this was inadequate. He was particularly concerned with the impact of the scheme to both the listed Kings Cross station and St Pancras and would want the contribution to affordable housing revisited. Member questioned the promise of 626 jobs, that there is no net additional jobs, that this was more or less between 20-30 net additional jobs.
- In terms of harm, massing and scale, Member noted that heritage impacts are very profound and although NPPF has changed over the years, putting up a large building in an area of a relatively low Victorian urban landscape right next to Grade I Kings Cross and St Pancras Stations does not sit well so suggested that the scheme be refused.
- Another Member acknowledged the light loss, that it is debatable given its urban context, however there are some positives in terms of design however would request a deferral.
- A member suggested the application be deferred as it appears that applicants have not listened to the issues raised by residents.

- The Chair noted that having viewed the drawings he agrees that the building is a floor too high and that a removal of a floor would give better proportion and reduce daylight and sunlight concerns.
- Member agreed that the benefits of the scheme have been overstated and although no objections have been received from both the design and heritage officers, he felt that an improved affordable workspace, possibly with an extended lease from 10 to 20 years would be welcomed.
- The Chair reiterated most of the above concerns, noting that in this case, design is a material consideration especially with the size of the building, that although committee are keen to get to a resolution with the application, there still remain concerns about the height and for the applicant to improve the scheme benefits.

Councillor Clarke proposed a motion to defer. This was seconded by Councillor North and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

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**34 YORK WAY (JAHN COURT), 34B YORK WAY (THE HUB), ALBION YARD AND IRONWORKS YARD, REGENT QUARTER, KINGS CROSS, LONDON N1 (Item B4)**

Listed Building Consent application in connection with external works to parts of Jahn Court at 34 York Way, which adjoin the exterior of the Listed Building at 34B York Way, comprising of the removal of paving and railings and structures/fixtures for the glazed front entrance and skylight to Jahn Court; and the re-provision of a new front entrance structure adjoining the listed building, and replacement paving and associated works, adjoining the listed building, and replacement of entrance door with glazed door. Associated planning application ref: P2021/2270/FUL. (Planning application number: P2021/2360/LBC)

In the discussion the following points were made:

- This item was considered with item B3 which is a linked application for a full planning permission ( see details above )

Councillor Clarke proposed a motion to Defer. This was seconded by Councillor North and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

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**NEW RIVER HEAD, LAND REAR OF 28 AMWELL STREET, AMWELL STREET, LONDON, EC1R 1XU (Item B5)**



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Change of use and conversion of Grade II listed buildings known as the Engine House, Boiler House, Coal Store and Windmill Base from Class E (Commercial, Business and Service) to Class F1 (Learning and Non-Residential Institution) for gallery, exhibition and education use with ancillary shop, cafe and office uses. Occasional use as an events venue for private hire. Partial demolition of North Stores and single and two storey extension in two locations at eastern and western end. Construction of foyer link between North Stores and main buildings. Provision of cohesive landscaping scheme and associated public realm enhancements and creation of permissive pedestrian route through the Site. Reconfiguration of new vehicular and pedestrian access into the site from Amwell Street. Pedestrian and servicing access to the Site will be provided from Myddelton Passage. (Listed building consent also submitted ref: P2021/1553/LBC).  
(Planning application number:P2021/1545/FUL&P2021/1553/LBC)

Cllr Khurana leaves prior to the consideration of this item and was not involved in the deliberations at all.

In the discussion the following points were made:

- Site is within the New River Conservation Area and contains various Grade II listed buildings and that the proposal includes development to various buildings across the site, the North Store is being extended to the west and a secondary storey introduced to the east. In addition, the meeting was advised that a linking foyer building is to be introduced in the Northern courtyard area between two existing buildings House as well as a new stair and lift. Also a café and raised terrace is proposed to the south of the site that requires various openings in the listed buildings and the scheme proposes a new pedestrian pathway that links Amwell Street with Myddelton Passage that requires an alteration to site levels to achieve appropriate levels of access.
- Meeting was advised that in land use terms, the proposed change of use of the site to an art gallery Use Class F1, to be occupied by the House of Illustration is policy compliant, that it includes ancillary office accommodation, and cafe use.
- Members were advised that occasional private hire events will be controlled by an Operational Management Plan.
- Meeting was advised that the site is addressed by the New River Head and Claremont Square Planning Brief (2013) which outlines various long held aspirations for the site and that the application is considered to be able to meet these requirements to varying degrees. In addition a heritage interpretation strategy forms part of the application and this includes information boards across the site and installations in the Boiler House Cafe with QR codes providing access to further detailed information and history relevant to the site. The windmill base will also provide a permanent heritage interpretation space.
- There is a desire for public access and to operate between 9.30am to 5.30pm, Tuesday to Sunday with potential for extending the hours of operation via S106 agreement.

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- On the harm to heritage assets, the planning officer advised that as it includes a Grade 11 listed building with all the interventions such as the new use, new floor being installed at second floor level, the installation of lift access and the windows being covered by a screen to hang the art on the wall.
- Inclusive design has been incorporated across the site and there will be level access provided and that some of the floor cobbles will be reset of various types to enable access.
- In terms of energy and sustainability, heat source pump will be used and green roof will be provided on the education studio and further green roof will be in the heat air source pump, there will be carbon off setting contribution of £11,040 and green performance plan for the site.
- The Planning Officer advised that 3 Disabled Parking bays will be provided to the west of the site with 46 visitor cycle parking spaces of which 4 will be for staff and there will be an independent access arrangements to Thames Water Facility from the south.
- The Planning Officer advised that less than substantial harm has been identified to the significance of the listed buildings (including their setting) as well as the wider conservation area due to the interventions required to enable the use of the site for F1 purposes, however, careful consideration has been given to the relative importance of the heritage asset and this has been weighed against the heritage benefits and public benefit delivered by the proposals.
- Members were advised that the harm identified is considered to be outweighed by the heritage and public benefit that would be delivered.
- The use of the site as an art gallery is the optimum viable use of the statutorily listed buildings, which is significant heritage benefit for these listed buildings that have been vacant for over 30 years and is given significant weight in the overall planning balance.
- Members were reminded that the site has a complicated history of both refused and approved schemes with no viable scheme being implemented.
- That the proposal with the new cultural use will bring further socio economic. Benefits to the borough and beyond all those captured in S106.
- Members were reminded that this was a combined report seeking full planning permission and listed building consent, however the conditions with the permission are separately noted in the report.
- A neighbouring resident had concerns with the proposal especially as her bedroom shares a party wall with the North Stores. She discounted the claim in the committee report that stated that on average houses in the mews were 12.6m away from the site when her back wall is 9m.
- In addition the objector requested that considering she works occasionally from she requested a condition that electronic blinds be installed so as to ensure there is no light spillage from the foyer which is 9m from the back of her house throwing up a lot of light into the sitting room. The resident also requested a condition which will ensure that future occupiers do not remove the covering over the windows which is presently used to hang art during exhibitions as it protects any overlooking.

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- Another concern raised was the noise levels when events are carried out and requested that the projected 24 events be reduced to 20 and possibly scheduling 2 events a month as it will impact her amenity and others, that a condition should be attached restricting construction activities on Saturdays considering she works from home.
- Another local resident was concerned with the close proximity of his house to the 2 storey building, that allowing a commercial building so close to his property should be given due consideration. The resident had concerns with both the loss of light and privacy to his building, that his dwelling will be overshadowed suggesting that the developer could have a 4-5m set back on the top floor of the building to address these concerns. Resident also had concerns with the positioning of the proposed disabled toilet especially as it will be about 4-5 feet away from the common wall and had concerns with having to hear toilet sounds and users regularly opening and closing the toilet door.
- The applicant informed the meeting that via Illustration use of the site and its activities will bring substantial benefits to the borough as it will bring curriculum to life, an opportunity to provide a voice to the marginalised people in the community.
- Members were reminded that in balancing the public benefits and the heritage harm, that opening up the building and giving local access was significant, that it is a scheme that has gone through a long period of consultation and planning with both residents and Islington officers.
- The proposal is not a commercial development, that the proposal has looked very closely at the optimum configuration of the site and the whole of the North stores has sound insulation in it.
- Members were informed that options in terms of the light from the foyer and noise have been looked into and that any construction team will have signed up to the Considerate Construction Scheme which respectively responds to noise concerns of neighbouring residents.
- On the issue of events held previously and associated noise levels, meeting was advised that House of Illustration is not aware of drinks reception taking place outdoors instead of indoor as most activities will be indoors.
- With regard to light spillage concerns from the gallery, the architect advised that blinds could be installed to roof lights and to the glazing which will be linked to the light switching so as to ensure minimal light spillage.
- On the potential construction disturbance meeting noises, meeting was advised that the work carried out on the section of the single building North Store, which is being retained is to be done to repair its roof structure and it will involve erecting hoardings to protect nos 1 and 2 and adjoining houses in the mews from the works , that a screening will be used to mitigate noise concerns.
- On the issue of limiting the number of events held, meeting was advised that events are essential to facilitate funding activities
- During deliberations, Members agreed that construction activities should not be carried out on Saturdays and that conditions should be amended to ensure that future occupiers of site do not remove the covering over the window which presently protects any overlooking

- In response the planning officer acknowledged that the above concerns can be addressed by amending the relevant conditions
- With regard to concerns about the location of the disabled toilet and its close proximity to a residents wall, the Architect reassured the meeting that it will have no impact on their amenity as there is a 9 inch brick wall of the side of the building and another lining wall in between and that the cavity will be acoustically insulated and that all pipe work will be surrounded so will not be an issue. The Planning Officer acknowledged that no objections were received from the Council's Environmental officer on this issue as it is a solid wall.
- Members commended the proposal and agreed that this would be of benefit to the community.
- The Chair acknowledged that a lot of work had been carried out by all parties to the scheme, noting that most of the objectors concerns could be addressed via the Construction and Management Plan and that issues relating to daylight and sunlight and noise concerns would have to be agreed by planning officers before works is allowed to commence, requesting that construction activities on Saturday be removed from the Construction Management Plan.
- Members were reminded that both planning permission and listed building consent were being considered.

Councillor Poyser proposed a motion to grant planning permission and listed building consent be granted. This was seconded by Councillor Klute and carried.

**RESOLVED:**

That following consideration of the case officer's report (the assessment and recommendations therein), the presentation to Committee, submitted representations and objections provided verbally at this meeting, planning permission and listed building consent be granted subject to the conditions and informatives set out in Appendix 1 of the officer report and subject to the prior completion of a Deed of Planning Obligation made under Section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 of the officer report.

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**TIMES HOUSE AND LAUNDRY BUILDINGS (4-6 BRAVINGTONS WALK, 8 CALEDONIAN STREET AND PART GROUND FLOOR AREA OF 3 BRAVINGTONS WALK) LAUNDRY YARD AND PART OF CALEDONIA STREET, REGENT QUARTER, KINGS CROSS, , LONDON, N1 9AW (Item B6)**

Refurbishment of existing buildings; partial demolition and infill extensions to the southern, northern courtyard and western elevations at ground, first, second, third and fourth floor level and part one, part two storey roof extensions to provide additional Class E(g)(i) Office floorspace at Times House; removal of plant room and entrance, alteration to the elevations and enlargement of existing windows to Laundry Building; further works include the provision of one flexible Retail (Class E(a)), Café Restaurant (Class E(b)), Fitness (Class E(d)) and Office (Class E (g)(i)

unit, three flexible Food and Drink (Class E (b)) and/or Bar/Drinking Establishment (Sui Generis) units, and four Retail (Class E (a)) units at ground floor level; provision of outdoor terraces at first, fourth and fifth floor levels, basement cycle storage and associated facilities, green roofs, plant at basement and roof level; public realm works to Laundry Yard and infrastructure and related works, and new cycle parking on Caledonia Street.

(Planning application number: P2021/2269/FUL)

Cllr Picknell leaves prior to the consideration of this item and was not involved in the deliberations at all

In the discussion the following points were made:

- Meeting was advised that since the publication of the report, 2 additional comments from residents have been received and that no new material planning issues have been raised.
- The Planning officer highlighted a number of following corrections to the report, that at paragraph 10.23 of the report, the Affordable Housing Contribution should read as £229,813 rather than the £234,413.33 stated in the report and the height of the plant structure on the top of the west wing of Times House would rise to 24.3m rather than 24.8m and the top of east wing plant structure to Times House would rise to 24.85m rather than 21.85m.
- Meeting was advised that following further review of the daylight assessment, a number of corrections need to be made to the total figures, that at paragraph 10.269 on page 522 of the report, 84 rather than 80 windows were assessed and 54 rather than 51 rooms were assessed.
- It was also noted that minor reductions in the number of rooms that would fail the BRE Guidance is down to 5.56% rather than 5.9%.
- Also on paragraph 10.276 of page 524 of the report, at 11 Caledonian Road, 6 windows and 6 rooms were assessed rather than 3 windows and 3 rooms, and that 5 out of the 6 windows would meet the BRE guidance rather than 2 of 3 windows.
- Meeting was advised that site is part of the Regents quarter estate and located within the city block known as Block and comprises of Times House which is a mixed use building on the eastern and southern elevations to Laundry Buildings which is also a mixed use buildings located on the northern and western elevations.
- Site is located within the Kings Cross Conservation Area and lies adjacent to the Keystone Crescent Conservation Area to the east and the St Pancras Conservation Area which is located to the west of the site. The site boundary sits adjacent to the Grade II Listed Building at 7 Caledonian Road and within the setting of Grade I listed Building at Kings Cross Station.
- Members were advised that the Laundry Buildings is Locally Listed Grade B and there are numerous locally listed buildings surrounding the site on York way, Caledonian Road and Pentoville Road.

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- Site is located within the Central Activities Zone and is in an Employment Growth Area.
- The proposal involves various extensions, alterations and changes of use to the commercial units Laundry Yard and will create 1,723.6sqm of additional office (g)(i) through extensions and internal alterations to Times House. This is largely provided through the combination of partial demolition, infill extension and roof terraces to create additional office floor space at first to fifth floor levels , with roof terraces at first, fourth and fifth floors under Class E (to the alteration of the existing building to Times House and creation of roof terraces to first floor and fifth floor levels and creation of green roofs.
- External alterations is proposed to the Laundry Buildings and that internally, change of use is proposed to both resulting in mixed uses in class E and Sui Generis.
- With the proposed affordable work space, a separate s106 agreement would be attached to the permission if granted however in light of the the committee to defer the earlier application, this provision will be on this site.
- Members were advised that based on the head of terms, if the application was refused, 5% of the affordable workspace provision is to be secured for this site which would be policy compliant within this particular application site.
- In terms of Land use as the scheme will result in additional office floor space within the King Cross Economic Growth Area and Central Activities Zone both of which promote office floor space.
- The inclusion of flexible class E office retail, cafe restaurants finish uses on ground floor of Laundry Building will seek to provide additional active ancillary uses to the predominantly office use.
- Members were advised that whilst the flexible commercial uses do not generate same level of employment as the office floor space it is welcomed for the functionality of the CAZ and will point positively to economic growth.
- The proposed alterations will also add flexible office space to the ground floor and this accords which accords with the council land use policies.
- In terms of design the scheme, the Planning Officer informed committee that the scheme has undergone a detailed design assessment including a series of design workshops at pre application stage and two presentations to the Design Review Panel who have express their support for the scheme.
- In addition to the design review panel comments, officers have given consideration to the design,height, mass and scale of the scheme and on balance the scheme would cause less harm than substantial harm to the Kings Cross conservation area and the adjacent heritage assets including the grade 1 kings cross station and the grade 2 listed building at 7 Caledonia road.
- Members were advised that officers have therefore taken a balancing exercise to weigh the less substantial harm against the public benefits.
- In terms of neighbouring amenity, meeting was advised that a detailed assessment on daylight and sun light loss , outlook enclosure ,privacy and overlooking have been undertaken.

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- Meeting was advised that quantitatively a small number of windows and rooms will fail to meet BRE Guidance and that those that fail are minimal which officers consider acceptable due to the central urban context.
- Conditions are proposed to mitigate the impacts on neighbouring amenity in terms of light spillage or noise from plant equipment noise and that there is an operational management plan for the plant and for the use of the roof terraces and restrictions have been proposed to the hours of operations.
- The scheme will provide 105 secured cycle spaces and associated facilities in the basement of Times House, visitor parking is provided in terms of 25 short stay cycle stands comprising of 9 stands within Times House and Bravington's walk, 12 on Caledonia street and 4 additional stands on Caledonian Road.
- In terms of security within the block B, the existing gates are consented to be opened to Caledonian street and York way between hours as stated in the report. Cycling is prohibited within the courtyard
- In terms of energy and sustainability the proposal brings in a number of measures such as a 45.8% reduction in regulated CO2 emissions and a contribution of £145,176 towards offsetting the remaining CO2 emissions.
- The scheme meets a BREEAM rating which is to be secured by a condition and another condition is recommended requiring further exploration of potential improvements to ensure energy efficiency and another condition stating that the scheme to connect to a District Energy Network when available, and finally the scheme seeks to use Air source pumps rather than gas boilers.
- In terms of planning balance, meeting was advised that although officers note the less than substantial harm to the heritage assets, it is noted that the scheme does bring forward a number of public benefits as outlined in the report in particular the uplift in commercial floor space to support growth and development in the borough, the provision of a flexible active use unit fronting onto York way, substantial affordable housing contributions and contribution towards public realm.
- Planning obligations as detailed in the report include working with local schools and energy improvements so officers consider that in overall planning balance terms that the scheme public benefits outweigh the less than substantial harm to the adjacent listed building and the conservation areas.
- On the question about the Affordable workspace, that it was dependent on permission being granted for the other site (Jahn Court), the Legal officer clarified that presently the head of terms require that for both applications, the one previously deferred and this present application, the affordable workspace will be provided at 34b York Way. As the other deferred application had not yet been granted alternative provision generated by this application could potentially be made within this site rather than on the other site. The legal Officer acknowledge that it is unusual to have the provision of affordable workspace for one application site provided on another site, but not unheard of.
- In response to a question on whether the 10% uplift of the provision of Affordable floor space is available on both sites, the planning officer stated that the 10% uplift is across both sites.

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- An objector living in Joiners yard which is directly adjacent to the proposed east site of Times house acknowledged the objections raised with the Jahn Court application and was concerned that a huge developer could buy properties so as to maximise the office space, that the interests of the neighbouring residents was not taken on board and not part of the process until at a later stage. Objector questioned the need for additional office space ,as there were numerous buildings that had vacant and empty offices.
- The additional floors were huge and there were concerns around the daylight and sunlight impact on neighbouring residents, loss of privacy and disruption. Concerns within the committee report which states that the development is less than 15m away from residential properties and the argument that development can be permitted if it across the highway is not applicable.
- The proposed improvement to the public realm is welcomed, however the massing in the area is unwelcome as it is huge.
- Another objector speaking on behalf of residents was concerned with the height and its impact and the false drawings. Noted that considering the vision for the developments states that it will cater for the needs of local residents and business and visitors, there has not been any community engagement demonstrated.
- Residents were only allowed a short period of engagement and presented with lots of documentation which have addressed none of the resident's concerns, that this is not a recipe for good design outcomes. The proposal does not address concerns of local businesses struggling after 3 years of Covid pandemic with the result that some have gone bust with empty offices for over two years
- Objector questioned how small independent restaurant businesses on the Caledonian Road were going to compete with equity firms and chain restaurants, that this is not a level playing field
- A resident was concerned that considering the huge number of people traffic in the area, and the entrance being difficult to see with no line of sight visible from the station, that it will be difficult to attract people to the inner courtyards and importantly challenging for retail or other business ventures to survive within the block
- Resident was also concerned that the proposal will plunge the place into darkness and feel less welcoming and unsafe, that this public amenity space will be lost for ever.
- Another resident representing the residents of Keystone objected to the scheme on the grounds of its unsympathetic design to the extension, that the opening of the development is less than 30 m from neighbouring residential grade 2 listed building. Members were reminded that this is a designated conservation area and the scheme makes no attempt to fit in with the surrounding Victorian built area in character or design
- Neighbouring resident was concerned that the design of the building is overbearing and overshadows nearby residential homes and therefore affecting the character or the area
- There was concern that this scheme will result in an the increase in footfall and furthermore attract anti-social behaviour and associated noise, traffic



and disturbances will increase in the area with the increasing number of food and drink outlets in the area

- Concerns that the noise plan associated with the scheme had not been thought out properly as the scheme would impact the amenity of neighbouring residents
- In response , the meeting was informed by the applicant that members should consider the scheme to be a well-designed one, that the scheme will result in the repositioning of the building, reflect the dramatic change across the Kings Cross area in the last 15 years . Members were advised that the scheme will address the vacant building after the previous tenant Euro Star left the premises and that one of the reasons is the lack product design which the scheme aims to address.
- Meeting was advised that a wide range of public consultation has been carried out throughout the process via notifying the residents, website launch to inform the public of the proposals and regular newsletter were provided. In addition webinars were hosted, Q&A sessions were held and 4 public meetings were scheduled on site and 25 one to one meetings were held for residents to discuss concerns of residents. In addition residents were also provided with bespoke daylight sunlight reports to consider their individual impacts
- In terms of wider consultation the team met with wide range of community groups including the learning and knowledge quarter and local schools . The consequences of these public consultations changes have resulted in changes to the scheme and certain commitments which include reducing the height of Times House by 0.5m, reducing the 5th floor elevation of Caledonian street by 3.3m , providing an active frontage and street improvements to York way which will be facilitated by a financial contribution of £75k to widen the pavement along York way and also consider other improvements to lactive the frontage. Also a mixed unit has been introduced to the scheme on York way
- Other commitments include to work with security consultants to review the security measures on site and will be taking forward a number of community initiatives
- In terms of overlooking windows of the third floor north side of the building facing Joiners yard, meeting was advised that as part of the proposal, windows around that particular elevation will be positioned further away and obscured which will be an improvement to the current position
- In terms of daylight impact, assessment has been undertaken and it is evident that with regard to Times and Laundry building results show that in terms of BRE guidelines, they are good in policy terms and that breaches are minor and slightly above 20%
- In terms of sunlight impact, meeting was advised that there are no transgressions and are within BRE standards and that the same position and situation in terms of the courtyard, that any loss is negligible and comply with BRE standards
- In terms of public benefits , the agent reiterated that the scheme will be bringing forward significant benefits that will outweigh any significant harm to the heritage assets in the area and they include an increase in 1723 sqm

of floor space provided within CAZ which optimises office floor space . Also there will be a commitment to contribute provide affordable work office space , noting that the applicant is willing to commit to the delivery of 10% office floor space on this the site in lieu of it being provided on the Jahnn site if possible

- Also there will significant CIL contributions and S106 contributions of £850k contribution towards offsite affordable housing
- In terms of building materials, meeting was advised that this is primarily in Times House which is a contemporary building, that it will retain the existing structure as much as possible for sustainable reasons , introducing a new permeable ground floor and introducing an articulated green metal cladding to complement the red brick.
- On the lack of consultation with residents and in particular concerns about the schemes impact on heritage assets, the agent advised that in heritage terms it is notable that on site there are 2 locally listed buildings which are being retained sensitively refurbishing with minimal changes and where there is an attempt to improve, it is about improving ground floor permeability and removal of railings to York way and re cladding of the glass entrance block to give it more of a contextual and significant entrance to that block.
- In addition meeting was advised that with regards to height of building, although there is an increase in height, there is significant step back to minimise the street view and to reduce the wider impact of the eastern block with the plant being set back by 40m from Caledonian street.
- On the 10% uplift being proposed the agent acknowledged that it would be across both sites, that overall the scheme will be delivering 400sqm of floor space and that with the provision of the hub, that it would be 10% from each site, that the equivalent on this site would be 220sqm.
- The Chair indicated that members find themselves in the similar situation to the previous Jahn Court application as they are closely interrelated and have similar issues.
- A suggestion to defer the application was agreed, that committee would like some of the issues raised be assessed, that the applicants need to moderate the excess of the height, and that it was being deferred on a design basis and not just the impact on a conservation basis.

Councillor Convery proposed a motion to Defer. This was seconded by Councillor Klute and carried.

**RESOLVED:**

That consideration of the application be deferred for the reasons outlined above.

The meeting ended at 0.25 am

**CHAIR**