PLANNING COMMITTEE REPORT

Development Management Service
Planning and Development Division
Environment and Regeneration Department
PO Box 3333
222 Upper Street
LONDON N1 1YA

PLANNING COMMITTEE		AGENDA ITEM NO:	
Date:	11 September 2023	**NON-EXEMPT**	

Application number	P2023/1070/FUL
Application type	Full Planning Application
Ward	Bunhill
Listed building	Adjoining Grade II Central Foundation Boys School
Conservation area	Adjoining Bunhill Fields and Finsbury Square
Development Plan Context	Bunhill and Clerkenwell Core Strategy Key Area City Fringe Opportunity Area Central Activities Zone (CAZ) Employment Priority Area (General) Site allocation BC25
Licensing Implications	None
Site Address	99 City Road, Islington, London, EC1Y 1AX
Proposal	Partial demolition and redevelopment to erect a building up to 35 storeys (plus basement), comprising increased office floor space (Class E[g]); commercial floorspace (Class E); a multi-purpose flexible space (Sui Generis); flexible Commercial / Community Uses (Class E/ F1); alterations to and formation of new landscaping, public realm, plant, cycle storage, servicing and delivery space and other associated works. (DEPARTURE FROM THE DEVELOPMENT PLAN)

Case Officer	Nicholas Linford
Applicant	Endurance Land
Agent	DP9 Ltd

1. RECOMMENDATION

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

1. for the reasons for approval;

2. subject to the conditions set out in Appendix 1;

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

4 where applicable, subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)

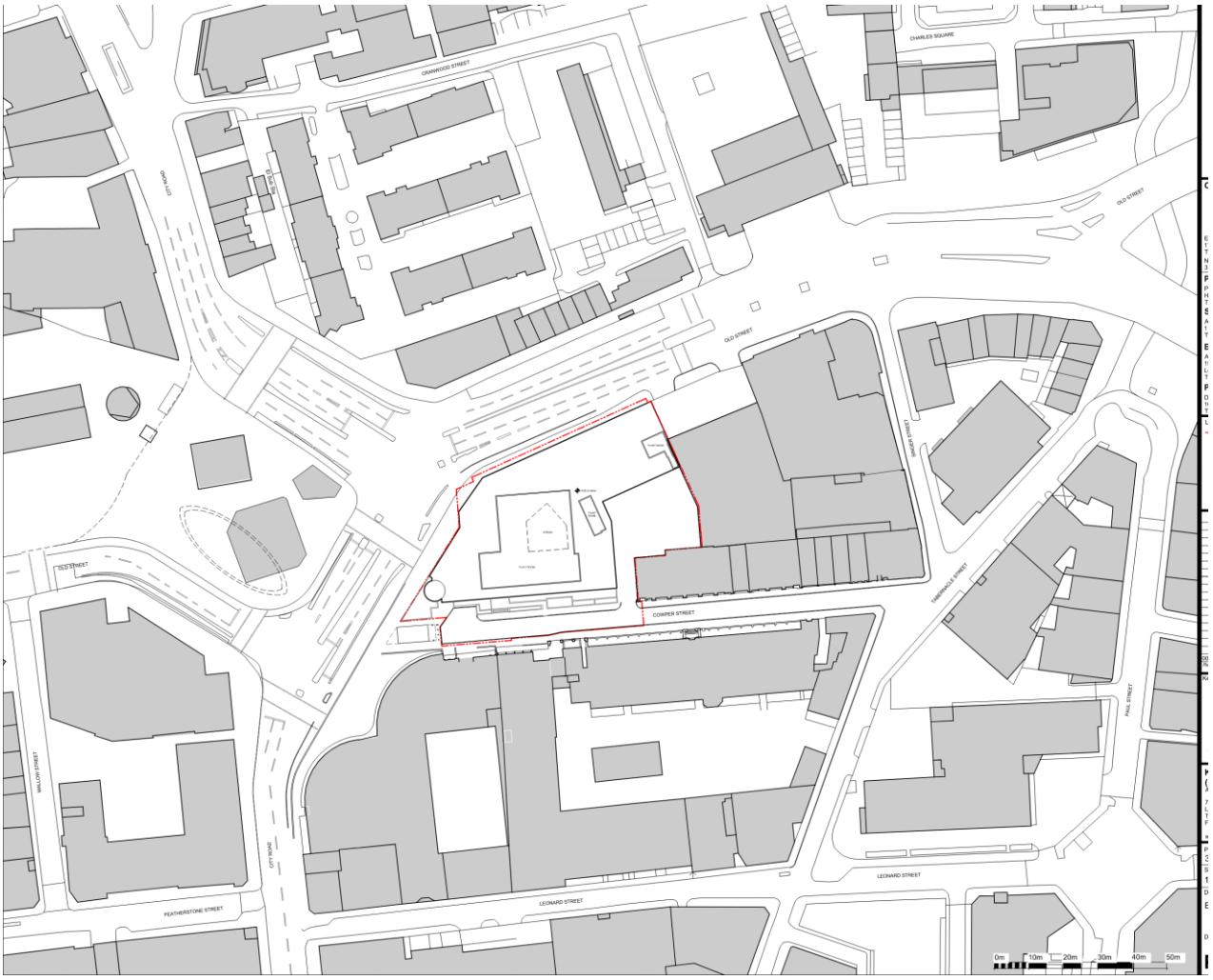

Figure 1: Site location plan

3. PHOTOS OF SITE/STREET

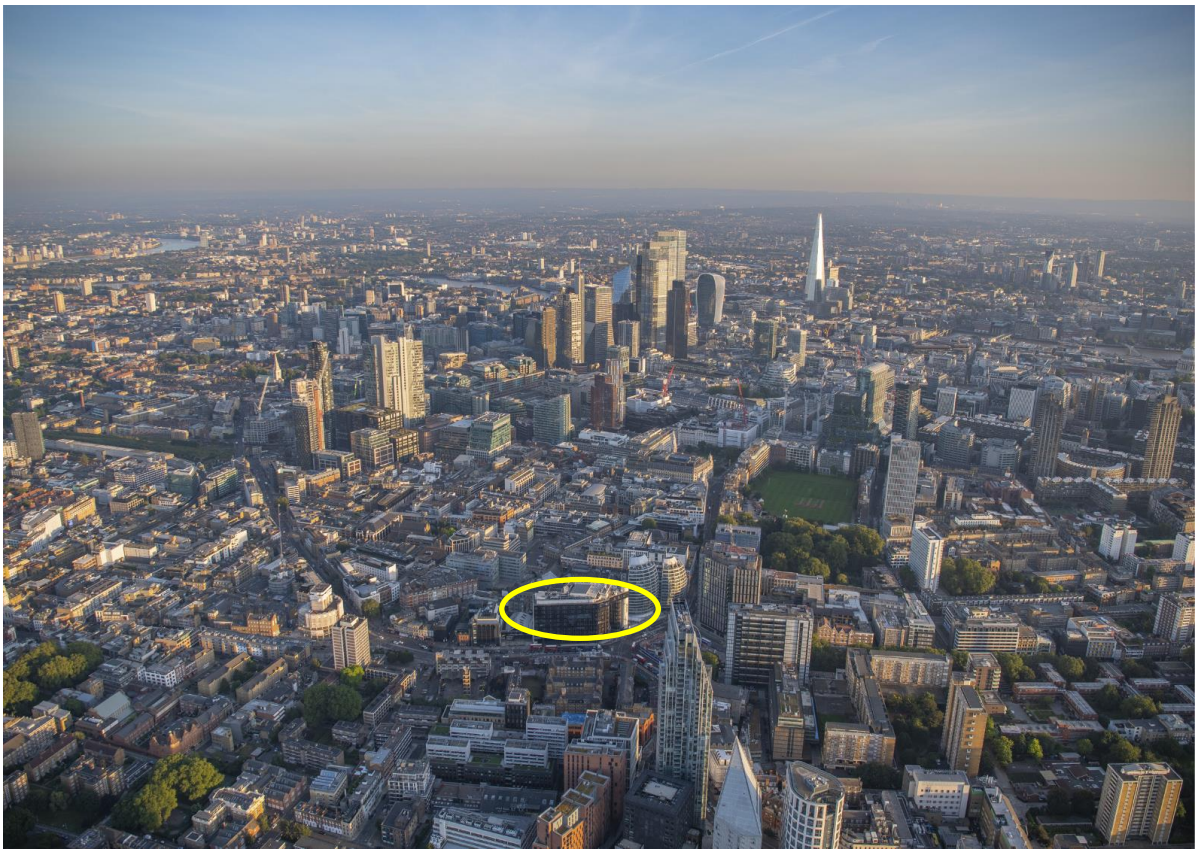

Figure 2: view of Inmarsat House in City of London/Hackney/Islington context

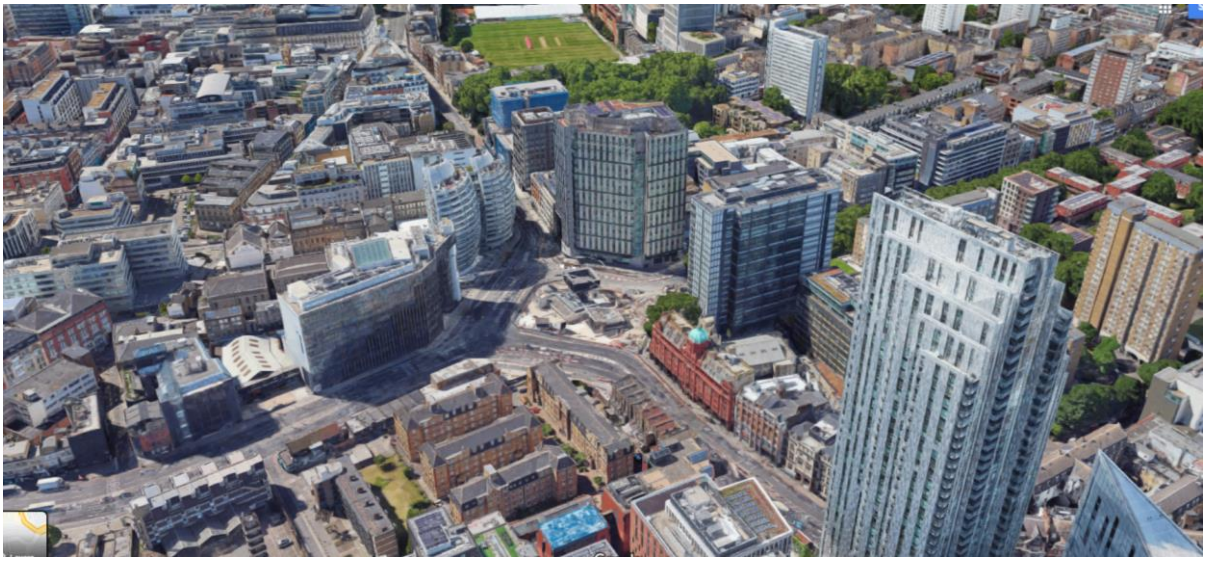

Figure 3: Aerial view of Old Street Roundabout with Inmarsat House (L), Bezier and White Collar Factory (C), Bower Building (R) and Atlas Building, City Road (foreground).

Figure 4: Old Street roundabout with Inmarsat House (L), Bezier (C) and White Collar Factory (R).

Figure 5: Inmarsat House from southwest corner of Old Street roundabout (prior to the commencement of works on roundabout transformation. Bezier building to the right. Cowper Street between and City Road (south) to the right.

Figure 6: Inmarsat House, viewed from west along Old Street (prior to roadworks)

Figure 7: View of Inmarsat House looking southeast along City Road across part of Old Street roundabout.

Figure 8: View of front elevation of Inmarsat House with Cowper Street to the right

Figure 9: Westward view along Cowper Street towards Inmarsat House (glazed box above orange building).

Figure 10: Entrance to the Bezier Apartments (dropped kerb just beyond yellow salt bin). Alternative entrance to Inmarsat House on right.

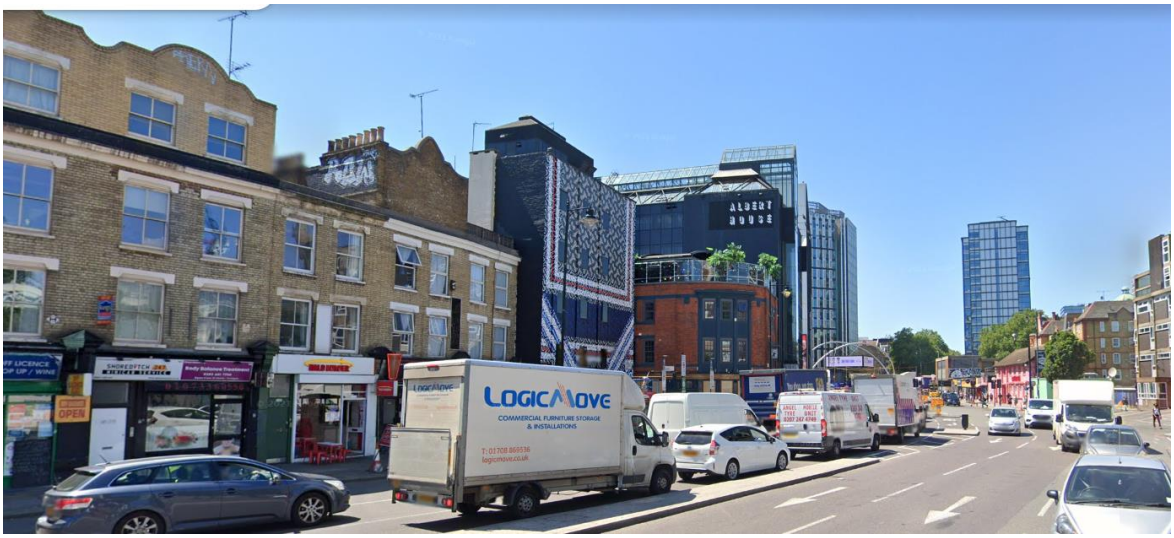

Figure 11: View along Old Street towards the Roundabout with Inmarsat House located directly behind ‘Albert House’ signage. White Collar Factory just visible further beyond and Bower House in distance.

Figure 12: View along north elevation of Inmarsat House. Note narrow pavement where cycle priority impinges on pedestrian priority.

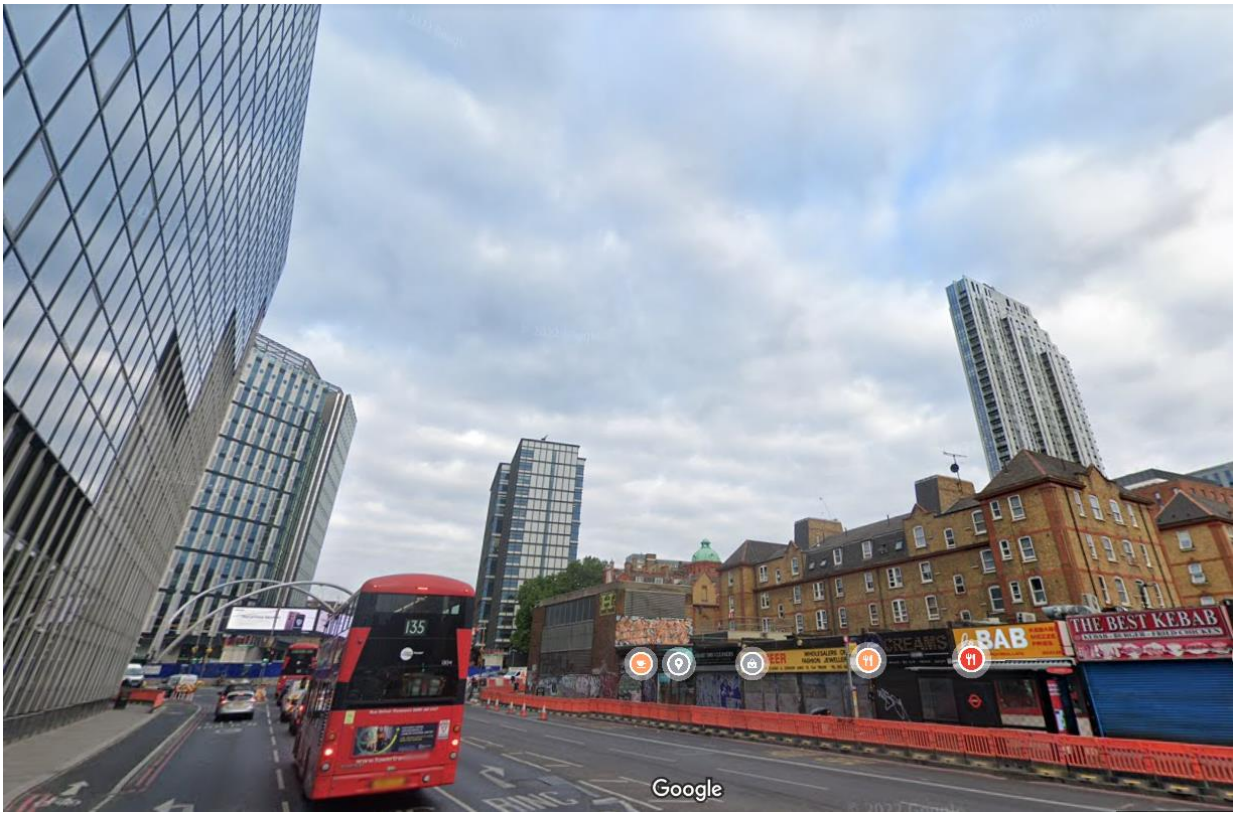

Figure 12: Tall building context including White Collar Factory, Bower Building and Atlas Building.

Figure 13: Tall building context north of City Road (London Borough of Hackney)

4. SUMMARY

4.1 Planning permission is sought for the redevelopment of Inmarsat House, 99 City Road. The site sites on the southeast corner of the Old Street Roundabout with Old Street to the northern frontage and Cowper Street to the southern frontage. The site currently consists of a 9/10 storey high building currently in use as offices. The site is not listed and is not in a conservation area. The area is of mixed character with residential, education and employment uses within the closest neighbours to the site.

4.2 The site consists of a site allocation within the adopted and emerging Development Plan. The site is also located within Opportunity Area Planning Framework in the London Plan known as Tech City. The site is also located within the CAZ. The site allocation identifies the site as being appropriate for a taller building to a height of up to 106m. The site allocation prescribes appropriate land uses consisting predominantly of office with some retail, commercial and leisure uses at the ground floor through the provision of active frontages which the current building lacks.

4.3 The proposed redevelopment involves the retention of the two thirds of the existing building and the erection of a 35 storey building with a total height of 151m above ground or 169m AOD. The proposed development therefore exceeds the prescribed height within the site allocation. The overall floorspace is approximately 63000sq.m and incorporates an uplift of over 40,000sq.m of Category A office floorspace. The proposed development will deliver over 4300sq.m of affordable workspace in perpetuity. The scheme will provide active frontages to all three street facing elevations and will include a café, a community space and an events space. The scheme will provide enlarged and enhanced public realm around its footprint as well as generous upper level terraces.

4.4 The height of the building constitutes a departure from the development and its additional height would constitute harm. Development plan policy requires public benefits to be accumulated and various tests responding to economic, social and environmental considerations to be passed before such height can be supported. In addition, to the affordable workspace and the public realm benefits, the scheme achieves exceptional design standards, particularly at the podium level where outstanding elevational detail is proposed. At upper levels, the main shaft of the tower is designed with angular components to align with streets and buildings to create a visually dynamic building which changes its form and massing from different view points.

4.5 The range of benefits that the scheme offers, many of which will be secured through a legal agreement include a substantial provision of affordable workspace, the provision of an event space that can be used by the community and community groups, a community training space for creative and manufacturing technology, a substantial contribution towards the Council's participation in a jobs and training scheme for hard to reach sections of the Borough's workforce, contributions towards cycle hire, cultural programming, CO2 offsetting and accessible transport provisions.

4.6 The proposed development would not give rise to negative daylight, sunlight, overshadowing and glare impacts and would in some cases improve the daylight conditions for some neighbours.

4.7 The proposed development would be BREEAM outstanding, would achieve five-star NABERS (BRE) performance for office buildings, would retain two thirds of the existing structure and would perform well on embodied carbon, urban greening factor, SUDS and carbon emissions.

4.8 Taking into account all of the above, the application is recommended for approval subject to conditions, completion of a legal agreement and Stage 2 mayoral approval.

5. SITE AND SURROUNDING

5.1 The application pertains to existing land and buildings on the southeastern side of the Old Street Roundabout. The site measures 0.32ha in size and is located close to the boundary with the London Borough of Hackney.

5.2 The site consists currently of a 9 storey building entirely in use as office (Use Class E) and is known commonly as Inmarsat House. It currently has a floor area of 21,667sq.m and has a height of 62.95m AOD. The building is of unconventional design with north and south facades constructed of visually impermeable glazing. The building with narrows to an apex facing on to the Old Street roundabout with two full height curved vertical forms either side of the principal entrance. Another cladded curved column stands at the junction of Cowper Street a further glazed slab oversails the front of the building. The building is featureless to both its north and south elevations except from a column of opening windows on each principal elevation and a secondary entrance to Cowper Street.

5.3 The site, forming a key edge of the Old Street roundabout is bounded to the south by Cowper Street and to the north by City Road. To the east is the existing building's service yard which is accessed from Cowper Street. The building is partially adjoined to a two storey retail unit which has a frontage to Old Street. Nominally the rear elevation of the building which faces eastwards along Old Street to Great Eastern Street, the building is finished with metal cladding panels.

5.4 The building has no ground floor commercial or retail active frontage. The northern elevation faces directly on to Old Street separated by a very narrow pedestrian pavement.

5.5 The Old Street Roundabout forms the intersection of City Road which travels from Moorgate to the junction of Upper Street at the Angel Islington, and Old Street which commences from its junction with Goswell Road in the west to the junction with Shoreditch High Street in the London Borough of Hackney in the east.

5.6 The site is not listed or locally listed and is not in a conservation area. However, the building adjoins the Bunhill and Finsbury Conservation Area which has a boundary along the eastern edge of the site. The Central Boys Foundation School which is situated directly to the south of the site is Grade II listed. The Moorfields Conservation Area is situated to the northwest of the site. Within the setting of the site are the Grade I listed Bunhill Burial Ground to the southwest, the Grade I, II* and II listed Wesley's Chapel Complex.

Figure 14: Wesley Chapel Complex.

The Bunhill Fields and Finsbury Square Conservation Area was first designated in 1987 and extended in 1998 and again in 2002. Its character is derived from a mixture of large-scale office buildings around Finsbury Square close to the City borders and low-rise former warehouse and residential properties in the streets near the Old Street Roundabout. It also contains some large green open spaces including Bunhill Fields historic burial ground, which is owned by the City of London, Finsbury Square, which was first developed in 1777, and the playing fields of the Honourable Artillery Company. The site is located in the Central Activities Zone (CAZ) as well as the City Fringe Opportunity Area (as designated by the London Plan) while the site is also located within the Core Strategy Key Area for Bunhill and Clerkenwell and an Employment Priority Area (General) as designated by the Local Plan.

Figure 15: View through southern gates of the Honourable Artillery Company Field. White Collar Factory and Atlas Building visible behind Armoury House

5.7 The site enjoys a PTAL rating of 6b which is the highest possible rating of public transport accessibility, due to the site's location and close proximity to major passenger transport services including London Underground and National Rail at Old Street station and bus routes on City Road and Old Street.

5.8 The site is located in a highly urbanised area with a diverse mix of land uses and building types within the context of the site, including a substantial provision of commercial, community and education uses with sporadic residential in close proximity. The closest residential development is the Bezier Apartments on the south side of Cowper Street and is a purpose built residential development. Completed in 2010, it has a building height over two separate towers of 14 storeys and 16 storeys with retail on the ground floor.

5.9 To the north side of Old Street is land within the London Borough of Hackney including low rise retail and commercial land use, behind which are residential apartment blocks. Also of note and in this context are Shoreditch Fire Station and the 16 storey Charles Square estate tower block. On the southern side of Old Street, the location is dominated by the 26 storey cylindrical Art'otel which is nearing completion. More generally, the area around the site consists of low to mid rise loft style brick buildings generally in use for commercial with some residential conversions.

Figure 16: Art'otel situated to the east of the site in the London Borough of Hackney

5.10 On the southwestern side of the Old Street roundabout is the recently completed White Collar Factory which is a predominantly commercial development arranged over 16 storeys with a concrete base and a part glazed part metal panel façade. Much of the area immediately to the south consists of five to six storey buildings with retail active frontage or office floorspace within older buildings as well as post war and contemporary redevelopments. The redevelopment of the site at the junction of City Road and Featherstone Road features an 11 storey building at this junction.

5.11 The Borough Boundary runs along the north side of the Old Street roundabout and along the middle of City Road. 207 Old Street is a 15 storey commercial office building completed in 1967, the building was refurbished and re-clad in 1984 when British Telecom occupied the building. 211 Old Street sits to the north of 207 and was built at the same time with the buildings originally being a pair. 211 Old Street stands at 8 storeys in height, and is predominantly in the same form as it was when first constructed.

5.12 Fronting on to City Road are the older seven storey, red brick Leysian Mission building with the prominent green dome. Beyond this is the large Moorfields Eye Hospital Complex. On the eastern side of City Road and within the London Borough of Hackney are a pair of taller buildings which make an influential contribution to the character and appearance of the area in the context of taller buildings. The first is the Atlas building which rises to 40 storeys and approximately 150m AOD and is constructed externally with silver coloured metal cladding panes. To its immediate north and designed to appear similar in material terms is the Montcalm Hotel Hoxton which is a tall building to a lesser height of 73m and 21 storeys. Finally within this small cluster of taller buildings is the Eagle House development which is in mixed use, office and residential and has a height of up to 26 storeys.

5.13 Finally, the wider area adjacent to the site is undergoing substantial change with the redevelopment of Old Street station and the roundabout. Above ground, a number of entrances to the transport interchange will be removed to be replaced by new uptodate means of access. The northwestern side of the roundabout has been stopped up and the roundabout has been joined to the pedestrian environment adjacent to 207-211 Old Str creating a much larger piazza on the northern side of Old Street. Below ground, the existing station retail will be upgraded. A new pedestrian crossing will then be installed to cross over from the Old Street roundabout pedestrian zone to the new Cowper Street station entrance and the site itself.

6. PROPOSAL (IN DETAIL)

6.1 Planning permission is sought for the partial demolition of the existing building including facades and the erection of a part 9 storey, part 35 storey tower with basement to a height of 162m AOD and 151m above the ground level of the adjoining street level of Cowper Street.

6.2 The application is for an office and employment led development with ground floor active frontage incorporating class E, class F and sui generis floorspace. The existing floorspace within Inmarsat House consists of 21,667sq.m of office floorspace. Approximately 8,017sq.m of this floorspace will be demolished and the resulting development will have a floor area of 64,873sq.m. Of this, 59,907sq.m will be high quality Class E(g) office floorspace with a net increase of 38,240sq.m of office floorspace. The scheme will contain 210sq.m of café floorspace, 344sq.m of community space and 236sq.m of public walkway space to connect Cowper Street and Old Street.

6.3 The scheme will also comprise of the delivery of a dedicated off street servicing yard accessed via Cowper Street, the provision of dedicated cycle parking spaces and end of trip facilities with showers and lockers. One accessible car parking space will be provided on street in Cowper Street and several new high quality landscaped roof terraces will be constructed at various locations going up the height of the building.

6.4 Herein follows a detailed description of the proposed development.

Demolition

6.5 A fundamental principle of the scheme is the principle of sustainable development and as a result, the scheme proposes very limited demolition as shown in the diagram below. Demolition is limited and principally relates to the functional aspects of the building as opposed to significant areas of floorspace. In the case of Inmarsat House, the scheme proposes the removal of roof structures and plant and the removal of full height glazed elevation elements and over door canopy at the western end of the site where the built form narrows at the junction of Cowper Street and Old Street. The application proposes the removal of the existing façade; the soft strip removal of mechanical and electrical plant equipment, lifts, firefighting and building maintenance equipment, the removal of the car ramp, alterations to and removal of the cores and the selective removal of some columns, beams and slabs. Most of the existing functional operational floorspace will remain.

6.6 A pre-demolition audit has been carried out by the applicants which suggests that 99.9% of all demolition waste can be disposed of through being diverted from landfill to the extent that it can be recycled and used in other developments.

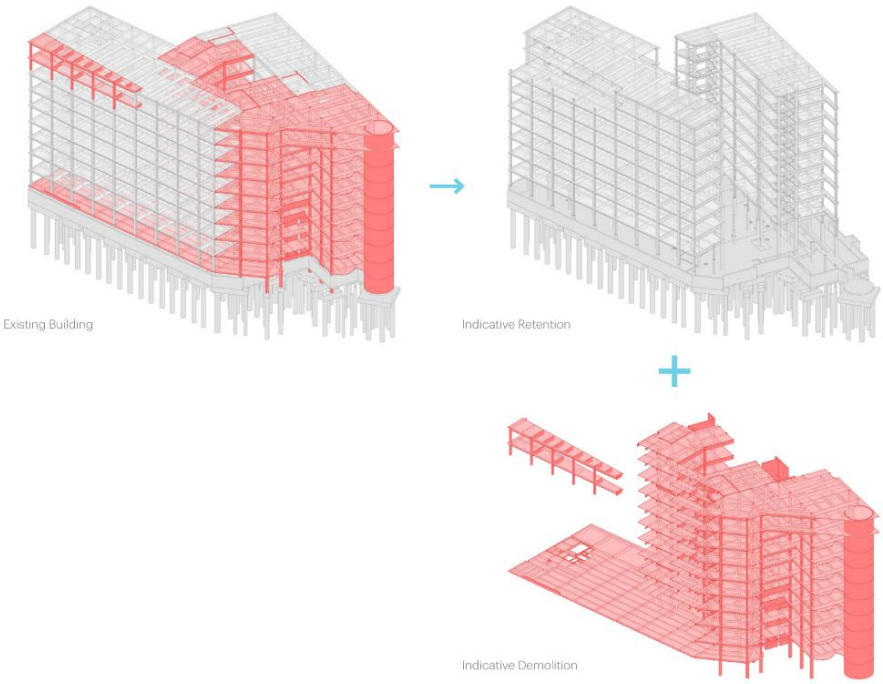

Figure 17: Proposed demolition and retention.

Basement

6.7 The current basement consists of a heavily compartmentalised layout comprising of offices and various plant rooms. Partial demolition and/or removal of the contents of this floor will take place as shown on the drawing below. Basement level 02 consists principally of lift pits and a plant room. Basement level 01, directly below ground level consists primarily of cycle storage and support facilities with access from ground floor, lift and stair cores, plant rooms and a UKPN substation.

6.8 The application proposes the installation of 881 long stay cycle parking spaces, 176 of which would be Sheffield stands for non-standard accessible bikes. This presents an uplift from the existing 30 cycle parking spaces and 15 car parking spaces.

6.9 This cycle parking provision will be supplemented by 40 short stay cycle parking spaces in various locations at ground floor level around the buildings and its external spaces.

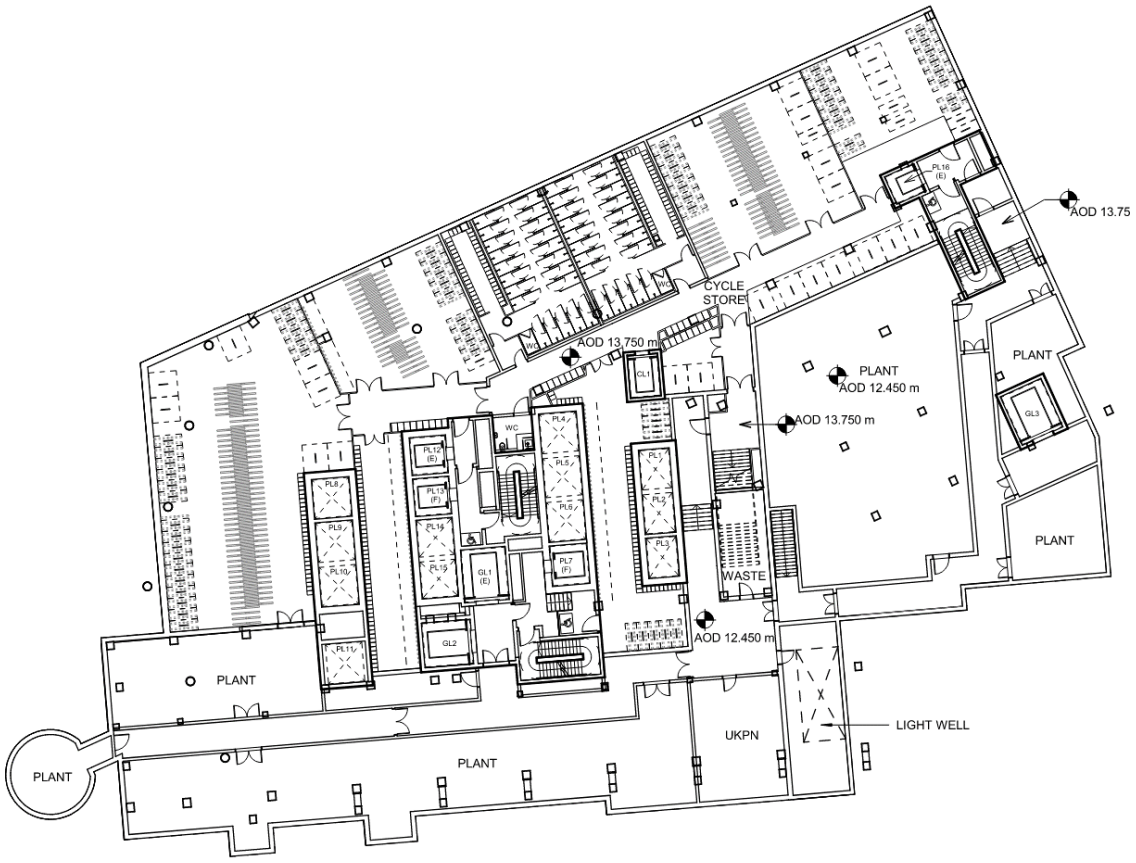

Figure 18: Proposed basement level

Ground floor level

6.10 Substantial changes to the building are proposed to be realised at the ground floor. Given the existing building's lack of visual permeability and its relationship to the immediate pedestrian environment, the scheme proposes a significant opening up on three facades and an enhanced public accessibility into and through the site.

6.11 The retained parts of the existing building will form a nine-storey podium which will ground the building with a distinctive base and link in with surrounding buildings particularly in Cowper Street.

6.12 The key elements of the ground floor including the 'Maker Space' the public pedestrian linking walkway and the 'Great Room'. These new dedicated room uses will be combined with highly active frontages and improvements to the key public realm around the building. The existing servicing yard at the eastern end of the site will be retained with its access from Cowper Street. No change will be made to the width of the entrance, however the size of the servicing yard will be somewhat reduced on its northern side. There would be space for two goods vehicles with a turning space to facilitate forward gear entrance and exit. A bay is proposed to be marked out on the highway in Cowper Street which would constitute a waiting area in the event that the two loading bays within the curtilage may be occupied.

6.13 Within the floorplan, the first new area adjacent to the loading bay would be a 'Maker Space' with community room that would accommodate publicly accessible workspace. The room is being earmarked for use as a 'fabrication laboratory including facilities such as 3D printing. This could be used by schools, colleges, individuals within the community, start ups and entrepreneurs. This space would have a floor area of 344sq.m and would be secured for a period of time as an additional facility to the affordable workspace. This would have a frontage to Old Street and would be an active frontage.

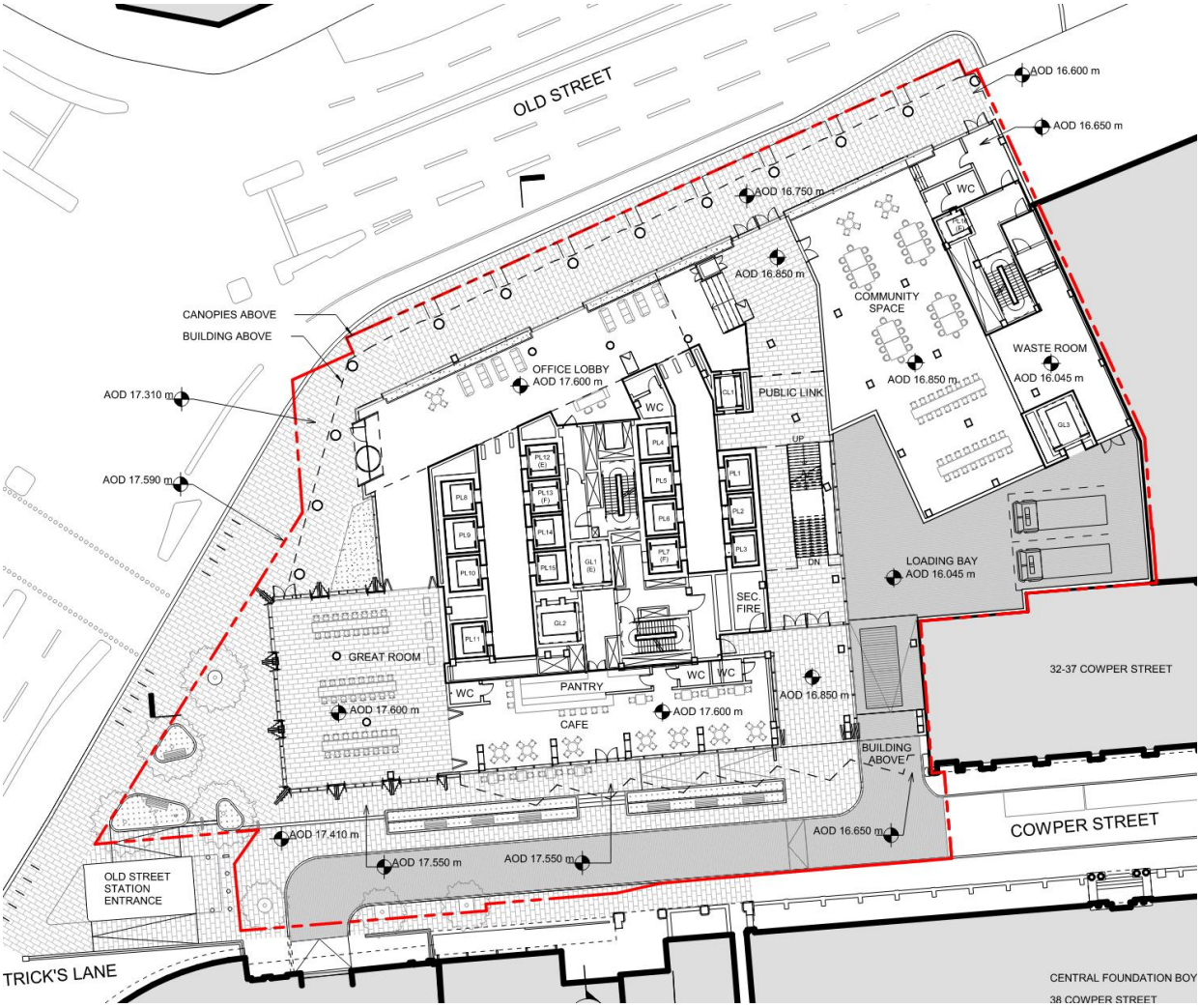

Fig 19: Proposed ground floor

6.14 The concept of providing a maker space for the community has been developed by research based evidence linking a need gap for community education space and its relevance within the tech community. The government defines 'Maker Space' as:

"A location where people gather to co-create, share resources and knowledge, work on projects, network and build, They help intermediate and advanced users develop their skills and creativity, particularly inspiring younger generations to engage with the STEM agenda – Science, Technology, Engineering and Mathematics. Their activity promotes development of high end technology skills needed for prosperity and social mobility".

6.15 The 'Maker Space' is separated from the rest of the ground floor accessible floor plan by a new linking pedestrian walkway that would connect Cowper Street in the south to Old Street in the north and would be covered for its entire length. It would be of level access through out and connect the wider external public realm to the key ground floor facilities, including the lobby, cycle storage and the marker space. Each end of the link would be enclosed by glazed doors that would be open between the hours of 0700 - 1800 daily (opening to 2100 in summer. It is proposed that Yorkstone paving would be laid to the ground level of this route.

6.16 This route is approximately 42m long and for most of its route has a width of approximately 6.5m. There is a section within the centre where the width is reduced by way of the placement of a staircase going down to basement cycle storage and a staircase going up to the affordable workspace at the first floor level. Access is provided at the northern end

to the principal office lobby and reception and maker space and at the southern end to the café and to the lift and staircase core.

6.17 The staircase and lift core block occupies the substantive part of the main ground floor area with the office reception lobby to the north side facing Old Street with the access on the eastern elevation, the 'Great Room' is situated to its western side and the main café floorspace situated to the southern side, with defensible buffer planting between the footprint of the building and Cowper Street…

6.18 The Great Room is situated on the key western aspect of the building and is provided to serve as publicly accessible space during the day (unless booked for events). This will be a multifunctional space of approximately 220sq.m and would have a three storey (10.5m) ceiling height. It is intended that the Great Room could be used for events, conferences, markets, community and London Borough of Islington commissioned events.

Public realm at ground floor level

6.19 Around the periphery of the building, the application proposes the creation of new public realm space including new hard landscaping with tree planting directly in front of the western elevation of the building and soft planters around the Old Street and Cowper Street elevation. On Old Street, the pavement width will be significantly extended with the ground and first floor elevation on the northern side recessed with a new covered colonnade. The pavement width is currently 2.7m with a cycle lane separating the pedestrian pavement from the vehicular carriageway. The creation of a new colonnade, or arcade, will result in a 4m wide new pavement in addition to the 2.7m existing pavement.

6.20 Cowper Street is a key pedestrian route linking Old Street Station and City Road to South Shoreditch. The underground station exit is heavily used during peak commuting times. The street currently lacks any animated street frontage, greenery or amenity. The arrival sequence for Cowper Street is bland and uninviting. Improvements to Cowper Street will help ease these issues and contribute to a well designed pedestrian friendly planted link between Islington and Shoreditch.

First and second floor

6.21 The first and second floors are proposed to be dedicated to affordable workspace. As well as the staircase access from the pedestrian link route, access into the affordable workspace will be provided through the principal lift and staircase access core. Access to a dedicated south facing external landscaped terrace will be provided at the first floor level. The applicant has offered 11% of the overall floorspace as affordable workspace. This includes 4320sq.m of affordable office floor workspace plus a further 280sq.m share of back of house and building management facilities.

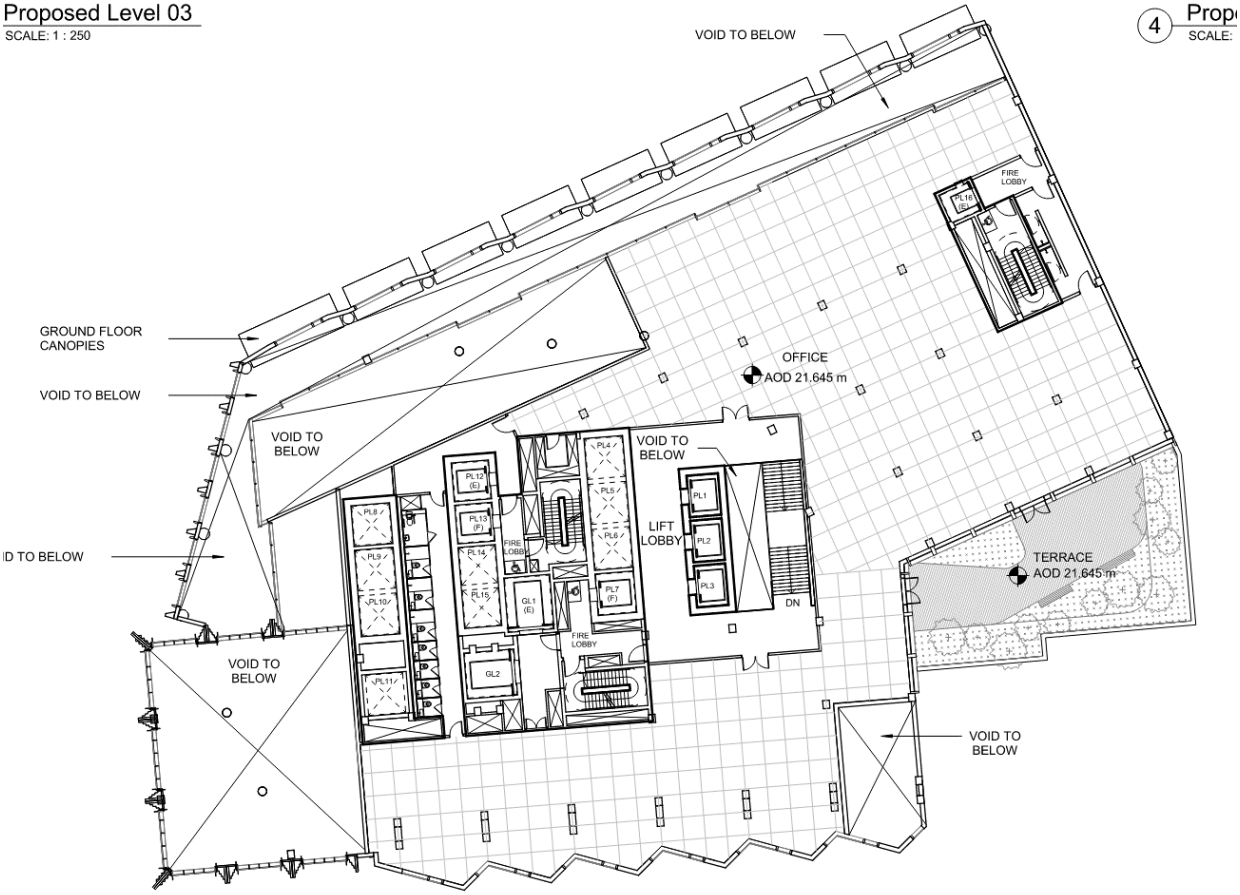

Figure 20: Proposed first floor

Building design

6.22 The proposed development has a height of 35 storeys with an AOD of 162m. In order to address the height implications the proposed building has been designed to comprise of several architectural components. The lowest part of the building comprises a podium base which is designed to reflect the scale and massing of current buildings and respond to the surrounding context. The podium is a highly articulated structure with significant attention to design detail.

Figure 21: Hand drawn building sketches from four directions

6.23 The Cowper Street elevation has a length of 53.5m. The west facing Old Street roundabout elevation has a length of 30.5m while the north facing Old Street elevation has a length of 58.5m.

6.24 The Old Street façade for the podium has a height of approximately 38.7m. It consists of a lower street frontage over a single storey with a substantive section of six storeys, above which are two storeys of glazing. At the seventh floor is a small accessible terrace on the Old Street elevation. There is a more substantial roof terrace of approximately 580sq.m at the ninth floor accessible for both the office and affordable workspace.

Figure 22: Axonometric viewed from north and east.

6.25 The elevation form on this elevation consists of inward recesses and outwards projections on a repeating basis. The materiality consists of terracotta panels, champagne, bronze and dark bronze profiled metal panels, dark grey aluminium mullions and translucent glazing.

6.26 Turning the corner towards the Old Street roundabout, and before the ‘front-door’ section of the Great Room, comes an element of the building façade which encompasses its full height from ground level to the top of the crown. This façade is architecturally distinct to that of the Old Street podium elevation. It has a height of 151m above ground level and a width of 17m. The plane of this façade is entirely unbroken from ground level and serves to unify the whole building.

6.27 The rest of the west facing roundabout elevation consists of a five storey arrangement featuring three chamfered glazed columns within a thick chunky grid. Again, this element is architecturally distinct from other facades within the development. This elevation

features terracotta panels adjacent to white stone columns. Again metal panels in dark grey, champagne, bronze and dark bronze combined with grey aluminium mullions to complete the glazed elements.

6.28 Within Cowper Street, the south facing elevation of the podium has a height of 5 storeys identical to that of the west facing grid. However, its architecture on this elevation is identical to that on the north facing elevation. Separating this podium from the substantive tower block is two storeys of a recessed glazed layer. The southern elevation adjoins the neighbouring building but is approximately 8m taller at the conjunction. An accessible roof terrace will be introduced at the southern elevation and partial west elevation at level 5.

Figure 23: :Axonometric viewed from south and west

6.29 The podium is designed to be responsive to the warehouses of South Shoreditch. This typology of warehouses differs from the other contemporary warehouses. Rather than a solid and closed base, these buildings were fitted with high and open showrooms selling what was manufactured on the upper floors finished with solid facades. The podium wall types on Cowper Street and Old Street are designed to respond to this concept with an open base supporting functional and visual permeability and a more solid structure on the floors above.

6.30 Above the podium the main new build tower element features various angled planes of different heights which are intended to respond to building lines and localised street level viewing corridors. On the northern Old Street elevation, is a ten storey element overhanging the two storey glazed recess. This follows the same plane as the podium element parallel to the Old Street highway alignment. This element is 42m in height and 30.5m in width. It features a roof terrace at level 18. This façade features a finer pattern of fenestration with terracotta verticals and dark grey/champagne coloured horizontal metal panels. The eastern facing elevation of this element has a fully glazed elevation with aluminium mullions and spandrel glazing.

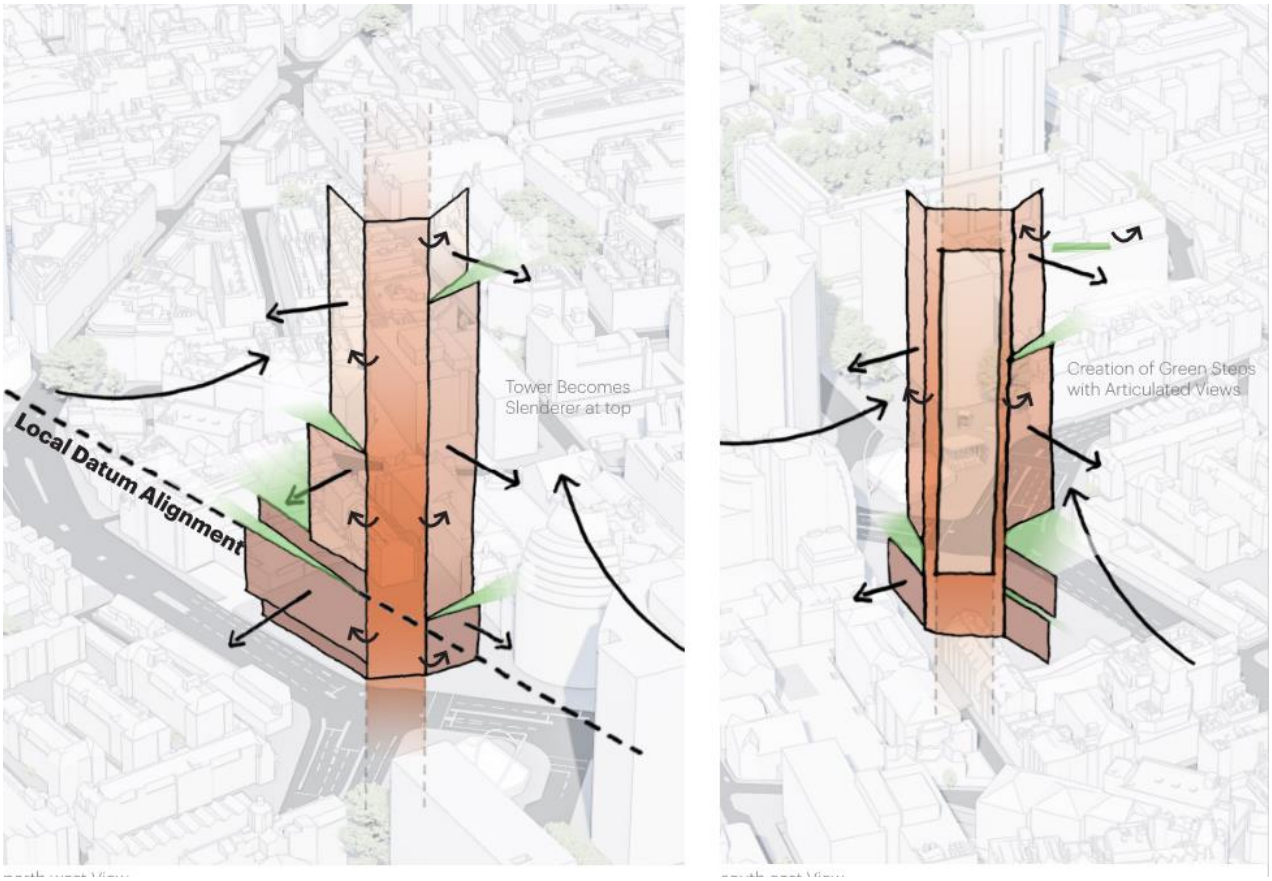

Figure 24: Creating dynamic omnidirectional facades

6.31 The façade design on the upper elements has been developed to further respect the folded nature of the massing as well as emphasize the slender proportions of the tower. The folded façade provides a view through the floor to ceiling glass in one direction and in the other direction glazed terracotta panels create shading from direct sunlight. Diffused daylight is captured by the materials and orientation while the folded façade singular orientation facilitates a dynamic façade as one travels around the building with the solidity reducing and increasing from different view points.

6.32 Above this is a 15 storey 60m high façade that is set back from the Old Street alignment at an angle of 23-degrees.

6.33 When viewed from east towards the Old Street roundabout, rising off the ninth floor podium roof terrace is a narrow 15 storey element with a façade to match the other mid-height elevations. It has a height of around 66m and a width of approximately 16m. Above this are three vertical columns of nine storeys with each set back behind the other to the immediate left. To some degree this reflects the character and appearance of the Atlas Building on the eastern side of City Road in the London Borough of Hackney. Again the materiality consists of terracotta panels adjoining vertical dark bronze vertical metal panels. In front of the glazing is a champagne yellow projecting grid behind which sits the glazing with horizontal spandrels.

6.34 On the rear (east) elevation are two distinct sections. Rising above the level five roof terrace is a nine storey wedge with a height of approximately 37.5m and a width of around 18.4m. It is angled off the main façade by 20-degrees which therefore facilitates another roof terrace at level 14 and the creation of a glazed elevation of around 11m width facing south on to Cowper Street. The main section of the eastern elevation extends 83m above the level 14 roof terrace and has a width of around 14m. The principal design consists of a solid grid with projecting vertical terracotta fins inlaid to the left with vertical and horizontal

champagne coloured profiled metal panels. Dark grey horizontal metal panels provide definition

6.35 Finally on the southern side of the tower facing on to Cowper Street separated from the podium by the recessed two storey glazed element which rises 124m to the crown. This façade is approximately 23m in width.

6.36 The upper most part of the building contains the building's 'crown'. At levels 33 and 34, the scheme provides office floorspace. Level 34 benefits from a small roof terrace. Level 35 consists of a substantial plant zone as well as the lift overrun enclosure. The plant is surrounded by a screen within the inside of the upper most sections of the façade. Two of the six facades at this height are stepped slabs, two are largely flat, one has substantial deviating folds while the last has smaller fins. This encapsulates the variety and diversity of design integrated into the various elements of the building's appearance.

Cycle storage

6.37 At present the application proposes the provision of 40 on street short stay cycle parking spaces. Within the basement level, the application proposes approximately 881 spaces in the basement accessible either by lift or a staircase with a cycle wheel gulley. Of these 881, 176 would be provided as Sheffield stands for non-standard bikes.

Refuse storage

6.38 Waste storage is provided at basement level within one enclosed area. In order for the waste to be collected, the waste is then moved to a different waste storage area on the ground floor adjacent to the service yard to permit it to be collected by refuse vehicles. Waste storage provisions include 5x1100 litre Eurobins, 11x 360 litre wheeled bins for organic waste, 9 x 120 litre wheeled bins for glass waste, 12x1100 litre eurobins for dry mixed recyclable waste, 5 x 240l Cardboard bales and a Eurobin compactor.

6.39 Dedicated waste storage is provided in bin stores at ground level and within the basement. Large Eurobins will be stored at ground level adjacent to the loading bay for ease of collection. Smaller bins used to store glass and organic wastes and baled cardboard are stored within the basement and can be transported to the loading bay via the goods lift. Waste will be collected from the service yard and as such will be designed to allow waste collection vehicle operations providing sufficient clear head height and operational space around the vehicle.

Service yard

6.40 The proposed strategy seeks to provide a single vehicular access into the Proposed Development from Cowper Street. This will serve an off street servicing area comprising two loading bays for vehicles up to 7.5m in length. This format will allow forward gear access and egress. A further loading bay will be provided on the street and will act principally as a waiting bay.

7. RELEVANT HISTORY:

7.1 The site (and its surroundings) have been subject to a number of applications. The following list(s) are considered relevant to the current proposal.

PLANNING APPLICATIONS:

7.2 **840366** – Conditional planning permission granted for the use of the fourth floor of 234/248 Old Street and whole of 38 Cowper Street for light or general industrial purposes with

ancillary uses including offices, photographic and design studios goods display area and lecture room (approved on 31/05/1984).

7.3 **860323** – Conditional planning permission granted for the continued use of vacant land as a car park for 20 cars associated with the industrial building at 234-248 Old Street EC1 (approved on 29/12/1986).

7.4 **871478** – Conditional planning permission granted for redevelopment comprising basement ground and eight storey building for office, financial and professional service use within class A2 and B1 and car parking for 24 vehicles (approved on 26/10/1987).

7.5 The above application granted consent for the erection of 'Inmarsat House'.

7.6 **930017** – Conditional planning permission granted for the installation of satellite and radio antennae supporting structures and an associated equipment room at roof level (approved on 15/03/1993).

7.7 **931706** – Conditional planning permission granted for the erection of a sculpture on the Old Street roundabout frontage in front of 99 City Road (approved on 14/03/1994).

7.8 **980838** – Conditional planning permission granted for the erection of perimeter fencing around existing forecourt (approved 19/06/1998).

7.9 **P2015/5222/FUL** – Conditional planning permission granted for the excavation and erection of a new pedestrian subway entrance at Cowper Street to provide stepped access to and from St Agnes Well subway retail concourse and Old Street Station entrance (approved 03/02/2016).

Neighbouring sites: 95 City Road (Bezier Apartments)

7.10 **P052328** – Conditional planning permission granted for the redevelopment of the site to provide 184 residential units, 393 sq.m of A1/A3 units at ground floor, 1228sq.m for a health club (D2 use) at ground floor and basement level, 31 parking spaces at basement level, 203 bicycle stands and an all weather sports pitch with viewing gallery within a development of two 16 and 14 storey towers and two adjoining buildings of six and eight storeys: retention of 75 City Road (Departure) (Approved on 04/04/2006).

Figure 25: Bezier Apartments

Neighbouring sites: White Collar Factory

7.11 **P061277** – Planning permission refused for the demolition of 70-74 City Road, 32-35 Featherstone Street and 13-15 Mallow Street and the (rear) west part of 82-100 City Road fronting Mallow Street, retention of 36-37 Featherstone Street (known as block C2). The construction of three new buildings (A, B and C). Block A of 39 storeys (149m) for A1/A2/A3/A4) uses to the ground and mezzanine levels, residential use to the upper floors, block B of nine storeys (57m AOD) for A1/A2/A3/A4/B1 uses to the ground floor and B1 use to the upper floors, Block C1 of five storeys for residential use, Block C2 retained for A1/A2/A3/B1 use to ground floor and residential to upper floors, construction of a two storey mansard roof; basement car park for 34 car parking spaces, 3 service bays, 12 motor cycle bays, 285 bicycle spaces with car lift access from Mallow Street, service bay and integrated turntable to Featherstone Street (Refused 03/07/2007)

7.12 **P061278** – Conservation Area Consent refused for the Demolition of 70-74 City Road, 32-35 Featherstone Street and 13-15 Mallow Street and the (rear) west part of 82-100 City Road fronting Mallow Street; Retention of 36-37 Featherstone Street.

7.13 The appeal for conservation area consent (P061278) allowed but the appeal against the refusal of planning permission was dismissed.

7.14 The Secretary of State recovered the appeals and agreed that the Conservation Area Consent appeal should be allowed, but disagreed with the Inspector, and on this basis, overturned the dismissal of the appeal and allowed the appeal against the refusal of planning permission.

7.15 **P101833** – Conditional planning permission granted for the development of the site involving demolition of the existing structures except for 70-74 City Road (building C) and 36-37 Featherstone Street; the change of use of the first to third floors of 36-37 Featherstone Street (Building E) from Class B1 office to Class C3 residential (3 units); the construction of four new buildings Building A up to 90.09m high, building B up to 40.37m

high and building F up to 31.m high to provide 32,625sq.m of Class B1 floorspace, 728sq.m of mixed uses for Class A1/A2/A3/A4, creation of 6 residential units, alteration to an existing services access on Mallow Street, provision of new publicly accessible hard landscaped space and ancillary plant and equipment (Approved on 10/10/2011).

7.16 **P2014/2796/S73** - Variation of condition 2 (approved drawings) of P2013/2704/S73, dated 28 March 2014 (amendments of P101833 dated 30 March 2012 that granted the 'Development of the site involving demolition of the existing structures except for 70-74 City Road (Building C) and 36-37 Featherstone Street; the change of use of the first to third floors of 36-37 Featherstone Street (Building E) from Class B1 office to Class C3 residential (3 units); the construction of four new buildings, Building A up to 92.75m high, Building B up to 41.575 high, Building D, up to 41.575m high and Building F up to 31.5m high to provide 36,824 sqm of Class B1 floor space, 640 sqm of mixed uses for Class A1/A2/A3/A4, creation of 6 residential units, alterations to an existing service access on Mallow Street, provision of new publicly accessible hard landscaped space and ancillary plant and equipment'). The amendments sought include (summary): A) refinement of detailed design and appearance of elevations, removal of kitchen extract ducts to north eastern crease and relocation of extract ducts to behind north facade cladding, change to alignment and increase in height of screen (Building A); B) reconfiguration of reception and internalisation of vertical circulation core (Building's B, C & D); C) sedum canopy on north facade at level one (Building D); D) reconfiguration of pv panels and green/brown roofs (Building's B, C & E); F) increase height of roof following reconfiguration of roof pitch (Building F); G) repositioning of windows and balconies and ground floor openings (Building's B, C, D, E & F) (Approved on 10/10/2014)

Figure 26: White Collar Factory

Neighbouring sites: 207-211 Old Street (Bower Building)

7.17 **P2013/1667/FUL** – Planning permission granted for Extensions and alterations and associated re-cladding to 207-211 Old Street,(including additions at roof level) refurbishment and change of use of Empire House to provide A3/A5 restaurant use at basement and ground with office (B1)/Hotel (C1)/ private members club(Sui Generis) above, creation of part 2, part 3 storey buildings to provide additional B1 and A1,A2, A3, A4, floorspace, and creation of new pedestrian link from Old Street to Baldwin Street with associated landscaping and associated works (Approved 13/12/2013).

Figure 27: Bower Building

Neighbouring sites: Old Street station

7.18 **P2019/0528/FUL** – Planning permission granted for the excavation and construction of a new station entrance to provide access to St. Agnes Well and Old Street Station. Construction and installation of a public lift to provide access to St Agnes Well; a service lift and bin store adjacent to the existing clerestory; and associated works including external cladding of the existing clerestory and proposed service lift and bin store (Approved 12/09/2019).

Neighbouring sites: 250 City Road

7.19 **P2013/1089/FUL** – Planning permission granted for a hybrid planning application for demolition of existing buildings and comprehensive redevelopment comprising full planning permission for all elements (other than Block 9 submitted in outline with appearance reserved) for four blocks ranging from 7 to 9 storeys plus two towers of **42 storeys (up to 155m) and 36 storeys (up to 137m)**, providing up to 995 residential units; commercial floorspace (Class B1) up to 7,600sqm; affordable workspace (Class B1); relocated data centre; flexible retail/financial and professional services/restaurant/café/drinking establishment/health centre floorspace (Class

A1/A2/A3/A4/D1) up to 3,650sqm; crèche (Class D1); and hotel (Class C1) of up to 190 beds; together with public open spaces, up to 1,223 cycle spaces, 225 car parking spaces and ancillary floorspace within a basement and other associated works. This proposal constitutes a departure from the development plan. This application may affect the character and appearance of a conservation area and the setting of a listed building. Town and Country Planning (Listed Building and Conservation Areas) Act 1990 (as amended); Section 67 and 73 (Approved 26/08/2014).

Figure 28: Lexicon at 261 City Road (LEFT) and 250 City Road (RIGHT)

Neighbouring sites: Lexicon Building, 261 City Road

7.20 **P041872** – Conditional planning permission granted for the erection of a 36 storey building and two eight storey buildings to provide 308 residential units up to 845sq.m of mixed use commercial (Use Class A1/A3/B1/D2) basement car parking for up to 78 cars and ancillary plant rooms. The application also includes the creation of a new pedestrian/vehicular access from Graham Street and new open space accessible to the public (Approved 15/12/2006).

Neighbouring sites: Atlas Building, 145 City Road (London Borough of Hackney)

7.21 **2012/3259** – Conditional planning permission granted for the Demolition of existing buildings and erection of a **39 storey** residential building providing 302 residential units (Class C3) with flexible retail or café / restaurant units (Class A1 or A3) at ground floor, a 10 storey business building providing office accomodation (Class B1) with flexible retail or café / restaurant units (Class A1 or A3) at ground floor and a single storey flexible retail or café / restaurant kiosk (Class A1 or A3), associated landscaping, car parking, vehicular access and cycle parking. Application accompanied by an Environmental Statement submitted pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2011 (Approved 03/12/2013).

Figure 29: Aerial view of City Road (Hackney) with Eagle House, Montcalm and Atlas Building

Neighbouring sites: Montcalm Hotel, 151-157 City Road (London Borough of Hackney)

7.22 **2009/2759** – Conditional planning permission granted for the erection of part **16, part 17, part 18, part 19, part 20 to 23 - storey** building with three basement levels to provide 16,376 sqm Class C1 (4 Star hotel, 247 room) together with 838sqm class B1 business centre, restaurant, bar, 25 cycle spaces, plant and ancillary service facilities including vehicular access off Britannia Walk (Approved 21/09/2011).

Neighbouring sites: Eagle House (London Borough of Hackney)

7.23 **2006/0201** – Conditional planning permission granted for redevelopment of the site through demolition of the rear of Eagle House and the retention and refurbishment of the remainder of the building together with the erection of a part 6, part 7 and part 27 storey building plus basement level to provide 276 residential units comprising 31xstudios, 69x1 bedroom, 82x2 bedroom, 65x3 bedroom, 26x4 bedroom and 3xmore than 4 bedroom units and 1271sqm of class A1 (retail) floor space, 447 sqm of class A3 (restaurant) floor space, 3486sqm of class B1(office) floorspace and 1108sqm of class D2 (Leisure) floorspace together with ancillary plant servicing, 56 basement level car parking spaces, associated hard and soft landscaping, alterations to vehicular and pedestrian access and associated highway works (Approved 26/09/2006).

Neighbouring sites: Art'otel (London Borough of Hackney)

7.24 **2009/2405** – Conditional planning permission granted for the demolition of existing buildings on the site and construction of a part eighteen storey (Block A: ground plus seventeen floors) and part six storey (Blocks B and C: ground plus five floors) building for use as a 350 room Hotel (23,135sqm GIA Use Class C1 including health and fitness facilities) plus retail, bar and restaurant, art gallery and art cinema (1500sqm GIA Use Class A1/A3/A4/D1 and D2); Offices (1,085sqm GIA Use Class B1); and roof top bar and restaurant (716 sqm GIA Use Class A3/A4); together with ancillary hard and soft landscaping, revised vehicular access/egress, 48 cycle spaces and refuse/service arrangements (Approved 07/01/2011)

Figure 30: Art'otel Old Street (London Borough of Hackney)

PRE-APPLICATION ADVICE:

London Borough of Islington

7.25 Pre-application engagement between the Applicant and the Council was undertaken prior to the submission of the planning application through a planning performance agreement.

7.26 Key issues arising from the pre-application process included the height of the proposed building in the context of the Tall Buildings Study, the designated site allocation and emerging policy in the Draft Local Plan. The scheme submitted as part of the planning application is taller than the scheme initially presented to the Council. The applicants have sought to demonstrate that a shorter building would appear more visually dominant within the streetscene; that a taller building within a slimmer profile would have less impact on the amenities of neighbours and neighbouring uses.

7.27 Where a breach of the policy was recognised, officers discussed with the applicants the potential benefits that could be secured within a consideration of the wider planning balance including affordable workspace, furthering inclusive economy aims and objectives to deliver opportunities for jobs and training for hard-to-reach parts of the workforce as well as generate social value. Significant discussion took place around using aspects of publicly accessible parts of the building to contribute to these aims.

7.28 Beyond the tall building issue, officers and the applicants considered the detailed design of the building, including materiality, contextual relationships and townscape, public realm improvements and securing high levels of sustainability and environmental performance.

Design Review Panel(s)

7.29 The applicant presented the scheme to three separate Design Review Panels in September 2022, January 2023 and March 2023. The various responses on behalf of the Panel are attached as further appendices to this report.

7.30 The following paragraphs summarise the comments made in relation to the final DRP that took place in March 2023. In summary, while the scheme presents a range of positive attributes including beneficial impacts to immediately surrounding neighbourhoods and the local environment, the impact on heritage assets when viewed from more distant vantage points remains unclear. It is likely that the harmful view impacts, with regard to heritage settings, will be largely experienced to the longer views and therefore at some distance from the site, such as Lowndes's House and the Artillery Grounds while the 'benefits' of the scheme will be local. It is therefore important to demonstrate that these local benefits really do outweigh harm as experienced from further away.

7.31 In broad terms the Panel considers the design development to the top of the tower is positive, including the more filigree appearance created by the expression and detailing of the mullions & fins, resulting in a more delicate relationship with the sky. The additional detail and scale of fenestration is positive. The revised work undertaken to the body of tower is also helpful. There is now a better relationship between the folds and planes. With more solid and opaque elements, there is a beneficial lessening of the reading of the glazing which is helpful and creates a more coherent architecture. This greater consistency has proved beneficial.

7.32 The Panel queried whether the scheme can really deliver retention of so much of the existing structure and if so then that is an important 'win'. The Panel suggested that this needs confirmation at the time of the application.

7.33 The Panel are generally supportive of the podium response. However, there is a very delicate relationship where the façade is dropped to first floor level. How does that work next to the Great Room frame for example. It is the successful articulation of these sorts of details that will be very important to the success of the design.

7.34 Some concerns remained about the height and massing and the combined affect of these. As per the pre-application summary, the work on detailed elevational design is welcomed. The greater architectural and material consistency to the podium as advised at earlier DRPs has proved beneficial and the podium has improved with each iteration. This is very welcome, and the Panel consider the podium interface will offer a tangible benefit to this part of Old Street. While there was some reservation that the south and north facades were still interrupted by the tower coming towards ground and the entrance to the great room, overall it is considered that the podium, including the Old Street arcade, works well and will result in a high quality of the spaces that surround it.

7.35 The Panel considers that good headway has been made in terms of public realm and movement and acknowledges that the designs have responded well to previous comments. The work on the cut through makes it a much more convincing and useable route which is now a real benefit of the proposal. The Panel all support the approach to the public realm but advised that it be more embedded into the evolving context to include the new pavilion to Old Street station etc and show convincingly how it relates to the new and emerging public realm to the west of the site.

<u>Greater London Authority</u>

7.36 GLA officers welcome the opportunity to engage with the applicant on the emerging proposals for this site. The principle of the proposal is acceptable in strategic planning terms with regards to the objectives of the CAZ and the land uses proposed. Notwithstanding this, any future application must demonstrate the impacts the scheme has upon heritage assets and how these impacts are to be outweighed by the public benefits directly associated with the scheme. Other strategic issues associated with urban design, inclusive access and sustainable development must also been addressed in any future planning application.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 8215 adjoining and nearby properties in surrounding streets on 19 April 2023. A site notice and press advert were displayed on 20 April 2023. The public consultation of the application therefore expired on 14 May 2023, however it is the Council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report a total of 42 responses (comprising 24 objections and 18 comments) had been received from the public with regard to the application. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

8.3 Land use

- The areas around the north and east of the City are crowded with recent large office buildings which are tenantless and empty
- There is no more need for more office floorspace
- LBI may be missing an opportunity to extract major benefits from the developer. The scheme could accommodate a medical centre and GP hub within the building.
- The developer could provide a new science facility for the school.
- There are other big office blocks several of which appear vacant. This could be a white elephant.
- There is no evidence of a shortage of office floorspace.

8.4 Considerations of land use are addressed in paragraphs 10.2 – 10.57

8.5 Building height

- The building is too tall. It is taller than any of the surrounding buildings and is totally out of proportion. The height needs reducing to prevent overlooking of surrounding buildings.
- The height, scale and mass of this proposal is completely inappropriate and will damage the area.
- The development is too tall for the site. It would dominate the area and overshadow the neighbouring residential building in particular. The site should be redeveloped with a new building that is similar in height and scale to the current building.
- The building is out of scale with buildings in South Shoreditch.
- The building would tower over adjacent buildings and the conservation area.
- The area needs more housing including social housing.
- The size of the building is not appropriate.

8.6 Considerations of building height are addressed from 10.125-10.175

8.7 Building design

- There is a risk that the building will contribute further to a concrete jungle. An example of this is Leonard Street which is inadequate with poor hard and soft landscaping and a lack of greenery.

- The building would dominate and ruin the general historic 3 – 6 storey skyline of South Shoreditch.

- The proposed facade would be totally out-of-scale with the surrounding buildings on the Old Street roundabout and in Cowper Street. The proposed colour of the building would also be discordant with the predominant greys of the adjacent modern buildings and the softer shades of the older brick ones.

- Tall buildings produce wind tunnels.

- The development would drastically interfere in the local skyline.

- It will be a dominating and over-bearing presence in a neighbourhood of converted Victorian warehouses and several historically significant / heritage buildings.

8.8 Considerations of building design are addressed from 10.58 – 10.124

8.9 Heritage

- The development would cause a materially negative impact to important views within the local Conservation Area and of local listed buildings that will be caused by the applicant.

- There is a materially negative impact to views within the Conservation Area and to locally listed buildings.

- It would negatively dominate some sensitive buildings with heritage value, including Lowndes House, Finsbury Square, Bunhill Fields, Wesleyan Church and the Honourable Artillery Company (HAC) ground.

8.10 Considerations of heritage are addressed in paragraphs 10.186-10.257

8.11 Amenity

- The building will impact on privacy by people overlooking toward it and a private terrace.

- It will also obstruct daylight and cause a loss of light.

- Concern about the impact on the receipt of natural light.

- There would be a substantial increase in noise and disturbance to local residents and local conservation area that would be caused by the increased amount of traffic accessing and exiting the development during its construction.

- A 35-storey erected building is a real conservation concern regarding light loss, noise in building works and consideration in footfall and aggravation within city life. Residents have suffered from the disruption from Old Street roundabout and new office buildings which are not attractive.

- The amount of construction has huge impact on noise, pollution and disruption. There is no attempt at harmonisation between all ongoing developments to ensure that the impacts on surrounding residents can be minimised.

- There are noise levels exceeding what would be regulated safe levels. Until these planning applications include details of traffic flow, hours of service and routes (analysis) any further permission would be negligible.

- There are flaws in the applicant's noise and vibration impact assessment in relation to road traffic deliveries and collection related noise. For the noise assessment, sensors were placed on Bezier House which is a modern insulated building rather than Tabernacle Street buildings which are less efficiently noise proofed.

- No analysis of sound and crowding impact noise at the time of the day such as 1800 when people may be departing for the day.

- Proposals for entertainment/food and drink street market space is problematic as it would be located in a highly residential area already at capacity with such venues and in a Cumulative impact area for licensing.

8.12 Considerations on amenity are addressed in paragraphs 10.271 – 10.348. Overlooking and privacy (10.273-10.277), Outlook and sense of enclosure (10.277.10.282), Noise and disturbance (10.283 – 10.293), Construction impact (10.293), Daylight, sunlight, overshadowing and glare (10.294-10.348).

8.13 Transport

- There is inadequate access from the station to street level which constrains people with mobility difficulties.

- There are four major planning applications being considered in the local area and three which are currently underway. Hackney's plan to close off Leonard Street has left Tabernacle Street as the only means of access for this development and others being considered.

- The schemes do not envisage any new access which means further strain on Tabernacle Street.

- The building assumes a magnitude of 2.3 increase in traffic and deliveries to the development.

- There would be an increase in night time delivery and waste and as the only entrance to Cowper Street is via heavily residential Tabernacle Street, it would be highly problematic.

- Heritage residential buildings in the Bunhill Fields and Finsbury Square CA with single paned windows would suffer from an increase in noise. The narrowness of local streets would amplify the noise.

- The cumulative impact of road traffic, street noise and construction from various developments including Castle House, Fitzroy House must be considered.

8.14 Considerations of the impacts on transport and highways are addressed in 10.425 – 10.456h.

8.15 Infrastructure

- The Council previously objected to an 11 storey building in Featherstone Street citing the impact on infrastructure and utilities. How will the infrastructure now cope with this impact.

8.16 It is not clear what development is being referred to here. Nevertheless, a substantial payment towards the Community Infrastructure Levy will be made to the scheme.

8.17 Other

- There was insufficient consultation associated with this application
- The building doesn't give any consideration to Islington residents.
- There are minimal public and community benefits promised under these plans. The community space is insufficient in relation to the financial gain accrued.
- The building should use some of the underlying structure.
- The Health Impact Assessment is flawed with respect to crime.
- There are not enough trees and parks.
- Mental health is suffering as a result of too many flats.

Response to 'other' comments and representations received

8.18 The application has been subject to statutory consultation procedures as set out in the Town and Country Planning (Development Management Procedure) Order 2010 including direct mailing to surrounding occupiers, numerous site notices in both Islington and Hackney and a press notice. The National Planning Policy Framework (NPPF) and the NPPG (NPPG) both advise and encourage developers to engage effectively with stakeholders to improve the efficacy of decision making. While objections have been received that this hasn't taken place, there has been substantial collaboration with officers with influence from Design Review Panel and a Members Forum. It is considered that there insufficient grounds to warrant the refusal of permission on this basis.

8.19 A recommendation for planning permission is subject to conditions (which mitigate the harm that the proposed development might generate) and a Section 106 legal agreement which seeks to secure benefits which improve access to public space, training, job opportunities and event space. The scheme also secures improved public open space and better public realm along with better architecture on site.

8.20 The proposed development retains more than 60% of the original built structure and the existing servicing yard. The development therefore saves on the embodied carbon of the existing building and utilises the key principles of Circular Economy and Whole Life Carbon by using re-use and retain through construction.

8.21 The application has been subject review by Equalities Officers and the Metropolitan Police Crime prevention officers. The latter body has been clear that the proposed development is acceptable and encourages the use of Secured by Design which the applicant agrees to.

8.22 The site was previously a sterile inactive building with minimal planting within its curtilage save for some potted plants in the forecourt and some raised planters in the Cowper Street frontage. The proposed development seeks to plant trees within the public realm as well

as create extensive landscaped terraces at various levels, to the extent that the Urban Greening Factor is 0.3 and the Biodiversity Net Gain is 1310%

8.23 There is no residential development associated with this scheme.

External Consultees

8.24 External consultation responses

8.25 **Historic England** have had the opportunity to comment on the application now on two occasions. Their first comments on the scheme were received on 9 May 2023. Their comments at the first occasion were set out as follows:

8.26 Inmarsat House is a 10-storey office building dating from the late 1980s. Its location next to the Old Street roundabout and large footprint has created an undesirable environment for pedestrians. There is an emerging tall building presence in the area, with the Atlas Building to the north of the development site being the tallest at 152 metres (AOD). There are no designated heritage assets within the site boundary; however, it borders the Bunhill Fields Finsbury Square Conservation Area which contains various listed buildings. There are a number of sensitive heritage assets in close proximity to the site.

8.27 Bunhill Fields: a 17th century Nonconformist burial ground which is a Grade I Registered Park and Garden and includes numerous listed monuments. Its inner-city location and cramped appearance contribute to its outstanding historic interest, and the outside world is clearly visible in many locations. Nonetheless, the sense of enclosure and sanctuary provided by the brick perimeter walls and tree canopy are important aspects of the setting of the burial ground which contribute to its significance.

8.28 Wesley's Chapel: a Grade I listed Methodist chapel built in 1777-8 which is of exceptional architectural interest externally for its formal neoclassical composition which can be best appreciated from its forecourt area. The forecourt is flanked by architecturally similar listed buildings associated with the chapel, and a statue of John Wesley (Grade II) is carefully positioned on axis with the chapel portico and the forecourt entrance gates (Grade II) opposite. The forecourt entrance provides the best location from which to appreciate the listed buildings as a whole and their formal character based on neoclassical principles. While some modern buildings are visible above the roofline, they do not significantly detract from the sense of formality and enclosure that can be appreciated from the forecourt area.

8.29 Armoury House: the Grade II* listed headquarters of the Honourable Artillery Company which was built from 1734-6 in a symmetrical classical style, with later flanking wings. The architectural interest of the building exterior can be appreciated from the generous artillery ground to the south, although modern development encroaches significantly behind the listed building in these views.

8.30 The proposals seek to retain elements of Inmarsat House and extend significantly to create a tall building at 169m (AOD) for office use which would be the tallest building in the Old Street roundabout area. The Townscape Assessment submitted reveal that the proposed tall building would become a prominent addition to the cityscape with wide ranging impact on the historic environment. The most notable impact would be to Armoury House. While other tall buildings are visible here from this location, the proposed development would be particularly distracting due to its height, proximity to listed building and its materiality. This would affect the symmetry of Armoury House and its setting, causing harm to significance. The harm would be incremental due to the impact of other large scale modern development.

8.31 The wire line study from the Wesley Chapel forecourt is not sufficiently detailed to assess the impact on a collection of historic buildings. The proposed development would be visible from above the Benson building encroaching upon the formality and enclosure provided by this collection of buildings.

8.32 Finally, it is also considered that the proposed development would rise above the building line in Old Street in views from Bunhill Burial Ground where there are breaks in the tree line. While there are other buildings visible, the additional visual encroachment would further diminish the sense of sanctuary.

8.33 Historic England recognise that there is a growing cluster of tall buildings around the Old Street roundabout and there is no in-principle objection to the redevelopment of Inmarsat House. However, it is considered that due to the very large scale of the building there would be some harm caused to some historic sites. On the basis of information received, the impact on Grade II* listed Armoury House would be greatest and would cause the greatest level of harm , although this would be less than substantial in policy terms and would be within the middle of the range. Harm would also be caused to Grade I listed Wesley's Chapel and Grade I listed Bunhill Fields. While the harm would be of a low level, they are important level of designation and should be afforded very great weight.

8.34 Historic England have advised that it would be for the Council to determine whether a clear and convincing justification has been provided for the additional height. Historic England therefore has concerns regarding the application on heritage ground

8.35 A further letter from Historic England was received in relation to a more detailed assessment of the impact of the development on the Wesley Chapel complex. This was received on 19 July 2023. Historic England points out that the most important views of Wesley's Chapel are born from the sequence from west to east towards the chapel from City Road. However, it is the view of Historic England that the additional information does not provide any further visual analysis of the impact of the proposed development on the collection of buildings when viewed along this axis.

8.36 The applicants seek to demonstrate that the proposed development would only be a peripheral element in the historic setting of the Chapel insofar as saying that the intrinsic significance of the Chapel would not be affected and that there would be no harm to the chapel.

8.37 It is considered that this conclusion fails to take account of the contribution that the setting of the Chapel makes to its significance - an approach advocated in Historic England's The Setting of Heritage Assets (GPA3, 2nd Edition, December 2017). The component historic buildings within the courtyard provide an enclosed setting for the Chapel that contributes to its significance. The careful arrangement of buildings around the courtyard and their complementary yet subservient architecture to the Chapel provide a sense of hierarchy and formality. These attributes of the Chapel's setting also contribute to its significance. As previously set out, these attributes are best appreciated in east-facing views along the central axis. In these views, the chapel can be appreciated as the centrepiece and visual terminus of the building ensemble. The encroachment and visual prominence of the proposed tall building within the periphery of these axial views above the roofline would undermine the setting. While it is accepted that other existing buildings negatively affect the view already, this doesn't change the view of Historic England.

8.38 Despite the further work provided by the applicant, no change to the view of Historic England of the impact on the Benson Building has occurred and the harm remains the same.

8.39 Historic England maintain their position as previously set out that harm to the significance of Wesley's Chapel and the Benson Building would be caused by this proposed development through changes within their setting. While the current courtyard setting is not pristine the harm is relatively low. Nonetheless, the conservation of the Grade I listed Wesley's Chapel in particular should be given very great weight (in accordance with NPPF Paragraph 199) by your Council in determining this application.

8.40 Historic England maintain their objection.

8.41 **English Heritage (Greater London Archaeology Advisory Service)** raised some initial objections to the scheme. The site is located in the Moorfields Archaeological Priority Area, classified as Tier 2 because it is an historic urban area with late Medieval origins which has demonstrated potential for prehistoric and Roman finds. The area was a low lying area frequently flooded until drainage attempts and reclamation made the area useable. Later, the area was used for allotments, gatherings and industry as well as quarrying and dumping. The site had been developed with terraced housing and yards by the late 18th century. Results of nearby archaeological investigations have shown that deposits were present. Deposits are potentially present on the proposed development site and depending on the depth of the current basement, possibly beneath the slab. The impacts from the proposed development are not known however any lowering of the basement may potentially impact on surviving archaeological layers. Further information is required and if not received, the application should be refused.

8.42 A further submission was received on 18 August following a revision to the original Archaeology Desk Based Assessment following suggestions made by GLAAS in April/May 2023. The new information was sufficient to allow GLAAS to determine with greater clarity the archaeological potential for the site. It is now their view that it seems apparent that there is very low potential for remains to survive beneath the existing basement slab. In the area where the basement is to be extended there may be some potential for undisturbed archaeological remains and this area should therefore be tested with trenches and pits. A condition (number 45) is therefore recommended which restricts demolition or development from taking place until a stage 1 written scheme of investigation has taken place. If stage 1 determines that there is archaeological interest, a second stage written statement of investigation should be submitted which appraises the significance of the assets and establishes a programme of recording and removal as appropriate. Subject to this condition being imposed and discharged, EH/GLAAS are content for the application to be approved.

8.43 **Metropolitan Police (Crime Prevention):** The applicant collaborated with the Metropolitan Police Crime Prevention team prior to the submission of the planning application. The applicant's Design and Access Statement includes a comprehensive security section and includes aspects of Secure by Design considerations. The site is located within Bunhill Ward within which, high levels of recorded offences have occurred within the last 12 months. These figures are considered to be high, therefore safety and security measures need to be designed in to help to address these levels and types of crime. The Secured by Design (SBD) scheme with police preferred security measures is specifically designed to help to address issues such as these. The Metropolitan Police outline a range of measures which are recommended to be included. Should any planning permission be granted for this proposal, then a planning condition (condition 18) is recommended which would seek to secure SBD accreditation. A raised kerb is recommended for the shared surface to prevent pedestrians from being the victim of theft and snatch robberies.

8.44 **Thames Water:** Comments have been received from Thames Water with consideration of the proposed development's impact on sewerage and surface water drainage as well as

water supply. The application is supported although condition (39) are imposed regarding piling due to the proximity of the development to sewerage and other water infrastructure.

8.45 **Transport for London (infrastructure):** The infrastructure protection team have no objections to the scheme, however they recognise that there are a range of potential constraints that may impact on the redevelopment of a site very close to London Underground railway infrastructure. On this basis, they recommend the imposition of a condition (condition 34), relating to the submission of details for approval and consideration by TFL prior to the demolition, sub-structure and super-structure phases of the development. TFL also requests by way of an informative for the applicant to be in continued communication with Transport for London in relation to method statements.

8.46 **Transport for London:** Old Street and City Road are both part of the Transport for London Route Network (TLRN). The nearest bus stops are on City Road and Provost Street. Bus lanes are located on City Road and being constructed on Old Street northbound. Old Street (Station) is located adjacent to the site with a new station entrance on Cowper Street. The site has a PTAL of 6a. Cycle Superhighway 1 (CS1) is located on Paul Street. There are three docking stations within 200m of the site. Cowper Street, Singer Street and part of Tabernacle Street are located within a locally designated ULEZ.

8.47 The proposals are supported by a Transport Assessment and an Active Travel Assessment. The methodology used by the Transport Assessment is considered to be acceptable. To ensure compliance with he London Plan policies T2 (Healthy Streets) and T4 (Assessing and mitigating transport impacts), the design of local highway and public realm that will serve the development should reduce vehicle dominance and improve safety for users of sustainable modes of transport. The ATZ assessment recommends several improvement to the local highway network to encourage walking and ensure that these routes are accessible for all pedestrians in line with policy T2. These should be funded and delivered by the applicant through Section 106 or Section 278. The ATZ also identifies that a number of local crossing points are of poor quality.

8.48 The scheme various pedestrian entrances from City Road and Cowper Street. Pedestrian permeability could be enhanced by these points as well as the provision of a new north to south link through the site, new public space and a colonnaded walkway. The applicant should confirm whether they have undertaken a healthy streets check to ensure that these scheme elements comply with policy T2. The pedestrian link through the site between Cowper Street and Old Street should be open for as long as possible through the day to maximise permeability.

8.49 TFL welcome the proposal to widen the pavement along Old Street in relation to pedestrian comfort. Given the ownership issues, TFL would seek further discussion concerning the respective land ownerships surrounding the maintenance regimes to be put into place. TFL supports the applicants proposals to remove some on street parking bays within Cowper Street as well as support the rebalancing of pedestrian priorities through shared surface treatment and the improvements to access of Old Street station.

8.50 The scheme will result in a high Pedestrian Comfort Level (PCL) which is supported by TFL. Access to and the provision of basement level cycle storage is supported. However, further clarity is sought in relation to how the tiered stands are to be used and to remove obvious conflicts within the layout which prevents some spaces from being used. The short stay parking on street is supported. TFL request a £220,000 contribution towards cycle hire capacity expansions which will be spent within the Borough of Islington.

8.51 The servicing yard is considered to be acceptable. There is acceptable existing bus route capacity in the local network and no further mitigation is required. Station access and egress capacity through the station staircases is acceptable, however, gateline capacity

may need to be expanded and this should be explored with TFL and the applicant. The delivery and servicing plan is supported and this should be secured through the Section 106. No objections are raised to the draft CEMP. A full version should be secured through the legal agreement. The draft Travel Plan is supported. A full version should be secured as per London Plan Policy.

8.52 Overall, Transport for London has no in-principal objections to the scheme.

8.53 **Network Rail (infrastructure):** No objections are raised pertaining to the scheme however Condition 35 is recommended to be imposed with respect to method statements relating to various stages of the proposed development to ensure that there is no long term irrevocable damage to the infrastructure.

Internal Consultees

8.54 **Access Officer:** Drawings of the proposed accessible parking and drop off spaces are required, but could be secured through a condition. Nevertheless, requirements around the dimensions and dropped kerbs details are required for the safe accessible drop of points. An automated door leading to the cycle storage should be provided. The commitment by the applicant to provide this is welcomed. Cycle lift dimensions are still required. The peak hour demand will not be spread evenly through the hours and a 1 trip every 3 minutes assumption is not overtly justified. Lots of the users of the standard cycle parking will prefer the step free route. The provision of a runnel is not London Plan compliant or SPG compliant. The expectation is that the access to the cycle parking should be step free and should be accessible through a ramp (which can co-exist with steps, a runnel and a lift). Clear marking around accessible cycle parking should be provided. It is not acceptable to compromise the spatial requirement relating to a 2sq.m area around this Sheffield Stand parking. Any TFL cycle hire docking station will require a detailed inclusive design review to ensure specifically that visually impaired pedestrians are not impacted by these structures.

8.55 Gender neutral and accessible showers are required which is not necessarily indicated by the existing submitted plans. The design should reflect this now rather than through a precedent condition. Mobility scooter parking and charging facilities should be provided now rather than through a condition. They are an important part of the wider cycle parking provision. It should be as close as possible to the lift core as possible and a ground floor option could be considered. Further details will be required as per the shared surfaces. Shared surfaces will significantly influence safe circulation for pedestrians and cyclists. Delineation strategies should be employed and the demarcation should be carried out in accordance with the Inclusive Design SPD. Dropped kerb, ramp gradients and handrail details should be included in the landscaping planning condition (condition 12).

8.56 Details of how the waste is to be moved from the basement to the ground floor collection points should be provided. Level landings are required with revised drawings showing a consistent riser. Revised drawings should be secured in the landscaping condition. Hard and soft landscaping within the public realm and terraces, including the choices of materials, and details around the inclusive design of street furniture, lighting, planters, balustrades, ramps, steps and handrails required to be included in a planning condition rooted in the Inclusive Landscape Design SPD. Signage and wayfinding to be included in a separate condition (condition 29).

8.57 The Accessibility officer questions whether the Great Room could incorporate elements of play. It should also include publicly accessible toilets, baby changing facilities and water fountains (policy SC1). There is concern that the through building route between Cowper Street and Old Street would be locked after 8.00m and this is the only step free route through the building.

8.58 Suitable audio visual communication, braille language facilities in lifts to support safe evacuation inclusively. Seating should be designed to facilitate resting places for companions of wheelchair users.

8.59 **Conservation and Design Officer:** Substantial comments have been received which support the principle of the scheme with clear focus on the materiality, the exceptionality of the podium section and the way which it seamlessly ties into the prevailing architectural style of South Shoreditch. The observations also promote the benefits of retaining the structure of the existing building, introducing active frontages all the street facing elevations, creating architecture that addresses the street and improving public realm within and around the site. While the scheme proposes a building that exceeds the height of the site allocation, would be highly visible in key views, it is considered that the harm generated is less than substantial and can be offset by key public benefits not excluding the exceptional design and environmental benefits.

8.60 **Energy Conservation Officer:** The Energy Strategy shows a reduction of 0.3% in Regulated Emissions against a Part L2A 2021 baseline. (This compares to a 46.4% reduction against a Part L 2013 baseline.) This falls short of the London Plan target to achieve a 35% reduction. The Energy Strategy shows a reduction of 23.9% in Total Emissions against a Part L2A 2013 baseline, assuming SAP10 carbon factors. This falls short of the London Plan target to achieve a 35% reduction. (A reduction of 19.6%, based on SAP2012 carbon factors, has also been demonstrated). The 23.9% figure shows the development falling slightly short against the council's 27% target. Therefore, the development falls short against both its carbon targets. The applicant should seek to identify further CO_2 reductions wherever possible.

8.61 The energy strategy quotes a figure of £541052 based on the Islington approach and the final total emissions of 588 tones. The local plan is advanced and carries significant weight and this should be reconsidered in the context of these advanced policies. The offset contributions should be recalculated, based on the final regulated emissions and a specified price of £2850 per tonne. This was subsequently raised to over £606,000

8.62 Officers support the proposed attainment of a BREEAM level of Outstanding at almost 92% for the office element. The retail and community aspects will achieve scores of 76%. These are welcomed.

8.63 The U-Values proposed for roof, floor, windows and doors are all close to the recommendations of Islington's Environmental Design SPD. The main issue is the presence of curtain walling for which the SPD does not propose a target value. The development fails to meet the 15% London Plan target of carbon emissions in 'Be Lean'. The scheme performs appropriately in relation to the cooling hierarchy, although options for further gains should be considered given the sub-optimal performance in the Be-Lean phase. The applicants are still trying to establish the viability of connecting to a District Heating Network. Nevertheless, the development has been future proofed to connect to a Decentralised Energy Network, but there is no feasibility to connect to a shared heating network. Further scope exists to maximise the potential of PV as a renewables option.

8.64 **Tree Preservation / Landscape Officer:** The officer raises no objections to the scheme but recommends the imposition of a hard and soft landscaping condition and a tree planting condition with associated supporting informatives.

8.65 **Public Protection Division (Air Quality):** In terms of air quality, the development does not have a combustion source as part of the energy strategy. Reference is drawn to the Air Quality Positive submission and the measures proposed and set out therein. On that basis, a condition is recommended to be imposed which requires Air Quality positive as a minimum. Following completion of measures identified in the Air Quality positive statement within the submitted assessment, a verification report setting out that the measures have been undertaken should be submitted to and approved in writing by the LPA.

8.66 **Public Protection Division (Noise Team):** It is noted within the planning application that there are proposed emergency generators with plant located at basement, sub-basement and rooftop level. A fixed plant background noise level condition is proposed to be added to the permission. Furthermore, an additional condition requiring a written code for the management of noise from emergency plant shall be secured in order to safeguard residential amenity.

8.67 **Public Protection Division (Land Contamination):** No comments received.

8.68 **Spatial Planning and Transport (Transport Officer):** The main issue at pre-application stage (from a highways perspective) was the applicants desire to provide a shared surface on Cowper Street. This was a concern to highways officers then and remains a concern now given that the access to the Bezier apartments basement car parking area would form part of the shared surface area too. The removal of parking bays and the changing of parking bays to loading bays/disabled bay can be accommodated by way of a Section 278 agreement.

8.69 The officer has acknowledged that the Transport for London comments (above) have comprehensively covered most of the pertinent issues. The transport routes to site for construction are supported. References to 'pit lanes' hoardings and gantries will need to be agreed with Islington street works, details of which can be included as an informative. The developer has acknowledged the need to mitigate the construction impacts on designated cycle infrastructure.

8.70 During demolition works loading and unloading will take place on site accessed by the existing access road and be monitored by traffic marshals. During construction the developer has shown that parking bays suspensions will be required and use of traffic marshals. The swept paths provided are acceptable. It is noted that the intention is for no loading or unloading take place on the public highway. There will obviously be a cumulative impact of vehicular movements as part of the development and the developer will need to how this is mitigated, possibly by a booking system whereby delivery vehicles arrive at a set time. There should be no holding areas on roads within Islington's highway.

8.71 **Planning policy:** The proposal is for a tall building which is greatly in excess of the maximum height of a building identified in the Local Plan. This would be a departure from the local plan. The scheme would provide a significant amount of office floorspace which is welcomed however, it is merely a policy requirement and not a significant planning benefit. Some additional benefits have been identified including the provision of community space and community access; 11% affordable workspace; public realm benefits and other additional benefits.

8.72 There are other aspects of the scheme and outstanding policy issues which do not weigh in the scheme's favour including the fact that the scheme still does not achieve the policy requirements on carbon reduction and the energy efficiency. Insufficient evidence has been submitted to address connections to the existing or planned energy networks, while further work is required (at the time of writing) in relation to inclusive design, landscaping and sustainability.

8.73 In terms of retention (of the existing building) the policy team are concerned that the application is lacking in convincing information that it is not longer fit for purpose with information indicating otherwise that it is still a functioning lettable office building. As this building is not listed or of heritage or design value, the requirement to demonstrate that the building is no longer fit for purpose is an environmental issue. While the retention of much of the structure is supported, the retention has not been quantified in the WLCA. However, there are significant planning benefits to redevelopment including the implementation of the site allocation, including strong policy support for the proposed uses within the development. There is still strong support for the community and publicly accessible spaces, however, the applicant should work to demonstrate how the scheme contributes to the aims of the Social and Community Infrastructure policies in the Local Plan.

8.74 It is understood the developer is proposing to provide 11% of the net uplift as affordable workspace in addition to range of other benefits to be agreed with the council and secured by s106 legal agreement. This provision is above the minimum requirement required by planning policy is supported and may be considered a planning benefit of the scheme.

8.75 The proposed development includes a tower that is 151m height from ground level. This is significantly higher than the maximum height allowed by planning policy. The Site Allocation for this site states that “there is potential to redevelop Inmarsat House as a district landmark building of up to 26 commercial storeys (106m)”. The proposal is therefore nearly 50% taller than the maximum height set out in the draft Local Plan. The scale of difference to the limits set in policy is such that this development must be assessed as not in accordance with Strategic and Development Management Policy DH3 on building heights, and the height restrictions in the Site Allocation (which repeats these limits). As such the proposal is considered to be a departure from the Development Plan. Exceptional circumstances should be demonstrated, with clear material considerations identified to justify the departure.

8.76 The proposal improves significantly on the existing conditions regarding the quality and function of the public realm. The existing building offers blank frontages and limited footway space to the streets surrounding it. This is replaced with active frontages at ground level including retail and community uses, a significantly improved pedestrian space to Old Street including a wide colonnade space with active frontages.

8.77 The new design will add interest and activity at street level and combined with the new arrangement of public realm associated with the removal of the gyratory will create a much more functional and desirable place.

8.78 The proposal includes a pedestrian link from Old Street to Cowper Street. It is proposed that this link will be open 7 days a week from 8am to 8pm. The ideal form for a pedestrian link is one which has 24hour access and takes for the form of a new street space, however this is a significant improvement on permeability while not reducing the office floorspace offer significantly.

8.79 The new link and improved and widened pedestrian spaces will add to the permeability in the area in line with Strategic and Development Management Policy PLAN1 part B(ii). These improvements are a key planning benefit of the scheme. In accordance with Strategic and Development Management Policy T4 the Council requires that a management plan is provided (secured by s106 agreement) for the public spaces including the link which secure the minimum opening hours to ensure ongoing public access. Further comments on the quality and function of the public realm improvements will be provided by a design officer.

8.80 **Sustainability Officer:** A Landscape Design Strategy to integrate consideration of green roofs, biodiversity and habitat creation, planting schedules and SUDS has not been submitted. A Biodiversity Net Gain Assessment also appears to be missing from the submitted documents, as does a London Drainage Proforma. These documents should be submitted for full consideration at planning stage. Additional information is required within the Green Performance Plan in accordance with emerging Local Plan Policy. It is noted that the GLA have also raised several issues with compliance with sustainable design policies in their response. Further more detailed sustainability observations have been submitted separately.

8.81 **Affordable workspace:** The provision is stated as 4250sq.m and represents 10% of the total GIA uplift. This is a substantial workspace area and is to be situated on two floors of the lower podium area. This is a good opportunity to increase the offer of workspace in the Old Street area. Clarity is sought as to who the operator might be for the various elements of the affordable workspace areas. The officer would like to re-affirm that the space should be provided at peppercorn lease for perpetuity and that LB Islington would be solely responsible for the commissioning of the workspace. Confirmation of lift access is sought. Signage should be included to waymark routes to the affordable workspace in a legible manner. Access to the affordable workspace from the internal Cowper Street to Old Street through route should be confirmed for after hours period. The affordable workspace terrace is located adjacent to 32-37 Cowper Street and the applicant should confirm that appropriate micro climate and wind testing have been carried out here.

8.82 The proposals refer to a Community Space. This space is on the ground floor having direct access to the street. The space is separated from the main entrance to the development with its own entrance from the through block connection. The space and has a deep plan with windows only on the Old Street façade and to the through block connection. More clarity on the natural light levels within this space will assist with assessing the best future use of this space, the community space would benefit from access to kitchenette, and cloakroom. The WC area seems small for the size of the space consideration should be given to kitchenette, WC and cloakroom facility.

8.83 As part of the ground floor uses, a flexible community/maker space (350 sqm) is proposed. This is offered at no cost to the council in perpetuity. This space has been reduced from the previously suggested 500 sq.m option in order to accommodate the pedestrian link through the site. The applicant has explored options of a community use including education programming such as Tech City education or employment training location, makerspace and library. The applicant has requested input from the council on this space, to ensure it is meaningful for the community.

8.84 The ‘Great Room’ which is proposed to be located next to Old Street Roundabout, will be open, permeable and hold active uses. The space will be publicly accessible when it’s not in use for a curated programme of events. The applicant will work with council officers to create a framework for the use and programming of events for the space. The space could be used for markets, as an event space or for cultural events. The Great Room is supported in principle line with the terms offered to be secured through the S106. We would seek to have ring-fenced time in the Great Room with a small annual fund to support activities.

8.85 Given the provision is an affordable workspace, the service charge should not be more than 50% of a fair proportion of the costs associated with the space – the discount is passed onto the operator to ensure the space is truly affordable and to allow them to deliver their social value objectives.

8.86 **Inclusive Economy:** There have been intensive discussions to ensure that there is a commensurate and reasonable package of benefits that support the Council’s inclusive economy aims with particular regard to social value, equality, diversity and inclusion

principles in supporting people into work and the growth of start ups and small businesses.

Other Consultees

8.87 **Design Review Panel** - The applicant presented the scheme to three separate Design Review Panels in September 2022, January 2023 and March 2023. The most recent responses on behalf of the Panel is attached as further appendices to this report.

8.88 The following paragraphs summarise the comments made in relation to the final DRP that took place in March 2023. In summary, while the scheme presents a range of positive attributes including beneficial impacts to immediately surrounding neighbourhoods and the local environment, the impact on heritage assets when viewed from more distant vantage points remains unclear. It is likely that the harmful view impacts, with regard to heritage settings, will be largely experienced to the longer views and therefore at some distance from the site, such as Lowndes's House and the Artillery Grounds while the 'benefits' of the scheme will be local. It is therefore important to demonstrate that these local benefits really do outweigh harm as experienced from further away.

8.89 In broad terms the Panel considers the design development to the top of the tower is positive, including the more filigree appearance created by the expression and detailing of the mullions & fins, resulting in a more delicate relationship with the sky. The additional detail and scale of fenestration is positive. The revised work undertaken to the body of tower is also helpful. There is now a better relationship between the folds and planes. With more solid and opaque elements, there is a beneficial lessening of the reading of the glazing which is helpful and creates a more coherent architecture. This greater consistency has proved beneficial.

8.90 The Panel queried whether the scheme can really deliver retention of so much of the existing structure and if so then that is an important 'win'. The Panel suggested that this needs confirmation at the time of the application.

8.91 The Panel are generally supportive of the podium response. However, there is a very delicate relationship where the façade is dropped to first floor level. How does that work next to the Great Room frame for example. It is the successful articulation of these sorts of details that will be very important to the success of the design.

8.92 Some concerns remained about the height and massing and the combined affect of these. As per the pre-application summary, the work on detailed elevational design is welcomed. The greater architectural and material consistency to the podium as advised at earlier DRPs has proved beneficial and the podium has improved with each iteration. This is very welcome, and the Panel consider the podium interface will offer a tangible benefit to this part of Old Street. While there was some reservation that the south and north facades were still interrupted by the tower coming towards ground and the entrance to the great room, overall it is considered that the podium, including the Old Street arcade, works well and will result in a high quality of the spaces that surround it.

8.93 The Panel considers that good headway has been made in terms of public realm and movement and acknowledges that the designs have responded well to previous comments. The work on the cut through makes it a much more convincing and useable route which is now a real benefit of the proposal. The Panel all support the approach to the public realm but advised that it be more embedded into the evolving context to include the new pavilion to Old Street station etc and show convincingly how it relates to the new and emerging public realm to the west of the site.

8.94 **Civil Aviation Authority:** No objections

8.95 **Greater London Authority:** The London Plan is relevant to the scheme in relation to policies on employment, urban design, heritage, inclusive design, sustainable development, green infrastructure and transport. The application is supported in principle. However there are some areas of contravention at Stage 1 of the referral process for this planning application. The principle of the proposal is acceptable in strategic planning terms with regards to the objectives of the CAZ and the land uses proposed. In respect of urban design, the site has been identified as being suitable for a tall building. The proposal includes high quality community spaces that will enhance public realm and connectivity in the area. The proposal is expected to result in less than substantial harm to nearby heritage assets however such harm could be outweighed by public benefits. Proposed Active Travel Zone (ATZ) improvements should be delivered by the applicant and secured through the legal obligation or the Section 278 agreement. The applicant should confirm whether they have undertaken a Healthy Streets check with regards to the proposed public realm, while the enlarged footway width will result in a high pedestrian comfort levels which is strongly supported. The applicant will be required to clarify how cyclists would use the tiered cycle stands. A contribution should be made to expand cycle hire capacity locally and a Delivery Service Plan should include measures to limit vehicular deliveries during peak hours.

8.96 An energy statement has been submitted with the application. The energy statement complies with policy SI4 of the London Plan, but does not yet (at the time of writing (June 2023)) comply with policies SI2 and SI3. Further refinements are required with further information to comply fully with the London Plan. Further information is required pertaining to the 'Be-Lean' and the 'Be-Seen' elements of the hierarchy. Also, the applicant is required to provide further information pertaining to the details of the design of the district heating network connection. The network connection should be secured through a condition or obligation.

8.97 The GLA recognises that the building is located in an area that has been pre-determined to be suitable for taller buildings, however it is noted that the proposed height is greater than that identified in the Emerging Local Plan. Notwithstanding this, the proposal must also demonstrate how it satisfied the qualitative requirements of policy D9 which is particularly important given its proximity to heritage assets. While the building is taller than that which the Council had initially envisaged for the site, the visual impacts of the tall buildings in townscape terms and in context of the CAZ and Tech City cluster are not expected to raise any strategic impacts. The tall building will help facilitate the delivery of needed high quality office space within the Tech City cluster. As requested, pre-submission, and contained within the Design and Access Statement, the applicant has included an option for alternative massing on the site and maintaining the total building height at 106m as set out in the site allocation. Visually, this results in a bulkier building form that is potentially more impactful in terms of immediate and mid term views than the submitted proposal.

8.98 The colour and materiality of the crown should be revisited as the top of the building appears very yellow in longer distance views. However the building design, the massing, the materials and colour palette are supported. Some harm would occur to South Shoreditch Conservation Area and Lowndes House, however even if the building was reduced to 106m as the allocation envisages, there would still be an impact on these heritage assets.

RELEVANT POLICIES

Details of all relevant policies and guidance notes are attached in Appendix 2. This report considers the proposal against the following development plan documents.

National Guidance

8.99 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

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

Designations

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

Bunhill and Clerkenwell Core Strategy Key Area
City Fringe Opportunity Area
Central Activities Zone (CAZ)
Employment Priority Area (General)
Site allocation BC9 (Bunhill and Clerkenwell Area Action Plan (2019))

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Draft Islington Local Plan

8.14 The Council received the Inspectors report for the new Local Plan on 5th July 2023. The receipt of the Inspectors' Final Report has significant implications for determining planning applications. The National Planning Policy Framework (NPPF) allows Councils to give weight to emerging Local Plans according to their stage of preparation, the extent to which there are unresolved objections and the degree of consistency with the national policy. On the basis that the Council has received the Inspectors' final report, all objections have been considered and resolved and the Plan has been confirmed as sound and therefore compliant with national policy, almost full weight can be afforded to the new Local Plan, with policies given very significant weight in decision making.

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Acceptability of the proposed uses.
- Consideration of the impact of a tall building in the context of the site allocation
- Acceptability of a tall building on this the site, and the impact of the building on amenity, townscape and microclimate
- Design and heritage impact
- Public benefits to offset perceived harm of taller than prescribed height.
- Public realm and landscaping
- Wider amenity considerations
- Construction impacts and logistics, transport and highway conditions.
- Energy, sustainability and biodiversity

Land-use

Policy Context

9.2 This section of the report sets out the policy context against which the proposal will be assessed in regard to existing and proposed land use.

9.3 The National Planning Policy Framework ('NPPF') (2021) states that in building a strong, competitive economy, planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.

9.4 The site is located in the Central Activities Zone ('CAZ') as set out within the London Plan. London Plan policy SD4 'The Central Activities Zone'. The CAZ is an internationally and nationally significant office location. The unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses, should be promoted and enhanced.

9.5 Further, London Plan policy SD5 'Offices, other strategic functions and residential development in the CAZ' indicates that given their strategic importance, as a general principle, offices and other strategic functions are to be given greater weight relative to new residential development within this area of the CAZ.

9.6 London Plan policy E3 'affordable workspace' outlines the need for supplying sufficient affordable business space to generate a wide range of economic and other opportunities, to ensure that London is a fairer, more inclusive and more equal city. The policy outlines that London Boroughs, in their Development Plans, should consider detailed affordable workspace policies in light of local evidence of need and viability.

9.7 The site is located in the 'Bunhill & Clerkenwell Key Area' as defined within Islington Core Strategy ('ICS') 2011 policies CS7 and CS13 and Islington Development Management Policies ('DM') 2013 DM5.3.

9.8 Islington's Core Strategy ('ICS') policy CS7 'Bunhill and Clerkenwell' is spatial strategy that highlights the specific spatial policies for managing growth and change for this key area within the Borough. The Bunhill and Clerkenwell area is considered Islington's most important employment location within the Core Strategy, with the area expected to accommodate an addition of 14,000 business use jobs by 2025. Creative industries

Small/Medium Enterprises (SMEs), which have historically contributed significantly to the area, will be supported and encouraged

9.9 ICS policy CS13 'Employment spaces' seeks to encourage and secure employment space for businesses within the Borough. Part A of policy CS13 encourages employment floorspace, in particular business floorspace, to locate in the CAZ or town centres where public transport is greatest, to be flexible to meet future needs and have a range of unit types and sizes, including those suitable for Small and Medium Enterprises (SMEs). Part B of policy CS13 states that in relation to existing employment floorspace, development which improves the quality and quantity of existing business floorspace provision will be encouraged.

9.10 The definitions of "business" and "employment" floorspace/buildings/development/uses provided in the glossary of the adopted Core Strategy. Business floorspace accommodates activities or uses that previously fell within the "B" use class (i.e. offices, industry, or warehousing), and now fall within Use Class E.

9.11 Islington's Development Management Policies ('DM') policy DM5.1 'New business floorspace' encourages the intensification, renewal and modernisation of existing business floorspace, including in particular, the reuse of otherwise surplus large office spaces for smaller units.

9.12 DM policy DM5.2 'Loss of existing business floorspace' states that the reduction of business floorspace will be resisted where the proposal would have a detrimental individual or cumulative impact on the area's primary economic function (including by constraining future growth of the primary economic function).

9.13 DM policy DM5.4 'Size and affordability or workspace' seeks to ensure an appropriate amount of affordable workspace and/or workspace suitable for occupation by micro and small enterprises within development proposals. Part B of this policy states that within Town Centres, proposals for the redevelopment of existing low value workspace must incorporate an equivalent amount of affordable workspace and/or workspace suitable for micro and small enterprises. Part C of the policy requires applications to demonstrate that where space for micro or small enterprises are provided, the floorspace would meet their needs through design, management and/or potential lease terms.

Emerging local plan policy context

9.14 The emerging plan which has now progressed past the Inspectors' Report stage sets out relevant updated policies which have significant weight and relevance to the consideration of this application. Policy B1 (Delivering Business Floorspace) states that in line with other local plan objectives, the Council will seek to develop an inclusive economy, cultivating a diverse and vibrant economic base to grow a range of workspace types and unit sizes affordable for a range of occupiers. New business floorspace will be focussed in the CAZ and Bunhill and Clerkenwell Area Action Plan area. The Council will also aim to secure space for start ups and small businesses, including the delivery of affordable workspace and small SME units.

9.15 Policy B2 (New business floorspace) identifies key locations where employment floorspace will be focussed. Proposals must maximise the provision of business floorspace in tline with local priorities. Within the CAZ, Bunhill and Clerkenwell area, office uses are the clear priority to support London's strategic business role. When delivering employment floorspace, successful schemes should have regard to flexibility of operation to support a wide range of business types; provide excellent amenity; provide inclusive design to the highest possible standard; demonstrate how the floorspace meets the requirements of the function of the area in which it is located.

9.16 Policy B4 (Affordable workspace) sets out the Council's strategy for securing affordable workspace to support new and emerging companies in getting established and supporting new jobs in the Borough, recognising that the SME sector is fundamentally important in the strategic floorspace and jobs mix. The modifications to the emerging local plan which were consulted on in the summer of 2022 require schemes delivering a net increase of more than 10000sq.m of employment floorspace to deliver at least 10% of that floorspace for peppercorn rent in perpetuity. The floorspace should be delivered to Category A specification.

9.17 Finally, policy B5 (Jobs and training opportunities) requires larger employment led developments to secure on site construction (and) training opportunities for residents of the Borough. In addition, financial contributions should be sought to help initiatives which tackle worklessness.

9.18 Further, Finsbury Local Plan policy BC8 'Achieving a balanced mix of uses' designates an area within for Employment Priority Areas ('EPA') for General or Office employment. Within the EPA, no net loss business floorspace is to be permitted and proposals should incorporate the maximum amount of business floorspace reasonably possible on the site.

9.19 The site is subject to a site allocation within the emerging Bunhill and Clerkenwell Area Action Plan (BC9). In land use terms, the allocation seeks the refurbishment of the existing building for commercial offices with an element of retail/leisure or other appropriate commercial uses which provide active frontages at ground floor. Redevelopment of the building for a new office development may be acceptable if it can be demonstrated that the existing building is no longer fit for purpose.

9.20 Planning permission is sought for the partial demolition of the existing building including its facades and central core/atrium followed by the substantial alteration, extension and erection of a 35-storey building to be predominantly used for office floorspace.

9.21 The City Fringe Opportunity Area Planning Framework ('CFOAPF') is defined in the London Plan (2021) as being approximately 901 hectares of land covering parts of the London boroughs of Islington, Tower Hamlets and Hackney. The application site is identified as being within the City Fringe Opportunity Area.

9.22 The CFOAPF notes that the City Fringe has a significant role in addressing London's housing need, and as such a key aim of the CFOAPF is to achieve a balanced, spatially nuanced approach to determining planning applications. One that allows for the residential development needed without compromising the opportunity for economic growth. The CFOAPF is clear that residential development should not be at the expense of the employment land and the commercial floorspace the City Fringe needs to support growth.

9.23 The CAZ SPG provides guidance on the implementation of policies in the London Plan (2015) related to London's Central Activities Zone (CAZ). As Supplementary Planning Guidance ('SPG'), the CAZ SPG does not set new policy, but rather explains how policies in the London Plan should be carried through into action. It is not a manual prescribing a universal format for development in the CAZ, but rather aims to give local authorities matters to consider in determining planning applications.

9.24 Neither the CFOAPF nor the CAZ SPG form part of the development plan, however they are material planning considerations when determining the current planning application. Set out below is an assessment of the current proposal, taking account of the guidance set out in the CFOAPF and CAZ SPG.

9.25 It should be noted that the proposed development stands at a height of 169m AOD (or 151m above adjoining ground level). The proposed building is a tall building. It exceeds

the limitations set out in the site allocation BC9 which were informed by the Tall Buildings Survey, commissioned by the Council as part of the Local Plan Examination in Public. This imposed a suggested restriction of up to 26 storeys of building height expressed as around 106m. The scheme has been advertised as a departure from planning policy. In order to justify the proposed policy contravention it becomes necessary to generate and consider a list of planning benefits to weigh up against the harm that the proposed building could generate to townscape, designated heritage assets and the character of the wider area.

9.26 Therefore, as well as the general land use considerations, the land use section considers some of the wider planning and land use benefits that the applicant is in a position to deliver to off set these harms which are to be identified in the Design and Conservation section of this report.

Proposed office floorspace provision

9.27 The existing 9 storey building comprises a total of 21,667sq.m (GIA) of floorspace which is wholly in office use. The refurbishment and extension will deliver a total of 64,873sq.m (GIA) of floorspace, of which, 59,907sq.m of this would be Class E(g) floorspace which is office.

9.28 In addition, the proposed development also includes 210sq.m of café floorspace, accessible to the wider public in use class E(a), 222sq.m (GIA) of Sui Generis floorspace to be known as a 'Great Room' and 344sq.m of Class E/F1 Community Space.

9.29 The proposed development serves to provide a substantial contribution to the Council's employment/office floorspace requirements within the emerging local plan period. The supporting text to policy B2 suggests that there is a need to provide 400,000sq.m through the local plan period and support the provision of over 50,000 new jobs. This application through its net increase of office floorspace provides over 40,000sq.m equating to around 10% of the plan period target. Furthermore, the scheme proposes a net uplift in employee numbers on site of 2000 FTE from 1600 FTE to 3600 FTE. This equates to a 4% increase in job numbers on an FTE basis. While the site falls outside of the Council's designated areas of Employment Priority (Office) and is located in an Employment Priority Area (General) instead, the regeneration of the site to provide over 40,000sq.m of net additional office floorspace is highly welcome.

9.30 The proposed development is also aligned with the London Plan's objective to enhance, support and grow the Tech City cluster which is located within the CAZ and CAZ fringe areas across the Islington and Hackney. Policy E8 of the London Plan (Sector growth opportunities and clusters) states that clusters such as Tech City should be promoted. The supporting text to the policy states that the technology and digital sector which is fundamental to the interconnectivity of wider city economy. In the City Fringe, the Tech City Cluster should be supported as one of London's nationally significant office locations and complemented by Development Plan Policies to enable entrepreneurs to locate and expand there and to provide the flexibility and range of space that this sector requires including affordable space. This cluster approach to concentrating new development is a key component of the London Plan and demonstrates the policy support for the quantum of office floorspace that this development has the potential to deliver for the Borough and the wider local economy.

Figure 31: Indicative proposed office floor.

9.31 The proposal to redevelop this site primarily for office floorspace with a range of commercial and community uses on the ground floor expressly responds to the requirements of the site allocation set out within the Adopted Local Plan and the emerging local plan. The provision of new office floorspace is therefore supported in principle (subject to considerations of quality set out in policy B2).

Tech city and locational significance of proposed office floorspace.

9.32 The applicant has submitted an economic regeneration statement to support the planning application. The purpose of the report is to provide a summary of the social and economic impacts that the proposed development would deliver, in order so that they could be considered as scheme benefits to inform the planning balance within the scheme.

9.33 The emerging Local Plan (2019) states that one of the reasons for the success of the the local economy is the success of Tech City. The economic regeneration report (ERR) suggests that Tech City should be supported as one of London's the nationally significant office locations and promote policies to encourage entrepreneurs to locate there, consolidating London's position as a the tech capital of Europe. The ERR sees Old Street as a central London hub which in time (through the lifetime of the London Plan) will become a gateway for Tech City. The Development Plan has defined the City Fringe Opportunity Area as an area recognised by the Council as capable for accommodating substantial new jobs by accommodating high quality new development. In order for London to support the sector and be sector leading location in Europe, new development is required to support this.

9.34 In 2022, Islington had 1.3m sq.m of office floorspace which equates to 58% of non domestic floorspace in the Borough which is higher than the London and national average. In 2021, office employment in Islington was 147,000 and represents growth of 41% since

2021 compared to 10% floorspace growth in the Borough. While this may be attributable to changing working patterns or higher density offices and employment floorspace. In effect, floorspace supply is lagging behind employment growth. In respect of affordable workspace, there is 5500sq.m of affordable workspace in Islington with 3500sq.m of further space in pipeline which compares to over 41,000 sq.m in Hackney.

9.35 Evidence to the Examination in Public for the emerging Local Plan indicated that there would be employment growth of over 50,000 between 2014-2036 of which 30,000 would be office jobs which would not be supported by indicated supply at the time of the evidence being provided. The new Development Plan period identifies a need to deliver 443000sq.m of office floorspace to meet the projected jobs growth.

9.36 In both Islington and Hackney, technology employment makes up 9% of total employment which is higher than the London average. There are 21,600 technology workers in Tech City which equates to 92% of total Islington tech employment and 8% of total tech employment. In Tech City, technology employment makes up to 23% of office employment and 17% of total employment. Employment growth in the Islington side of Tech City has been largely stationary between 2011-2021 however, tech employment growth in Hackney was 158% over the same period. Due to the shortfall of affordable workspace and the wider undersupply of office floorspace in the Tech City Area has resulted in other technology clusters in London such as South Bank and Soho growing more productively. In order to support the Development Plan designations and relevant locational policies, it is essential that development of the quantum being proposed here is brought forward.

The proposed development delivers and office floorspace uplift of approximately 40,000sq.m and over 4000sq.m of affordable workspace. The development provides 10% of the identified required supply and almost doubles the existing provided affordable workspace in the Borough. The scheme also potentially provides a 10% uplift in office employment and technology employment in the Borough and the cluster.

Quality of the proposed office space

9.37 It is proposed that 99 City Road will be a contemporary building that embraces the modern workplace, workforce and working day pattern within a considerably changed employment floorspace market. In response, the proposed development must incorporate a degree of flexibility. As a result, the proposed development would provide floorspace that would offer flexible floor plates with a central core position that would facilitate a range of occupiers that would respond to future office and demand and priorities; would incorporate a significant and welcomed quantum of external amenity space that is a premium in this area, deliver generous floor to ceiling heights that would maximise the receipt and capture of natural daylight, sunlight and outlook. The proposed development has been subjected to the application of inclusive design principles and this is secured through planning condition **(#23).** This extends to access, circulation and the distribution and functionality of staff facilities. Furthermore, as the energy and sustainability section outlines, the scheme involves the retention of more than 60% of the existing structure, is BREEAM outstanding and aspires to meet a 5 star NABERS design for performance standard for new office buildings.

Figure 32: Indicative proposed ground floor.

Other uses in the scheme

9.38 Site allocation BC9 in the Emerging Bunhillll and Clerkenwell Area Action Plan makes reference to the ground floor of the proposed redevelopment providing additional elements of retail, leisure and other commercial uses which provide active frontages at the ground floor. Accommodation is also identified as being suitable for smaller businesses who will be encouraged to occupy space at the development.

9.39 The proposed development achieves this site allocation aim, by replacing a development with no active frontage at all at ground level and no alternative uses apart from the current occupier which is Inmarsat. The proposed development generates an active frontage to all three street facing sides on Old Street, Old Street roundabout and Cowper Street incorporating four main uses. This includes the community space and office lobby and reception on Old Street on the northern side; The Great Room which is a multi-purpose function space and public meeting space with a three storey floor to ceiling height which faces on to Old Street roundabout and constitutes the main general public focus; and a café on the southern elevation to Cowper Street.

The Great Room

9.40 The Great Room is located on the western side of the building, and is designed to be a new large multi-functional public space. The applicants have offered the space to the Council and the wider Community for 26 days per year. This space has the equivalent of a three storey floor to ceiling height and has the potential to be used for weekend markets, event and conference space and corporate events. The Great Room has an area of 222sq.m (GIA). The room is intended to be a spacious room to host public cultural programming and events. It has a potential to tie in with the cultural programming that would be secured through the applicants' contribution towards culture in the Borough (as set out in the later part of the report). The space is designed to be flexible, accommodating

small scale markets, showcase artists and host events as well as being a sitting, eating and meeting space during the day. It is designed to be fully accessible during the day between 0800 and 2000. The space is to be managed by the building operator, delivering a schedule of events, including community events, social events and corporate events. Details of the use, access and hours will be secured through a space management plan that will be required to be prepared in agreement with and submitted to the Council through the Section 106 agreement. The applicant has agreed to make a contribution of £10,000 per year for 10 years to cover the costs of various aspects of operation including catering so as to facilitate access to the space for local groups and charities operating in the Borough.

Community floorspace

9.41 In addition, the proposed development would deliver 344sq.m of community floorspace, which would be made available to community organisations and young people in partnership with local education partners. It would also facilitate and support SMEs and start ups and entrepreneurs. The applicant has worked with the Council intensively to agree the form of occupancy as well as the maintenance and funding support to ensure its operation.

9.42 The space, its specification, its funding and its operation will be secured through a planning obligation as described later in the report. The unit which has an active and visually permeable frontage to Old Street would principally be provided as a 'Makerspace' where people gather to co-create, share resources and knowledge, work on projects, network and build. The space will include investment in technology and a fit out specification to provide – for example – 3D printing facilities, 3D scanning, laser technology and IT that would tie into the STEM and Design agenda for schoolchildren and other young people. The space has the potential to provide employment, training and skills space and share the space with relevant organisations to train and upskill and support entrance pathways into employment.

9.43 In order to re-inforce the benefit to the Council and the Community, the space is to be offered at a peppercorn rent. The Council will enter into a Joint Venture with the developer or the building operator to manage and facilitate the space for a period of 10 years. The applicant will make a contribution of £1.5million for fit out and a further £500,000 after 5 years. There would be an emphasis on social value, equality, diversity and inclusion so that it benefits all sections of the community.

Construction and operational development training: reducing worklessness in Islington

9.44 Policy B5 (Jobs and training opportunities) of the Emerging Local Plan recognises the importance of a qualitative approach to employment in the Borough that goes beyond providing additional employment floorspace through the planning process. The policy requires the provision and support of construction training opportunities on schemes of more than 500sq.m and operational jobs and training opportunities within the completed development. In addition, the policy identifies the use of financial contributions to help support initiatives to tackle worklessness, which would be secured through planning obligations.

9.45 In conjunction with the Planning Obligations SPG, officers have secured the delivery of 65 placements (lasting at least 6 months) as construction apprenticeships during the construction process. This would be secured through the Section 106 agreement.

9.46 However of significantly greater benefit is the applicant's agreement (through the legal agreement) of a to provide financial support for the Council's LIFT programme for a period of 5 years at a cost to the developer of £450,000 per year. This programme would enable

the Council to support the creation of 75 FTE job opportunities and 20 internships per year in hard to reach sections of the working age population including supporting 75% of these opportunities for people within the BAME category, 60% for females and 15% for disabilities recognising their underrepresentation in the workforce.

9.47 The LIFT (Leading Inclusive Futures through Technology) programme is a four-Borough collaboration between Hackney, Islington, Camden and Tower Hamlets to create opportunities for local people in technology, digital, sciences and creative production which are seen as key sectors to rebuild the economy in this area. There are four key strands which include community engagement: inspiring and developing the talent of under-represented residents including women and ethnic minorities; employment and business support: supporting local businesses to diversify their pipeline of talent and open up opportunities for local people; land and assets: provide affordable and accessible workspace for entrepreneurs, start ups and scale ups; and thought leadership: create a local commitment to developing an inclusive economy and increasing local prosperity through innovation and collaboration.

9.48 The aim include supporting pathways to business leadership which don't include private education, support opportunities in deprived wards, increase the proportion of 1% of capital investment going to all female leadership teams and to increase the proportion of 10% of tech leadership roles for BAME backgrounds which doesn't reflect the 40% BAME population in London. The programme supports and subsidises affordable workspace, placements on work and training programmes. Ultimately, the LIFT website provides a list of job opportunities which have been supported by LIFT and enables candidates who have potentially been trained through the programme to access.

9.49 In the year 2022/2023, LIFT has supported engagement with nearly a 1000 people in Islington and created 53 high value jobs, 181 work experience opportunities, 13 start ups by local people in under-represented communities, nearly £40,000 of new business rates and over £500,000 of investment raised by growth potential start ups. It is evident, therefore, that the programme is effective locally and within all four Boroughs to support training and employment in the Borough and the contributions sought and committed to by the applicant are critical to the Council's social value and inclusive economy aspirations.

Affordable workspace

9.50 London Plan Policy E3 states that considerations should be given to the need for affordable workspace 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) or in locations 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.

9.51 Policy DM5.4 of the Council's Development Management Policies Document ('DMP') is concerned with the size and affordability of workspace. As set out in paragraph 5.25 of the DMP, the figure of 5% of gross floorspace should be taken as the starting point for provision. The space should either be provided as separate small units for SME businesses (affordable by virtue of their size) or let to the council as Head Leaseholder at a peppercorn rent for at least 10 years; (in such cases the council will then engage with approved workspace providers to manage the space and ensure it is occupied by target sectors).

9.52 The emerging Local Plan policy B4 states that within the CAZ and Bunhill and Clerkenwell Area Action Plan area, major development proposals involving office development must incorporate 10% affordable workspace (AWS) (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 or in perpetuity if the proposal is for over 10,000sqm in floorspace. Following the examination of the Local Plan policies, modifications to Policy B4 have been proposed which confirm that for proposals involving redevelopment, refurbishment (or refurbishment and extension), the requirement would apply to the uplift in floorspace only and not the whole floorspace.

9.53 The applicant proposes affordable workspace provision to be located at levels 1 and 2 with access to an external terrace. The affordable workspace would measure a total of 4320sq.m which equates to 11% of the total net additional floorspace proposed. The applicant has agreed that the affordable workspace unit would be leased to the Council in perpetuity.

Central Boys Foundation School

9.54 The School is situated next door to the development on the southern side of Cowper Street. Some of its northern frontage aligns with the southern frontage of the proposed development. The school has over 1000 pupils from years 7 to 13. It decided to remain on site and has chosen to expand and intensify its on site resources despite being in a Central London location with listed buildings in its curtilage. The school currently has a number of business partnerships with companies in the local area and runs an apprenticeship programme with Kings Cross, a partnership programme for hospitality training with Montcalm Hotels. The school had a good relationship with Inmarsat who are current occupiers, who provided tours, careers talks and work experience opportunities. The school wishes to create further such partnerships. The applicant has reached out to the school to establish similar types of partnership including ways for the proposed development to overcome the school's space constraints and address employment and skills. The applicant aims to work closely with the school throughout the construction and operational phases to ensure that the development can align with the school in partnership. Officers have proposed to the applicants a method under which the legal agreement for this application can use reasonable endeavours to formalise a relationship with the school to perpetuate this partnership.

Land use summary

9.55 The proposed mix use proposal is considered to be in accordance with the currently adopted Local Plan, emerging Local Plan and the London Plan. The scheme would deliver an intensification of office use within the CAZ and Clerkenwell AAP. The scheme would support Development Plan aspirations in relation to Tech City. Further, at ground, community space, meeting space and training space as well as café space represents the remaining portion of the building responding to the content of the site allocation. This is in accordance with the emerging Site Allocation BC9 which seeks active frontage to the street at ground floor level.

9.56 The proposal is, therefore, considered acceptable in regards to land use principles subject to securing affordable workspace provision, planning conditions and all other necessary obligations set out later in this report. The Section 106 legal agreement would ensure these requirements are incorporated into the final design and would outline the mechanics of leasing the floorspace to the Council in perpetuity at a peppercorn rent.

9.57 The scheme delivers a wide range of public benefits surrounding employment, training, combatting worklessness with an emphasis on equality, diversity and inclusion generating social value for the Borough and residents in the vicinity of the site. It is considered that these benefits can be used to offset considerations of harm that arise through the proposed development exceeding the prescribed site allocation and therefore influence the planning balance in favour of the scheme.

Design, Conservation and Heritage Considerations (including Archaeology)

9.58 Paragraph 126 of the NPPF 2021 highlights that the creation of high quality, beautiful and sustainable 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.

9.59 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. Paragraph 133 goes on further to state that in assessing application, 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.

9.60 Paragraph 134 states that Permission should be refused for development that is not well designed, especially where it fails to reflect local design policies and government guidance, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

9.61 Planning policies relevant to design are set out in chapter 3 of the newly adopted London Plan (2021), Policy CS9 of Islington's Core Strategy (2012) and policies in chapter 2 of Islington's Development Management Policies (2013).

9.62 The London Plan Policy D3 (Optimising site capacity through the design-led approach) states developments should respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and 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.

9.63 London Plan Policy D4 (Delivering good design) expects the design of development proposals to be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising 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.

9.64 London Plan Policy HC1 (Heritage conservation and growth) 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. Further, development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

9.65 Core Strategy policy CS9 sets out an aim for new buildings to be sympathetic in scale and appearance and to be complementary to local identity preserving the historic urban fabric. All development will need to be based on coherent street frontages and new buildings need to fit into the existing context of facades.

9.66 DM 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.

9.67 DM policy DM2.3 (Heritage) requires that development make a positive contribution to Islington's local character and distinctiveness and that alterations to existing buildings in conservation areas conserve or enhance their significance. Similarly, 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 or within a conservation area which harms its significance will not be permitted unless there is a clear and convincing justification, and substantial harm will be strongly resisted. The policy also encourages the retention, repair and reuse of non-designated heritage assets. Proposals that unjustifiably harm the significance of a non-designated heritage asset will generally not be permitted.

9.68 Policy DH1 promotes the best use of innovative design to optimise capacity and stresses the importance of diverse design, where heritage assets are conserved or enhanced. Site potential for development should be optimised.

9.69 The above policy makes it clear that the relationship between the height of buildings and the street/space they flank is of critical importance and the roofline is an important factor contributing to the rhythm and uniformity of a street. Part F states that Tall buildings can help make best use of land by optimising the amount of development on a site, but they can also have significant adverse impacts due to their scale, massing and various associated impacts. Tall building locations must be carefully managed and restricted to specific sites where their impacts can be managed through appropriate design.

9.70 Policy DH2 requires development proposals to demonstrate a clear understanding of the significance of heritage assets affected by schemes, and the impact on significance. Developments within conservation areas must conserve and enhance the significance of the area and must be of a high quality contextual design. Proposals that harm the setting of a listed building must provide clear and convincing justification for the harm. Proposals which affect the significance of historic green spaces must ensure that spaces, their setting and features are conserved. Archaeological assessments must be provided in areas which are Archaeological Priority Areas.

9.71 Policy DH3 states that buildings over 30m are tall buildings and they are only acceptable in principle where there is a site allocation prescribing a specific height and buildings over these heights should be refused. All proposals must meet a range of functional visual social and environmental criteria similar to those set out in London Plan policy D9.

Spatial and architectural context

9.72 The Site comprises an existing 9 storey plus basement office building, rising to some 45m (63m AOD). It covers virtually the entire site.

9.73 The site occupies a primary and prominent position within the urban structure being located on the major and historic junction between City Road and Old Street.

9.74 The site's primary apex faces west onto City Road, at its junction with the (former) Old Street roundabout. This accommodates the main pedestrian entrance into the existing building.

9.75 It has a long and further primary frontage facing onto Old Street, to the north, and an additional and similarly long return, a secondary frontage, facing the comparatively smaller scaled Cowper Street to the south. Servicing occurs on site accessed off Cowper Street and an ancillary pedestrian entrance into the building is also located to this southern edge.

9.76 Due to the scale of Old Street and City Road, their primacy in the movement hierarchy, and the subsequent intensity of vehicular movements, the site is somewhat physically severed from its neighbouring context to its northern and western edges. To the south, the contextual relationship is more intimate with Cowper Street being a lightly trafficked (vehicular), 'dead end', with a high intensity of pedestrian movements.

9.77 To the east, the site abuts a low-rise commercial building at 250 - 254 Old Street with its large service yard to the front. This site forms part of a Site Allocation with the adjacent Albert House for which a comprehensive redevelopment is prescribed.

9.78 The site is not located within a conservation area, nor does it contain any listed or locally listed buildings. It physically forms part of the northern edge of the South Shoreditch neighbourhood. This is comprised of a strong and legible urban structure with a relatively fine grain comprising predominantly a low to mid rise-built form of varying ages and styles including a number of fine Victorian warehouses. It reads and functions as a cohesive neighbourhood accommodating a burgeoning creative and tech sector within a busy, lively, pedestrian orientated environment.

9.79 The Bunhill Fields and Finsbury Square Conservation Area boundary lies to the south side of Cowper Street with multiple heritage assets. It includes the Central Foundation School Boys' School, a large comprehensive secondary school. It is therefore a highly sensitive neighbouring context - socially, culturally and physically.

9.80 The Borough boundary, with the London Borough of Hackney, lies close to the eastern edge of the site and comprises the South Shoreditch Conservation Area which is also a highly sensitive adjacency. It was long associated with the furniture making and printing industries during the 19th Century and many streets and buildings of this era survive today and contribute to the neighbourhood's uniqueness.

9.81 The existing building and its configuration on the site are at odds with these characteristics. Developed in the late 1980s/early 90s, 99 City Road is a relatively recent development bearing no relationship with the character and qualities of South Shoreditch. Architecturally poor with bland materiality and an insensitive contextual fit such a combination has resulted in a building that actively detracts from its setting. One of its greatest failings is the poor interface with the public realm at ground floor, particularly where the building meets the primary streets of City Road and Old Street. This critical interface is characterised by long stretches of 'dead' façade with awkward protrusions and recesses to the main City Road edge. These characteristics are further exacerbated by the narrow pavement to the Old Street frontage which fails to adequately cater to the functional primacy of this street including a failure to comfortably accommodate the area's high pedestrian density. Raised floorplates within the building create a further barrier to the public realm interface whereby the ground floor sits at the equivalent of half a storey above grade. The ambiguity of the primary City Road entrance and the haphazard footprint to this edge add further confusion and result in an inhospitable entrancing element to this important, highly urban, and visually prominent context.

9.82 The building's façade to the site's secondary frontage, to Cowper Street, is the most legible and 'welcoming' edge with its clearly defined entrance portico and a strip of vegetation acting as a buffer between the pavement edge and the building. While the urban greenery is a positive feature, it is achieved because of a misalignment with the historic building line whereby the current building is set some 4m from the pavement edge and thus from the established building line. However, the historic building line is beneficially held by the adjoining Victorian terraces, 24-27 Cowper Street, immediately to the east of the site. But this 'misalignment' further adds to the building's awkward relationship with its context.

9.83 The site is located on a major node where City Road and Old Street intersect, and where the Old Street Tube and Train stations are located. Transformational works to this junction are nearing completion whereby the previously daunting Old Street roundabout and environs have been radically reconfigured to reduce the negative impact (and priority) of vehicular traffic. By removing an arm of the roundabout not only is the traffic 'calmed' and cycle lanes added, but a new public space has been created. This lies directly opposite the City Road frontage of the application site. The change in emphasis between travel modes, from vehicles to pedestrians and cyclists, is also having a beneficial impact on the environmental and aesthetic qualities of the immediate context.

9.84 There is an entrance/exit to the Old Street tube and rail station located immediately to the south of the application site. This is a major pedestrian movement generator connecting the station to South Shoreditch and beyond. It has recently been reconfigured and sits more legibly and 'invitingly' within the streetscape. However, the space around it remains squeezed with limited opportunities for dispersal or social interaction until some distance from the station entrance.

9.85 The site is identified as Site BC25 in the existing Finsbury Local Plan, and as Site BC9 in Islington's emerging Bunhill and Clerkenwell Area Action Plan.

9.86 It is identified in the Islington tall Building Study 2018 as being suitable for a landmark tall building up to 106m high and for a development "to become the central focal building of the Old Street cluster". It is also located within the City Fringe, specifically within the Tech City cluster, as referenced in the London Plan. Para 6.8.3 states that:

".. the Tech Cluster should be supported as one of London's nationally significant office locations".

9.87 There is evidence of significant intensification within the local context with tall buildings emerging in both Islington and the immediately adjacent Borough of Hackney.

9.88 These developments are changing the scale of the context with their increased heights and mass into one that is highly urban. And yet the site also sits alongside the established and more historic urban form, and buildings, of the South Shoreditch environs to the south and east with its lower ambient and finer grained streets.

9.89 99 City Road sits on the context's most primary of junctions, at the intersection of two primary routes of Old Street and City Road. In terms of the urban structure, it therefore occupies the most prominent location lending credence to the proposal for one of the area's tallest buildings.

<u>Proposed design – assessment</u>

9.90 The scheme is for a high tower that rises out of a distinctive podium base. While it is comprehensively designed as a single unified entity, the contextual impacts differ considerably. The podium impacts more on the immediate street and local context, while

the tower impacts on the broader, more distant townscape views the scale, height, and architecture of the tower are more readily viewed.

9.91 The podium reflects the general storey height ambient of the South Shoreditch neighbourhood which is located immediately to the south and east of the site. It also adopts some of the positive characteristics of South Shoreditch built form including lively and legible street edges with multiple openings at ground floor, an adherence to historic building lines, and an architectural reinterpretation of elements of the Victorian warehouse. The materiality of the podium is predominantly of terracotta, selected in response to the history of craft within Shoreditch.

Figure 33: Proposed western elevation.

9.92 A pedestrian connection is proposed linking Old Street with Cowper Street enhancing permeability in the area, while a colonnade is created to the Old Street edge, more than doubling the pavement width from 2.6m to 7m. Cowper Street is being upgraded in a pedestrian orientated manner with a new pocket park and significantly enlarged and improved social space around the entrance to the station. Access, including sight lines, connecting the scheme to the station's main entrance is significantly improved both qualitatively and quantitively generating significant public benefit. These enhancements will produce a net creation of over 500sqm of high quality, inclusive public realm achieved by setting back the building to its City Road frontage, removing existing barriers and pinch points, creating the Old Street Colonnade and new spaces to the station entrance and facing the newly reconfigured Old Street Roundabout's public realm.

9.93 The proposed uses will further help to animate the scheme and enliven its interaction with the adjacent public realm. To the ground floor these include the community based Makers' Space located to the Old Street frontage, the 'Great Room' to the City Road frontage, and a cafe to the Cowper Street frontage.

9.94 The combination of these characteristics within the podium element of the scheme results in a comfortable contextual fit with the immediate surrounds.

9.95 The tower addresses the increasingly intensifying context which includes a number of tall buildings, particularly up City Road to the north, but also within the City and City fringe areas to the south, and including the recently completed Art Hotel (just outside the Borough boundary and within London Borough of Hackney) to the east. It has been designed as omni-directional, with no 'rear' elevation', in response to its high visibility resulting from its scale and height which render it visible from multiple vantage points within the broader context. It presents in these mid to longer range views as a 'marker' for this part of central London, a heart of Shoreditch. To aid in this contextual response, the 'folds' of the tower are aligned to key neighbouring buildings with the height of the fold to the north elevation aligned with the height of the White Collar Factory, the eastern fold aligned with the Art Hotel, and the western fold aligned with the Atlas Building

9.96 Given the site's location on a primary junction within the urban structure, and the Local Plan site allocation that calls for a 'focal building of the Old Street Cluster' and 'a worthy counterpoint to the Atlas Building opposite', there is an acceptable urban 'structuring' rationale for accommodating a high building on this specific site, within this context.

9.97 Furthermore, the site is at the centre of the emerging Tech City which is designated in the London Plan as being an area of national importance in terms of the land use. Located on this primary junction within a demonstrably intensifying context the scale of the tower does, to an extent, reflect the site's changing contextual and specified land use significance.

Figure 34: Various views of the proposed building.

Height, bulk and mass

9.98 The proposal is for a podium base from which a tower rises. This simple yet effective architectural structuring device has in itself helped to mitigate the visual impact of the proposed quantum of development on the site with the scale of the podium relating strongly and effectively to the general storey height ambient of its South Shoreditch neighbourhood and the tower relating to the broader urban context. It has also allowed for the retention of the majority of the existing structure which is subsumed within the newly crafted podium.

Podium

9.99 The podium effectively changes height and massing in response to its varying edge conditions. To Old Street it rises compatibly to the established datum of this part of the street, to 7storeys. As the podium turns to face City Road it is momentarily 'interrupted' by a single element related to the grounding of the tower, after which the podium drops to a 5-storey ambient. It then cranks, turns and is followed through at this height to the long south facing Cowper Street edge.

9.100 The fenestration patterning is strong and rhythmic with generous void to solid ratios and a rich materiality. These characteristics help mitigate the impact of the bulk and massing of the podium to the street edges.

9.101 The height, bulk and massing of the podium is, therefore, considered a compatible contextual fit with a distinctly 'human' interface and scale.

The tower

9.102 The tower is designed as omni-directional with multi-faceted facades to each edge with varying fenestration proportions and patterning. Its base 'lands' on the western part of the podium, spread over a number of floors at lower levels, before the tower begins its marked and high ascent. It dramatically 'comes to ground' only once on the site, to part of the primary City Road frontage, a successful architectural move.

9.103 The tower is characterised by a series of cranks and cuts. While this helps mitigate the visual impact of its mass, it has been designed to read as a well-considered 'composition', an entity. The uppermost levels of the tower culminate in its most slender massing and, combined with an intensification of the fenestration pattering, this helps create an effective 'crown' where the building meets the sky. Plant has been distributed throughout the building which further enables these top floors to present the required elegance.

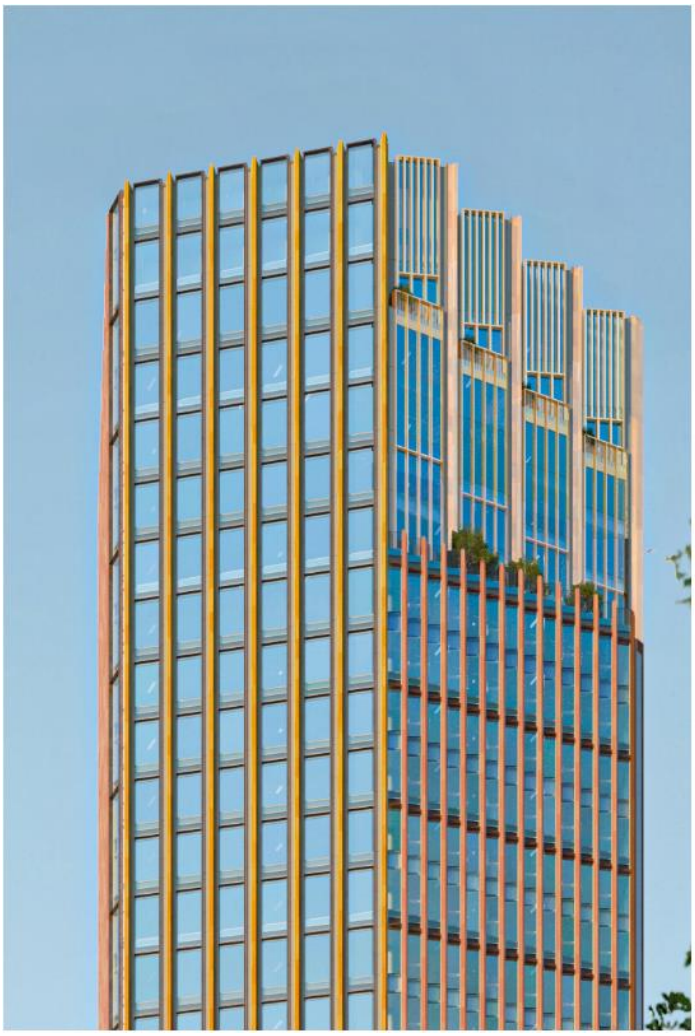

Figure 35: The crown of the proposed building

9.104 The proposed height, at approximately 152m, significantly exceeds the 106m height as prescribed within the Borough's site allocation by some 46m. The visual impacts of this 'extra' height in relation to the townscape and setting of heritage assets, relative to the impact associated with a 106m high building, have been carefully considered and, on balance, found to be acceptable in design terms.

9.105 The proposed tower has been modelled alongside an indicative scheme that comprises a 106m high tower, albeit somewhat broader than the proposal. In those more sensitive views, including Lowndes House looking north from City Road, Wesley Chapel courtyard looking north, and from within the RAC grounds looking north, it has been demonstrated that a 106m tower would also have been visible from each vantage point. Thus the impact of the height differential, between a 106m tower and a 152m tower as proposed, has formed an important part of this assessment and is an important design consideration.

9.106 Given the sculpting of the tower and the general high quality of the architecture, coupled with the site's primary position within the urban structure, and having regard to the emerging cluster of towers in this part of the city, from an urban design perspective, the height of the building is considered acceptable.

9.107 The 2018 Islington Tall Building Study states that a building on this site should become the focal building of the Old Street Cluster and states that a building up to 106m high would be acceptable. It is required to be of high quality with outstanding architecture, adding distinctiveness to the centre of the cluster and setting a 'worthy counterpoint' to the Atlas Building opposite.

9.108 Development is required to minimise overshadowing and avoid environmental impacts that could undermine the amenity and attractiveness of the public space at Old Street.

9.109 While there are some environmental impacts with regard to sunlight and daylight on some adjacent homes, and to outlook, the microclimatic conditions generated by the tower are considered acceptable. The impact on the new public open space to Old Street is neutral.

9.110 It also facilitates the delivery of substantial additional public benefits over and above that which could be supported on a smaller scheme. The proposal, therefore, also complies with London Plan Policy D9 qualitative criteria.

Elevational treatment

9.111 The architectural expression is of a high quality of design creating animation, originality, and place specific qualities. The materiality, with its emphasis on the use of glazed terracotta, is also successful within this context, referencing Shoreditch's history of crafts. It further mitigates the visual impact of height and mass whilst enriching the architecture.

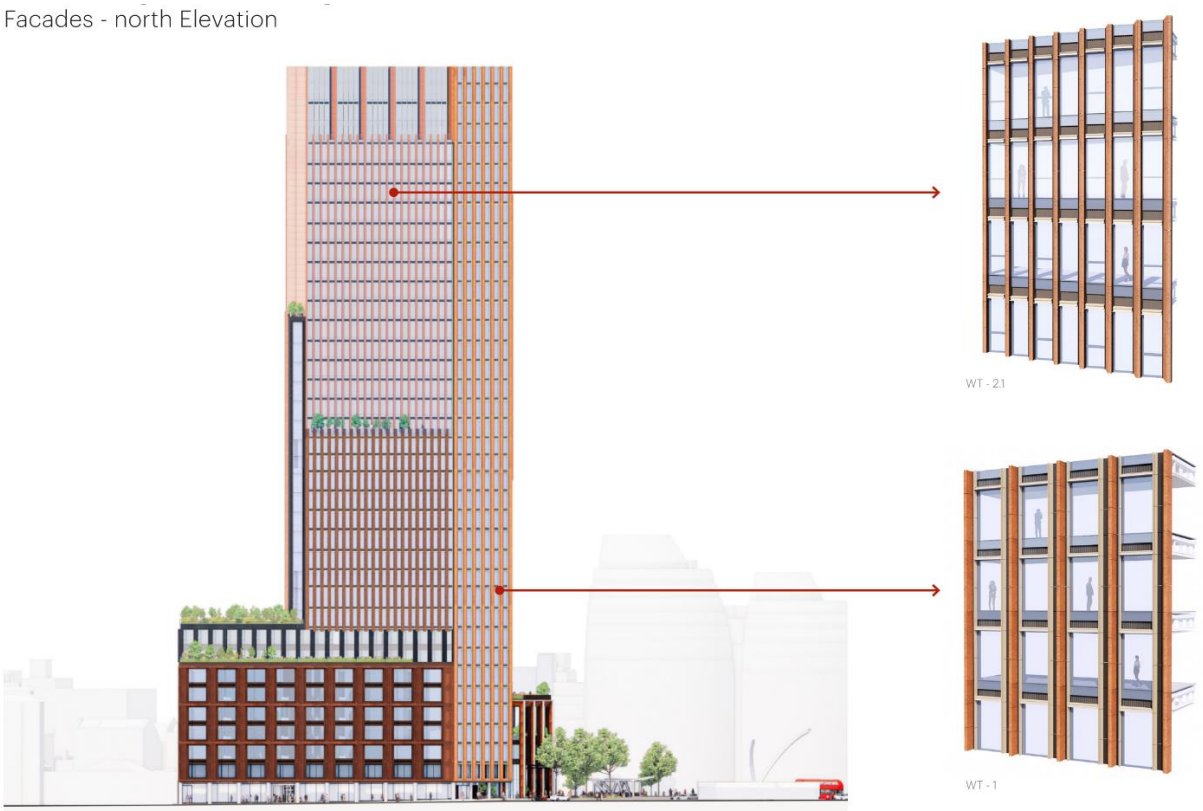

Figure 36: Proposed northern elevation

9.112 While the scheme has a clearly defined base (podium), middle (tower) and top (crown), the architecture is designed to be experienced in two parts – the tower and the podium. The podium impacts on the immediate and more local context and has been designed to interact closely with the adjacent pedestrian realm. By contrast, the tower is designed to be read and experienced from the medium and longer distance vantage points while being less obvious or impactful on the local context.

9.113 Whilst very substantial in terms of height and mass, the elevational treatment of tower reflects its design as an omnidirectional building with subtle architectural changes to each of its facades. These changes are reflected in a series of folds and cranks that appear as the tower rises. The levels of these folds respond to key townscape datums within the surrounding context including to the Art Hotel to the east, the White Collar Factory to the west, and the Atlas Building to the north.

9.114 The ‘folds’ have been further capitalized on to enable the provision of external terraces providing opportunities for outside amenity space for occupants and urban greening.

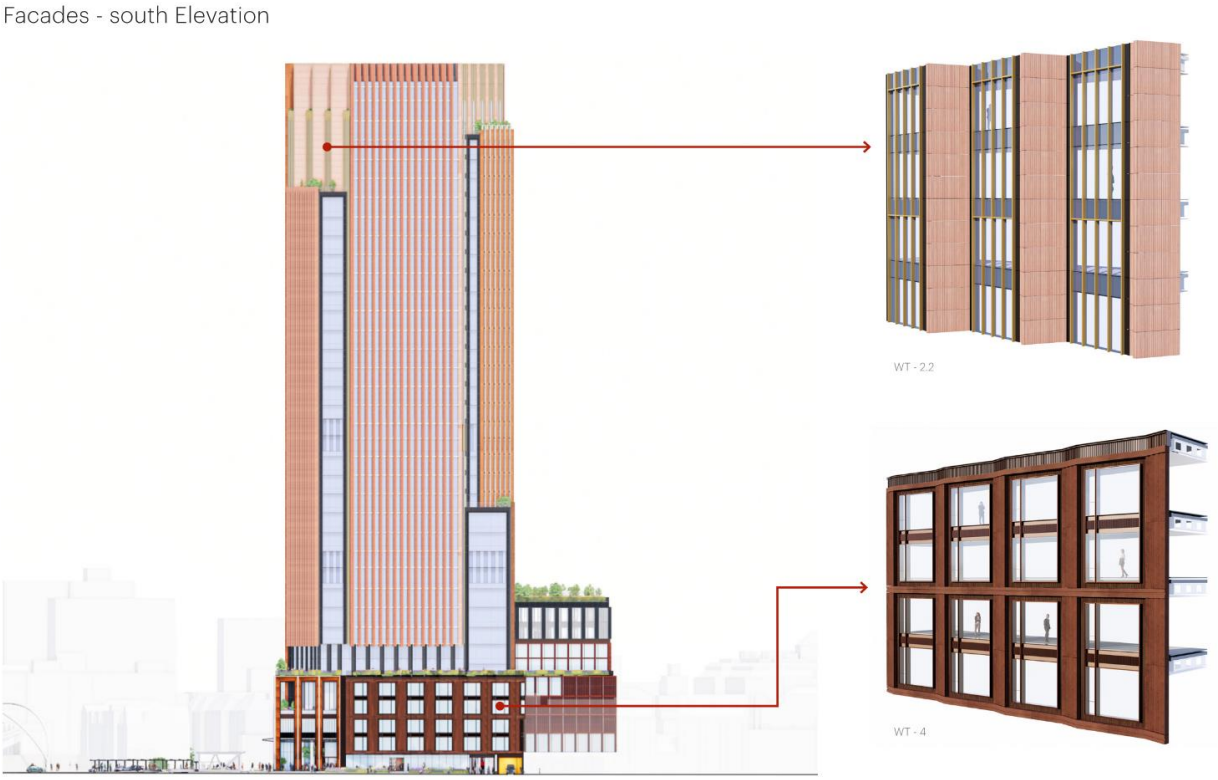

Figure 37: Proposed southern elevation

9.115 The fenestration pattern changes subtly around the tower’s facades in response to the different aspects, as well as to its ‘crown’.

9.116 The folds and cuts and changing fenestration patterns present a ‘changing’ façade depending on the angle from which the tower is viewed. The varying proportions of void to solid both around and up the faces of the building add to this visual dynamism and intrigue. This folding façade is also an important design feature to create a self-shading elevational mechanism, reducing solar gain to the office floor space within.

9.117 The design and materiality of the tower with its predominance of terracotta to the facades will be more apparent the closer to the building one is located, reflecting the material vernacular character of South Shoreditch in particular.

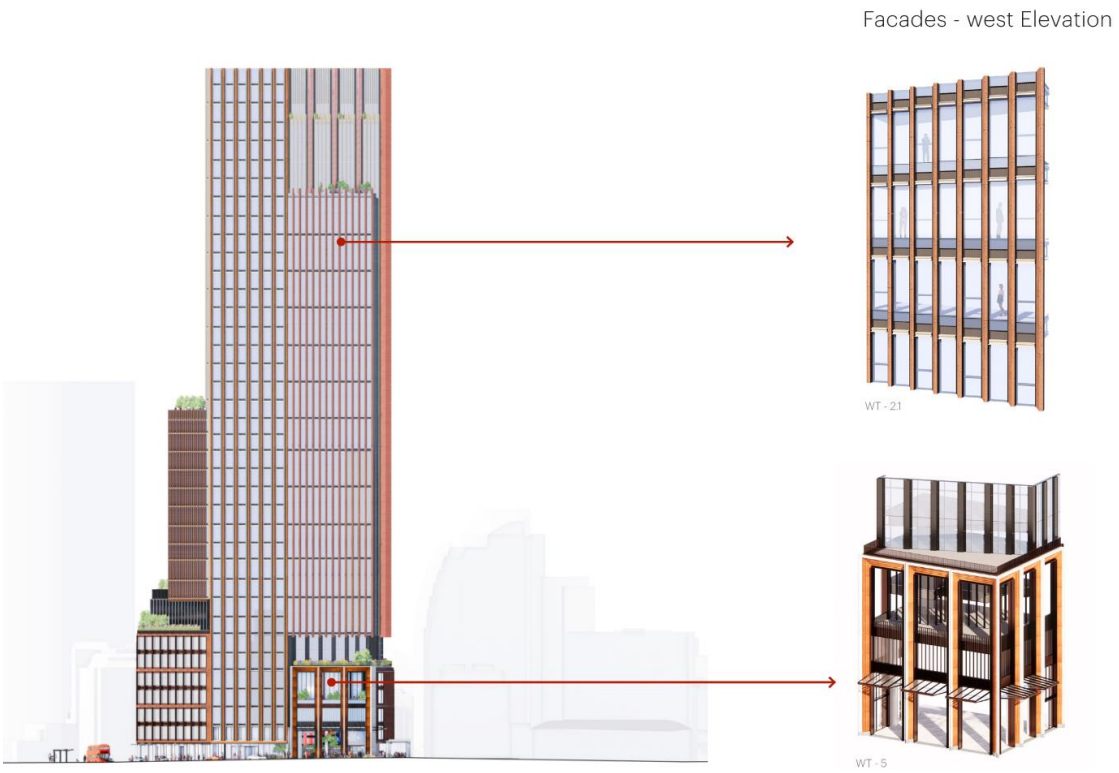

Figure 38: Proposed western elevation

9.118 A simple yet dramatic architectural element of the tower is to the City Road frontage where it comes to ground in a long single ‘plane’. This bold design feature faces the primary vantage point to Old Street which, combined with the architectural expression of the surrounds to the ‘great room’ and terrace adjacent, presents a fine new facade to the (former) Old Street roundabout and Old Street beyond.

9.119 The crown of the tower is primarily read when the tower is viewed from the south and north given it is ‘interrupted’ by the long single west facing plane where the tower grounds. The crown is characterised with an intensification of the fenestration patterning combined with a crenulated form. It suitably yet subtly signifies the top of the building and creates an animated relationship with the sky beyond.

9.120 The podium is, to a degree, based on the retention and reworking of the existing building on the site. However, it has beneficially been subject to some important changes which are of a significant benefit to the broader public realm, adjacent properties, and wider context. These include:

- The ground floor of the existing building has been lowered to its street edges creating a positive and more sociable contextual fit.
- It has also been pulled back from the City Road frontage through demolition of the existing barrelled stair core and a reconfiguration of the footprint. This enables the creation of a spatially enhanced and enlarged public realm including around the entrance to the Old Street Station.
- By pulling this City Road edge back, it also allows for more daylight to some of the homes in the Bezier Building, to the south side of Cowper Street.
- The architecture generates both intrigue and drama as it changes around the building, responding to the different edge and contextual conditions.

- The architectural set piece of the triple height urban room is designed to create a 'front door' to Shoreditch and a welcoming semi-public and highly flexible space.
- The bold architectural element whereby the tower grounds creates further intrigue to the building and place making qualities.
- To Old Street, the base of the existing building has been carved out to create a colonnade to the pavement edge with a double height space beyond. This will transform what is currently a spatially and visually mean interface to one that is welcoming, active and generous.
- The upper floors to the podium's Old Street edge are fenestrated with large and generous openings set within a suitably formal and well-structured grid to this major route. The weight of the architecture, with its suitably proportioned void to solid, and use of terracotta, helps 'carry' the scale and mass of the tower above.
- A new pedestrian link connects Old Street to the north with Cowper Street to the South, improving permeability.
- A café and sitting out space are located to the Cowper Street edge creating animation to this pedestrian orientated street.
- The Cowper Street elevational treatment references the adjacent Victorian warehouses with a bold and rich fenestration pattern and materiality that is both contextually sensitive yet modern and innovative.

9.121 The elevational treatment of the scheme is considered to be of a suitably high standard of design that will enrich the local streetscapes and that will not harm the wider townscape as viewed from distant and mid-range views. It is therefore considered to be in compliance with plan policy and guidance.

Materiality

9.122 The proposal is for a predominantly terracotta materiality. Terracotta has been selected largely in response to the conservation areas in Finsbury and South Shoreditch with their history of crafts.

9.123 Terracotta panels and tiles are proposed to be applied in different forms across the scheme with a limited but sufficiently interesting colour palette of browns through to golds. This serves to help with the contextual fit and adds a 'humanising' element to the tower given the texture, colour, and familiarity of terracotta to this part of London.

9.124 While formal approval of a detailed materials palette and indeed mock up panels of key parts of the elevations should be required via planning conditions should the scheme be recommended for approval, the predominant use of terracotta as indicated on the plans and in the accompanying Design and Access Statement suggest a rich and contextually compatible materials palette.

Tall buildings

9.125 London Plan policy D9 'Tall buildings' states that Development Plans should define what is considered a tall building and defines tall buildings as at least 6 storeys or 18 metres. Part C relates to impacts of tall buildings and outlines that proposals should address visual, functional, environmental and cumulative impacts. Tall buildings are encouraged to provide free to enter publicly accessible areas, where appropriate, to the top of the building to allow for wider views across London.

9.126 Policy CS9 of the Core Strategy is concerned with protecting and enhancing Islington's built and historic environment and states, inter alia, 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. However, parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan.

9.127 Finsbury Local Plan policy BC9 is concerned with tall buildings and contextual considerations for building heights and states that tall buildings are considered to be buildings or structures that are substantially taller than their neighbours and/or which significantly change the skyline. Buildings of 30 metres in height or more may be appropriate only within the areas indicated in Figure 17 of the Finsbury Local Plan. These areas include sites identified in Policy BC2 (City Road Basin) and Policy BC3 (Old Street), as well as an area adjacent to the City of London boundary at Moorgate. Elsewhere, building heights must respond to the local context, particularly those contextual factors indicated on Figure 17. Further, Figure 17 within the Finsbury Local Plan indicates in yellow that the site may be appropriate for a building over 30m in height. Proposals for all new buildings are expected to conform to Policy BC9, unless an exceptional case can be proven, through robust analysis and justification.

9.128 The 30-metre limit identified within Policy BC9 should be taken to mean the distance between the average ground level of the site and the highest point of the building or structure. The actual and perceived height of a building relates to a range of factors: for example, variation in floor-to-ceiling heights (typically between 3 and 4 metres, depending on the building's uses), architectural treatments and features (particularly at ground floor and roof level), and the site's prominence (either in built or topographical terms). Given this, in addition to the historic nature of the area and the need to maximise residential amenity, the quality of the design of any new tall building is critical. Policy BC9 sets out nine criteria for ensuring that new tall buildings are well designed and do not negatively impact on the local environment, including sustainable design and infrastructure considerations.

9.129 Emerging policy DH3 'Building heights' explains that 'buildings of more than 30 metres are only acceptable in-principle: (i) on sites allocated in the Local Plan where the allocation makes specific reference to suitability for heights of 30m or more; and/or (ii) within specific sites identified in a Spatial Strategy area.

9.130 This policy is evidenced by the Islington Tall Buildings Study which is an up to date and comprehensive urban design assessment for the development of tall buildings. It conforms with policy D9 of the London Plan 2021, which requires boroughs to determine locations where tall buildings may be an appropriate form of development and identify any such locations in their Development Plans. The Council is currently in the later stages of the examination of its Local Plan and the weight that can be given to the policies in the draft Local Plan will increase as it progresses towards adoption. As the proposals are at the pre-application stage it is important that the emerging policy is taken into account.

9.131 Further, emerging Finsbury Local Plan policy BC3 part L, four sites in the City Fringe Opportunity Area have been identified as potentially suitable for tall buildings over 30 metres which includes this site under Site Allocation BC9.

9.132 Islington has identified appropriate tall building locations in accordance with the guidance set out in London Plan policy D9 parts B(1) and B(2) and considers that following this process tall buildings should only be developed in the identified locations as specified in D9 part B(3).

9.133 The existing building has a height of 72.20 AOD and is approximately 55m above adjoining street level at its highest point. The proposed building is 169.26m AOD which is 151.66m above the adjoining ground level. The proposed building is arranged over 35 storeys above ground with the addition of a basement and sub-basement. The site allocation outlines an acceptability for a building of up to 26 storeys or 106m as a district landmark. As stated elsewhere in the report, the proposed development constitutes a significant increase over and above the site allocation and as such, the proposed development has been advertised as a departure from the Local Plan.

9.134 From the outset, there is recognition that the scheme is, contrary to the policies of the emerging Local Plan with respect to Tall Buildings and building height. The scheme has been advertised as a departure from the Local Plan. A small number of objections have been received which relate to the height of the building. Furthermore, Historic England have advised that the building would generate some less than substantial harm (within the middle of the scale) to a range of heritage assets including Wesley's Chapel and Bunhill Fields. Furthermore, the building at its proposed height would be visually prominent in views from the south in the context of the Honourable Artillery Company Grounds open space and Lowndes House in City Road.

9.135 A Tall Buildings Study was commissioned by the London Borough of Islington to support its Local Plan Review. A tall building can be defined both by its physical and designed height in the context of a height and storey threshold and also by its relationship to surrounding context. It is clearly demonstrable that the proposed development is a tall building within each strand of the definition and forms a pronounced contrast with some of its surrounding context. Furthermore, the proposed building height constitutes a metropolitan landmark. Tall buildings are seen as part of a prosperous economy generating homes and jobs, concentrating density in sustainable locations close to public transport. However, taller buildings can also be seen to have an adverse impact on the local environment, heritage assets, protected parks and gardens and the character of local communities and townscapes. They generate impacts on amenity, alter the microclimate and impact on visual amenity.

9.136 As a result, Islington's policy position on tall buildings is clearly set through the Development Plan. Islington has devised a tall building strategy which is informed by this study. Based on the results of the study, the Council has designated a variety of locations which are suitable for tall buildings. Some of these sites have become site allocations where a prescribed height is given. In the case of this site (site allocation BC9) the prescribed height is 106m.

9.137 The tall buildings study has appraised the City Road and Old Street taking into account the presence of taller buildings which have been constructed in this location and the impact that they have generated along with a consideration of the sensitivities that exist. The study recognises the presence of four groupings: City Road Basin; City Road (East Street) Old Street and Moorgate cluster. These clusters should remain as detached groupings of buildings that should not merge so that they remain as distinct groupings. The study states that, '*With the White Collar Factory and the Bower developments a cluster of more commercial taller buildings has started to emerge around Old Street roundabout. There is an opportunity to expand this cluster on the south side of the Old Street with carefully placed taller buildings that reinforce the cluster. This could include up to three additional taller buildings that help to bring regeneration of the area and support its employment function in the Tech City Cluster. The tallest of the three buildings would be located on the site of Inmarsat House. It could rise slightly above the height of the Bower and the White Collar Factory up to 106m establishing a new central focus of the cluster. However the massing and design of this building must ensure it does not create unacceptable harm to views onto Lowndes House from City Road'.*

9.138 By proposing a building with a height of more than 150m above its adjoining ground level, the proposed development is substantially greater than the site allocation and gives rise to the objections and to the harms that have been outlined. The London Plan in particular is clear in its policy direction, insofar as that the Local Planning Authorities should defined the appropriate location for a tall building. The London Plan then gives consideration to the range of factors that should be taken into account for a tall building. These have been considered within the report. The Council's emerging local plan policy DH3 states that all schemes that exceed prescribed heights should be refused. All proposals should however, meet the criteria set out in the policy which are very similar to those in London Plan policy D9.

9.139 The applicant has sought to justify the height from an architectural perspective framed around a response to adopted and emerging policy supported by the evidence (Tall Buildings Study). The starting point is the site allocation informed by the aforementioned evidence which states the site's role is to be the focal building within the Old Street cluster. It would need to be of the highest quality and of outstanding architecture that adds distinctiveness to the cluster as well as respond to the Atlas building which is the nearest structure of comparable height and form.

9.140 Spatially, the applicant contends that the site is highly prominent and is of strategic significance. It is located at the confluence of two major roads which form part of the Inner London Ring Road, the street forms a borough boundary and signposts to a major public transport interchange which lacks a definitive architectural marker. This is a critically important site that is located at the heart of Tech City and Old Street where significant growth of office floorspace and investment is proposed to respond to economic need and potential. The site and the function of the area in general is of strategic national importance for economic consolidation. Despite the prominence of Old Street roundabout, development density has been focussed on sites away from Old Street station including City Basin and Shoreditch. This proposal reverses that and provides a new response other tall buildings of similar height.

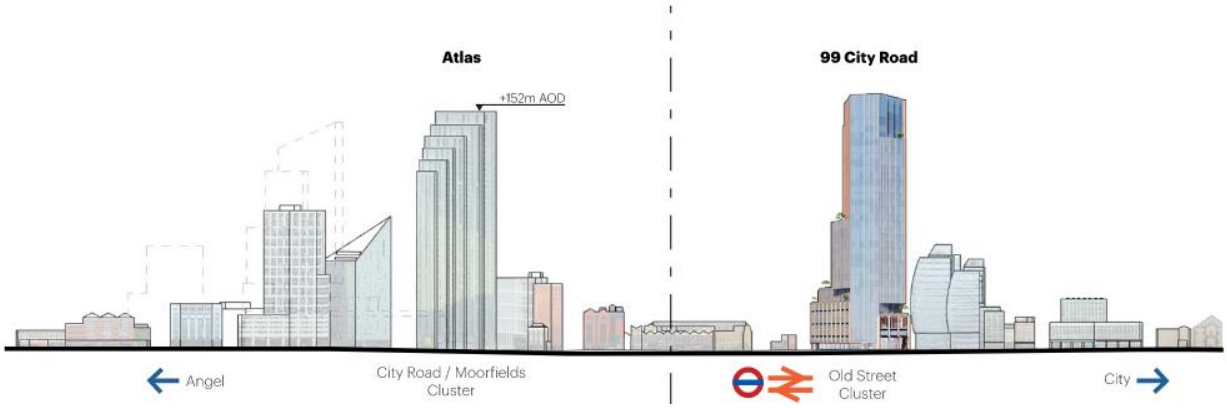

Figure 39: Building height profile City Road (from north (left) to south (right)).

9.141 Architecturally, the building form is designed to create a slender and dynamic form from all angles within which it is visible. Its expose location at a key junction means that it is visible in axial views. A design language has come forward of folding the building which ensures the presence of a proportionately modulated tower responsive to context. The folds or breaks or cranks in the facades are specifically designed to relate to the surrounding context. The opportunity arises to create 8 external landscaped terraces. Each one of them responds to the height or crown of specific buildings that are appreciated in the setting and context of 99 City Road.

9.142 As stated above, the applicant seeks to use the relationship with the Atlas Building to reinforce the significance of Old Street and the site. The proposed building refers to the omnidirectional form while the Atlas building is singular orientating towards Old Street.

9.143 The façade has been designed to respect the folded nature of the building, create solid and glazed, and assist in shading. The terracotta seeks to tie into 104 City Road (Imperial House) and the South Shoreditch warehouses within the Conservation Area. The building also seeks to be an exemplar in sustainability terms seeking to go further than regulatory thresholds.

9.144 The applicant also endeavours to demonstrate benefits of the height. This is a rare opportunity to provide a substantial quantum of office floorspace with minimal wider impact. Retention of the existing building and creation of a reduced footprint, the opportunity exists to provide for a better public realm setting. Its current inactivity and relationship with the public realm around it is replaced with a redefined corner site – particularly at ground floor – as a place for meeting and arrival that works with the new public square at the junction of Old Street and City Road. The scheme provides 14% of the Borough's office floorspace requirement in the Local Plan Period and increase affordable workspace by 70%. The scheme provides community space to enhance social value with the space being able to accommodate education, training, employment and cultural programming. In effect, the applicants see the site as having a function, role and status greater than simply a district landmark but rather one of a greater strategic function tied in with sustainable development focussed on a key transport and highway interchange the wider Tech City and creative sector role that is growing around Old Street and South Shoreditch. Creating a taller building here of 151m as opposed to 106m ensures that the focus shifts to this site in a spatially more logical location that is able to deliver the social value and inclusive economy and architectural benefits that have been identified.

9.145 Part C of London Plan Policy D9 outlines potential impacts in which a tall building should be assessed. These are outlined and addressed in turn below.

Visual impacts

9.146 London Plan policy D9(C) outlines the visual impact considerations for tall buildings, as follows:

a) the views of buildings from different distances:

I long-range views – these require attention to be paid to the design of the top of the building. It should make a positive contribution to the existing and emerging skyline and not adversely affect local or strategic views;

ii mid-range views from the surrounding neighbourhood – particular attention should be paid to the form and proportions of the building. It should make a positive contribution to the local townscape in terms of legibility, proportions and materiality;

iii immediate views from the surrounding streets – attention should be paid to the base of the building. It should have a direct relationship with the street, maintaining the pedestrian scale, character and vitality of the street. Where the edges of the site are adjacent to buildings of significantly lower height or parks and other open spaces there should be an appropriate transition in scale between the tall building and its surrounding context to protect amenity or privacy;

9.147 Within the longer range set of views, the applicant has identified key viewpoints which are critical to assessing and evaluating the townscape impact. These include views north along City Road from Finsbury Square towards Lowndes House; views south along City Road to

the south towards Old Street roundabout; views from the southern side of the HAC ground open space. These demonstrate a clearly obvious addition to the vistas in each of the views. The proposed development is fundamentally taller than the surrounding prevailing context in each of these views. The proposed development is not aiming to blend into this wider context but to serve as a landmark structure incorporating design of the highest possible quality. On this basis, the building can be viewed as introducing high standards and qualities in its own right. With respect to the view from Lowndes House, the proposed building would be viewed behind Lowndes House when the view point is situated at a distance from the building closer to Moorgate Station. Lowndes House is a local iconic building associated with Singer sewing machines and forms a key visual and design apex at the junction of City Road and Tabernacle Street. Its qualities are less distinguishable from longer views. However, in close up to Lowndes House where it can be appreciated in the streetscene, the massing of the proposed development is obscured by Lowndes House and as a result, the proposed development does not detract from Lowndes House. In views south along City Road towards and through the Old Street roundabout, the proposed development has been designed to appear as a dynamic structure in the streetscene. Its various planes, folds and angles creates a moving structure as one moves around the building. This generates interest in townscape and streetscene.

Figure 40: View north from Finsbury Square towards the site. Proposed building behind Lowndes House.

9.148 In mid range views, the building has been determined to be influential when viewed from Bunhill Fields and Wesley's chapel. The proposed development is visible in part from these two locations of high heritage asset value. At Bunhill Fields, much of the view is obscured by trees and the view is framed by other recent developments including the White Collar Factory and Featherstone Street. With regard to Wesley's Chapel, this is a historically important collection of buildings which relate to each and generates a level of important group value. The building is visible from both the context of the principal chapel and is also important from the south of the complex over and above the Benson building which is the

northern side of the group. While the building is a large object present in this context, it is arguable that older buildings in Leonard Street would be visually dominant while a 106m tall tower would also be visible above the roofline of these buildings. It can be asserted that a taller structure at 150m would not be any more unduly harmful or visually jarring either.

9.149 In short views around Cowper Street, Old Street and City Road and particularly at the roundabout, the base of the building, its activity, design and interaction with immediate context including its fine detail articulation to the Shoreditch context contribute to exceptionally high quality contribution to the streetscene which outweighs any harm that the overall height might have at this proximity.

Figure 41: Proposed view west along Rivington Street in the LB Hackney

b) whether part of a group or stand-alone, tall buildings should reinforce the spatial hierarchy of the local and wider context and aid legibility and wayfinding;

9.150 Various site allocations have contributed to a cluster of taller buildings around three corners of the roundabout within the London Borough of Islington. In replacing Inmarsat House with iconic design, legibility and a direct engagement with the streetscene, the proposed development would make a highly positive contribution to the streetscene and to landmarking the roundabout. As a group of buildings the small cluster frame and give character to the roundabout. At the same time, the proposed development would act as a landmark with which to navigate to this roundabout. The Tall Building Study and the site allocation refers to the site as constituting a district landmark that pertains to this area of London consisting of Shoreditch and Old Street. It is arguable that this junction of key roads as part of the Inner Ring Road and the connection of key strategic routes that this is a key location that demands a greater status of landmark over and above district landmark.

Figure 42: Proposed view east towards Old Street roundabout.

c) architectural quality and materials should be of an exemplary standard to ensure that the appearance and architectural integrity of the building is maintained through its lifespan;

9.151 As set out in the assessment by officers at paragraphs 10.58-10.185, the proposal as a whole is considered to be of high architectural quality with attractive materials which complement the character of the local context.

d) proposals should take account of, and avoid harm to, the significance of London's heritage assets and their settings. Proposals resulting in harm will require clear and convincing justification, demonstrating that alternatives have been explored and that there are clear public benefits that outweigh that harm. The buildings should positively contribute to the character of the area;

9.152 A detailed assessment of the proposed building with regards to impact upon heritage assets has been undertaken below at paragraphs 10.186. It is considered that the proposal would not harm the significance or setting of neighbouring heritage assets such listed buildings and conservation areas.

e) buildings in the setting of a World Heritage Site must preserve, and not harm, the Outstanding Universal Value of the World Heritage Site, and the ability to appreciate it; and f) buildings near the River Thames, particularly in the Thames Policy Area, should protect and enhance the open quality of the river and the riverside public realm, including views, and not contribute to a canyon effect along the river;

9.153 Considerations (e) and (f) are not relevant in the assessment of this application as the site is not located within the setting of a World Heritage Site nor near the River Thames as outlined by the Thames Policy Area of the London Plan.

g) buildings should not cause adverse reflected glare;

h) buildings should be designed to minimise light pollution from internal and external lighting;

9.154 The proposed façade treatment and fenestration alignment is considered consistent with the prevailing character of opposite neighbouring buildings. Conditions 14 and 19 seek further details with regards to external lighting and internal lighting to avoid glare and light pollution.

2) Functional impacts

9.155 London Plan policy D9(C) outlines functional impact considerations for tall buildings, as follows:

a) the internal and external design, including construction detailing, the building's materials and its emergency exit routes must ensure the safety of all occupants;

9.156 The proposal has been assessed with regards to external detailed design and appearance at paragraphs 9.81 – 9.127, accessibility and inclusive design at paragraphs 9.264 – 9.282.

b) buildings should be serviced, maintained and managed in a manner that will preserve their safety and quality, and not cause disturbance or inconvenience to surrounding public realm. Servicing, maintenance and building management arrangements should be considered at the start of the design process;

9.157 The proposal includes a dedicated internal delivery and servicing area, accessed from Cowper Street. Servicing vehicles can enter and exit the site in a forward gear. As such, the proposed servicing strategy will preserve the safety of surrounding public realm and highway. Further, it is considered that the strategy would not give rise to noise and disturbance to the detriment of neighbouring amenity.

c) entrances, access routes, and ground floor uses should be designed and placed to allow for peak time use and to ensure there is no unacceptable overcrowding or isolation in the surrounding areas;

9.158 The building is well served by a number of entrances and access points. Entrances are located in Old Street roundabout, Cowper Street and within a new pedestrian link between both streets. There is a new underground entrance by the site and the applicants have provided pedestrian comfort figures to demonstrate that there is no long term saturation of the pedestrian realm here. A new shared surface is proposed for Cowper Street to emphasise pedestrian priorities. Dedicated cycle storage access is achieved from Cowper Street and the pedestrian link. Further, the café, the great room and the community floorspace would have dedicated access from street. As such, it is not considered that the proposed building would lead to unacceptable overcrowding or isolation in the surrounding area.

d) it must be demonstrated that the capacity of the area and its transport network is capable of accommodating the quantum of development in terms of access to facilities, services, walking and cycling networks, and public transport for people living or working in the building;

9.159 The site is adjacent to a major passenger transport interchange at Old Street for rail and underground. The site has a very high PTAL rating. A station exit is located directly adjacent to the site curtilage in Cowper Street. Cycling infrastructure is essential for the site with local cycle superhighways in close proximity to the site and there is substantial

onsite infrastructure for the likely numbers of cyclists using this site. It is recognised that on street short stay cycle parking is substandard and the scheme secures a contribution of £220,000 to fund the installation of a TFL Cycle Hire docking station on Cowper Street which will be installed by Transport for London.

e) jobs, services, facilities and economic activity that will be provided by the development and the regeneration potential this might provide should inform the design so it maximises the benefits these could bring to the area, and maximises the role of the development as a catalyst for further change in the area;

9.160 As outlined in the GLA's Stage 1 response, the development would provide an intensification of an existing office use within the CAZ and City Fringe Opportunity Area and is therefore considered to be an appropriate land use.

f) buildings, including their construction, should not interfere with aviation, navigation or telecommunication, and should avoid a significant detrimental effect on solar energy generation on adjoining buildings;

9.161 The CAA has been consulted who has raised no objection to aviation movements in relation to Heathrow and the wider London airspace.

3) Environmental Impacts

9.162 London Plan policy D9(C) outlines that wind, daylight, sunlight penetration and temperature conditions around the building(s) and neighbourhood must be carefully considered and not compromise comfort and the enjoyment of open spaces, including water spaces, around the building. Further, air movement affected by the proposal should support the effective dispersion of pollutants, but not adversely affect street-level conditions and any noise created by air movements around the building(s), servicing machinery, or building uses, should not detract from the comfort and enjoyment of open spaces around the building.

9.163 Micro climate has been assessed in paragraphs 10.166– 10.175 below.

9.164 The impact of the proposal upon daylight, sunlight and overshadowing has been assessed by officers at paragraphs 10.209 – 10.263 below, following the submission of a Daylight and Sunlight assessment against BRE Guidance.

4) Cumulative Impacts

9.165 London Plan policy D9(C) outlines that the cumulative visual, functional and environmental impacts of proposed, consented and planned tall buildings in an area must be considered when assessing tall building proposals and when developing plans for an area. Mitigation measures should be identified and designed into the building as integral features from the outset to avoid retro-fitting.

Micro climate and environmental conditions

9.166 Part 3 of policy D9 (Tall Buildings) consists of a consideration as to how a tall building may affect, influence or create a specific microclimate that may affect the comfort that may be experienced by users of the built environment around a development. This covers wind, daylight, sunlight and temperature conditions. The adverse impacts of these should not compromise the enjoyment of spaces around the building.

9.167 Part (xi) of policy DH3 in the emerging local plan replicates the tests and considerations set out in the London Plan in relation to microclimate. The development must not adversely impact either individually or cumulatively the microclimate of the surrounding area.

9.168 A wind and microclimate assessment has been submitted to support the application. Wind tunnel tests were conducted on a 1:300 model of the proposed development that was re-appraised for various iterations of the proposed development as the design evolved through the pre-application process. The investigation quantifies the wind conditions within and around the site comparing measured wind velocity and frequency of occurrence within the Lawson Comfort Criteria. Measurements were taken at up to 131 locations for 36 wind directions in 10-degree increments. The measurement covered ground level locations along the building facades and at corners near main entrances on pedestrian routes within and around the site and terraces within the site. While analysis was conducted on a seasonal basis, the emphasis was on winter as the statistically windiest season. The assessment of the wind conditions requires a standard against which the measurements can be compared. The submitted report uses the Lawson Comfort Criteria. The criteria seek to define the reaction of an average pedestrian to the wind. If the measured wind conditions exceed the threshold wind speed for more than 5% of the time, then they are unacceptable for the stated pedestrian activity and the expectation is that there may be complaints of nuisance or people will not use the area(s) for their intended use. There are five categories. Four of which are defined by whether it is comfortable to be sitting out doors, standing outdoors, strolling outdoors or walking outdoors with a further category of uncomfortable.

9.169 The expectation is that the proposed development should generate a micro climate that there is no discomfort when ‘strolling’ within adjoining roads; that there is no discomfort when standing at the main entrances to the building at any time of year; that there is no discomfort when ‘standing’ within amenity areas where seating is not intended; and that there is no discomfort when ‘sitting’ within outdoor seating areas within the amenity terraces of the building.

9.170 The applicant has considered the baseline scenario with respect to the current building in the context of its existing surrounding neighbours. Within this scenario, the current building would present wind conditions suitable for the sitting and standing use within the windiest season. There are no instances of strong winds exceeding the safety threshold in the baseline scenario.

9.171 With the introduction of the proposed development, wind conditions would be slightly stronger at the northwest point of the building at the Old Street roundabout and at the southern elevation. There would be localised areas on the 9th, 14th and 30th floor levels where there would be ‘strolling’ conditions for areas indicated for sitting and/or standing. The 14th floor level would endure the strong winds that could be a safety concern to vulnerable users of the terrace. However, the applicant proposes the use of landscaping which, would if installed as intended reduce the impact to the conditions required for the terrace.

9.172 The modelling with a neighbouring building context would not change the comfort felt in these locations. The buildings would be too far away or two short to influence the outcome and the same conditions generated through the second scenario above would occur. Windier than desired conditions at upper level terraces and a marginal exceedance of the safety threshold at the commercial office terrace of the Proposed Development would develop.

9.173 The fourth scenario would include the contextual neighbouring buildings and the proposed landscaping. As per the non – neighbouring buildings scenario, the proposed mitigation planting and landscaping would prevent discomforting climate conditions within street or terrace level and all terraces would be useable for the purpose for which it was designed.

9.174 In establishing proposed mitigation, the applicants have determined that solid planting surrounding seating areas to at least 1.5m tall, or planters with landscaping to a height of

1.5m or deciduous/evergreen trees at least 2m in height would render all monitoring points to meet threshold requirements.

9.175 On that basis, it can be safely determined that microclimate impacts in relation to this building would not result in public discomfort at the street or terrace level.

Design Conclusions

9.176 The building exceeds the height allocation by some 40% given it rises to 152m as opposed to the recommended height limit of 106m. In this respect it is a departure from plan policy.

9.177 However, offsetting the visual impact of such additional height is a number of mitigating design-based factors that have been carefully considered leading to a positive recommendation for the scheme with regard to the quality of the design. These include achieving a range of exceptional design qualities as required by a range of plan policy.

9.178 In respect of the podium, this is a well-designed element with rich and joyful façades and materiality that speak to the legacy of craft within the South Shoreditch neighbourhood. The interplay of the podium with the existing and newly created public realm is outstanding from the new pedestrian colonnade to Old Street that more than doubles the width of the available pavement, to the new civic space to the City Road frontage and landscaped surrounds to the existing station entrance. The combination of these significant qualitative and quantitative improvements to the public and semi-public realms, of and adjacent to the scheme, result in excellent place qualities that will significantly enhance the useability, sociability, and functionality of this part of the borough and create a comfortable and lively contextual fit. The impact on the more immediate context as generated by the podium element of the development is therefore considered to be highly positive.

9.179 The tower is also considered to comprise exceptional design qualities. It is of a bespoke, place specific design, of a character and quality that helps mitigate the visual and environmental impacts of a very tall building in this location. The site is considered suitable for a high building, and indeed what is proposed to be the highest building in the City Road/Old Street cluster. This is in part because of its strategic position within the urban structure, located on the key junction of two of the borough's most primary routes - Old Street and City Road.

9.180 Given the height and mass of the tower, its visual impact will be apparent, and has therefore been assessed, from both mid and longer-range vantage points. While there is some change to the setting of some important heritage assets, including Wesley Chapel, the RAC grounds, and Lowndes's House, the tower is located a sufficient distance from the assets themselves so as not to overwhelm them, and so as to read as part of an increasingly urbanising and intensifying inner urban context as viewed and increasingly experienced from each asset. The harm is therefore not considered to be significant.

9.181 The visual impacts have been considered and addressed through the detailed architecture including the design of an omni-directional tower (with no rear elevation) and the deployment of a series of cranks and folds that move around and up the building responding to the varying heights of key adjacent buildings. The visual impact has been further enhanced by the changing patterns of void to solid, the predominant use of terracotta, and the culmination of a well-designed 'crown' that is sufficiently legible from mid - longer range views.

9.182 The tower will act as a marker for the Shoreditch neighbourhood, signifying and celebrating its dynamism whilst reflecting a history of traditional craft that characterises much of the local area.

9.183 The environmental impacts have also been assessed and found to be largely neutral. There are some even some resulting benefits including a higher level of VSC achieved to some of the homes in the Bezier Building, and more sunlight to the new public realm surrounding the main entrance to the Old Street Station.

9.184 The wind patterns have also been tested and demonstrated to be within acceptable levels of comfort as experienced by the pedestrian at grade.

9.185 As a result of the above considerations, there are no design objections to this proposal.

Conservation, the impact on heritage and the consideration of significance

9.186 In accordance with s66 of the Planning (Listed buildings and Conservation Areas) Act 1990, special regard is to be had to the desirability of preserving the listed building or its setting when considering whether to grant planning permission for development which affects a listed building or its setting. In line with s72 special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a conservation area.

9.187 The NPPF says at 195 that theLocal Planning Authority (LPA) 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). The definition of a heritage asset would encompass a conservation area. In paragraph 197 it says that when determining applications, the LPA should take account of the desirability of new development making a positive contribution to local character and distinctiveness (amongst other things). Great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposed development on the significance of a designated heritage asset (199). Any harm to or loss of significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification (200). 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.

9.188 In paragraph 206 it says that Local Planning Authorities should look for opportunities for new development within Conservation Areas….and within the setting of heritage assets, to enhance or better reveal their significance.

9.189 In the Adopted Local Plan policy DM2.3 it says that new developments within Islington's conservation areas and their settings are required to be of high quality contextual design so that they conserve or enhance a conservation area's significance. It says that the council will resist the loss of spaces, street patterns, views, vistas, uses, trees and landscapes which contribute to the significance of a conservation area. New developments within the setting of a listed building are required to be of good quality contextual design and new development which harms its significance will not be permitted unless there is a clear and convincing justification.

9.190 In policy DM2.1 it says that all forms of development are required 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. One of the items listed is that for a development proposal to be acceptable it is required to respect and respond positively to existing buildings, the streetscape and wider context, including local architectural language and character, surrounding heritage assets, and locally distinctive patterns of development and landscape.

9.191 Islington Urban Design Guide SPD has guidance on contextual responses of new development. At 4.7 it says that in terms of built form, understanding the cumulative effect of an area's architecture is more important than a single building. At 4.8 it says that the design of new development must therefore clearly relate and respond to its setting to ensure that the proposed density and uses are suited to the site and its wider context'. At 5.20 new development should have an appropriate height to width relationship between the building frontage and the street. At 5.69, new development should complement and relate to the prevailing townscape.

9.192 At 5.84 it says that where uniform building heights form a distinctive character, major variations to this will not normally be appropriate as such locations are generally sensitive to alteration. At 5.112 the choice of materials in any new development must take account of its context. Care needs to be taken to ensure that the new material is sympathetic with the local vernacular. Any new building should have a harmonious visual relationship with its neighbours, consistency and continuity are important. The proposed palette of materials should not jar, inappropriately draw the eye, or otherwise undermine the local character or distinctiveness of the area.

9.193 Historic England in its guidance on Tall Buildings says that to avoid or minimise impacts upon the significance of heritage assets there are some principles to consider that will help, and this includes a planled approach to tall buildings to determine their location; decision making informed by understanding of place, character and historic significance and tall buildings proposals which take account of local context and historic character.

9.194 The application site is identified in a site allocation in Islington's draft Bunhill and Clerkenwell Action Plan as potentially suitable for redevelopment as a district landmark building of up to 26 commercial storeys (106m). It also says that *"The height and form of any development must be calibrated to not encroach into and BC9: Inmarsat, 99 City Road 72 detract from the view onto Lowndes House from City Road."*

9.195 The application site is located at a historically important junction of Old Street and City Road. City Rd was originally laid in 1761 from the Angel, connecting the historic Old Street to the 'New Road' to the north (now Euston Road/Pentonville Road). At that time the area around the site was at the periphery of the expanding city. Throughout the 18th and 19th centuries the area saw development for institutional and industrial uses.

9.196 There are no heritage assets on the site itself and it isn't in a conservation area, but there are a large number in the vicinity of the site. The scale of the proposed development is such that it will be widely visible and has the potential to affect the setting of heritage assets in a wider area. A comprehensive HTVIA has been submitted with the application which identifies heritage assets in the area with the potential to be affected. I am satisfied that the scope of this assessment is appropriate and that there is sufficient information to assess the likely heritage impacts off the proposal.

9.197 Heritage assets likely to be most affected by the proposal are as follows:

9.198 <u>The Bunhill Fields/Finsbury Square Conservation Area</u>

9.199 This is an area just to the north of the boundary of the City of London, characterised by historically significant open spaces and surviving commercial and institutional development. The area largely developed in the 17th 18th and 19th centuries. At the time this location was on the fringe of the growing city and this influenced the how the area developed and the historical uses.

9.200 The area is of considerable architectural and historic interest. It is notable for the quality and variety of historic buildings and structures and the varied townscape, and it contains

several very significant historic spaces and sites: the grounds of the Honourable Artillery Company; Finsbury Square; Bunhill Fields Burial Ground and Wesley's Chapel, all of which make an important contribution to significance.

9.201 Significant buildings and sites within the Bunhill Fields/Finsbury Square Conservation Area

9.202 There is a large number of listed and locally listed buildings, monuments and significant spaces within the conservation area. The HTVIA reveals that visibility and prominence of the proposed building varies considerably throughout the conservation area and the setting and significance of many of these assets will not be impacted. The main assets that I consider would be affected are as follows:

9.203 **Bunhill Fields:** Bunhill Fields is a non-conformist burial ground dating from the 1660s. The plan form and boundaries are 18th century. It is a Grade 1 registered historic park and garden containing numerous listed structures and monuments. It is of considerable architectural and historic intertest, including associations with significant people who are buried there. The location outside of the (historic) city limits is significant as it connects to the non-conformist history.

9.204 The green, open and tranquil character of the space itself makes an important contribution to character and significance, providing a connection to the past when the area would have had a very different and less urban character. It is now surrounded by much denser later development contrasting with the open character of the space itself. This contrast is now part of the established pattern of development and helps to illustrate how the area has developed and changed over time. However, these larger buildings do cumulatively detract from the important characteristic of openness and there is the potential for new larger developments to erode this further if visible from within the space.

9.205 **Wesley's Chapel Grouping:** This is a group of building associated with the early Methodist movement and with 18th century theologian and Methodist leader John Wesley, laid out around a central forecourt/courtyard. The buildings are neoclassical in style and the group has a clear symmetry and hierarchy with the Grade I listed chapel dating from 1777-8 as the centrepiece – considered to be of exceptional architectural and historic interest. Other significant structures in the group include:

John Wesley's House (Grade I)

Statue of John Wesley (Grade II)

Burial ground containing John Wesley's tomb (Grade II*)

Memorial to Susannah Wesley (Grade II)

Chapel Keeper's House (Grade II)

The Manse (Grade II)

Benson Building (Grade II)

9.206 The forecourt around which the buildings are organised makes an important contribution to the significance of the group, not least because it is the best place from which to appreciate the surrounding architecture. The enclosed nature of the space means that surrounding modern buildings are not generally visible from within it, and so the scale and composition of the historic buildings remains largely unspoilt. (Some modern buildings are glimpsed, but they are not noticeable or prominent.)

9.207 **Armoury House and the Grounds of the Honourable Artillery Company:** The grounds of the HAC is a highly significant historic open space. Its use by the HAC dates back to 1658. Grade II* listed Armoury House is the headquarters of the company and dates from the early 18th century with 19th century additions. It is symmetrical in form and set in the middle of the north side of the grounds where it provides a focal point for the space. The functional and visual relationship between this building and the open space makes an important contribution to the significance of both.

Figure 43: View north through HAC grounds

9.208 There is a considerable amount of large modern development visible from within the grounds which detracts from its open character and is incongruous and imposing viewed alongside the smaller scale of the historic buildings. This is more focussed around the southern side. The north side retains more of its openness. There are some existing large modern buildings visible immediately behind Armoury House in this important view and these detract from its setting, but they are not as big as the buildings to the south and it currently retains at least some of its prominence in this view.

9.209 Grade II listed Finsbury Barracks at the north east corner of the HAC grounds also forms part of the group, but the principle elevation addresses City Road rather than the HAC grounds. Because of this, views from the HAC grounds make less of a contribution to its setting and significance.

9.210 **Lowndes House:** Lowndes house is a grade II listed building dating from 1929. It was designed by architect William Lewis as the headquarters of the Singer sewing machine company. The building has ornate street facing facades in the classical style with rustication and still displays the ‘Singer’ signage.

9.211 It has a very prominent situation at the junction of City Road and Tabernacle Street with frontages on both streets, and the design of the building clearly responds to this situation. The bowed corner frontage and dome mark an important junction and are prominent in street views along City Road from the south. The setting within the wider townscape and views from the south therefore make an important contribution to its significance.

9.212 The potential for the development site to impact the setting of this building is recognised in the draft Local Plan site allocation, which requires that the height and form of development be calibrated to not encroach into and detract from the view onto Lowndes House from City Road.

9.213 **The Central Foundation School site and surrounds:** The Central Foundation Boys School occupies the urban block immediately to the south of the development site, and its principal frontage faces Cowper Street immediately opposite one of the frontages of the application site. The school site contains two grade II listed buildings. The Central Foundation Boys School building to the north of the site was built c. 1866-67 and extended in 1894 and is listed as a good example of a mid-nineteenth century charitable school building of considerable scale and gravitas, which combines a distinguished façade with interiors of interest. This is immediately opposite the development site. The Shoreditch County Court building, formerly Finsbury Technical College built in c.1881 and designed by Edward Clifton, is on the south side of the site. It is listed for its significance as the first technical college in England. Adjoining the Shoreditch County Court building are the Sunday School and Tabernacle buildings which are not statutorily listed but make an important contribution to the significance of the site and to the setting of the listed buildings.

9.214 The school buildings have a generally consistent scale and are arranged around the edges of the urban block with an open central courtyard that was recently refurbished as an amenity space for the school. Views from the courtyard allow the architectural character of the school buildings to be appreciated. Various large modern buildings are visible from within this space above and behind historic school buildings, but none of the existing buildings remotely approach the scale of the proposed development.

9.215 The school site is in the northern part of the conservation area. This area including Tabernacle Street and side streets has a somewhat consistent scale and character, notable for the surviving 18th and 19th century commercial buildings. 22-24 Cowper Street (immediately opposite the site) is locally listed. Specific guidance on new developments on Tabernacle Street is provided in the Bunhill Fields/Finsbury Square Conservation Area Design Guidelines (at paragraphs 22.14 and 22.15). This identifies four or five storeys "sheer from back of pavement" as the predominant scale and form of development and says that new development should blend with the established character in terms of scale, materials and ornament.

9.216 Inmarsat House, the existing building on the development site, does not respond successfully to the established scale or character in this part of the conservation area. Incongruous characteristics include the entirely glazed façade, overall height, and set back from the street frontage. In its current form, the development site is considered to detract somewhat from the setting of the Central Foundation Boys School and from the character and appearance in the immediate vicinity.

9.217 <u>Moorfields Conservation Area</u>

9.218 The Moorfields Conservation Area comprises an impressive group of late Victorian and Edwardian commercial and institutional buildings fronting City Road which are generally richly ornamented and give this section of City Road a cohesive character and scale. The Moorfields Conservation Area Design Guidelines (2002) note that the area is subject to intense development pressure resulting from the 'City Fringe' location, and the CA is included on Historic England's 'Heritage at Risk' Register.

9.219 The conservation area contains several locally listed buildings including the Moorfields Eye Hospital complex, and the grade II listed Leysian Mission on City Road, which is identified as a landmark (LL15) in Islington Local Plan Policy DM2.5.

9.220 South Shoreditch Conservation Area (Hackney)

9.221 This area developed as a 19th century industrial suburb with associations with furniture and print making industries, and much of the street layout and character derives from this period of development. It is notable for the industrial character of the architecture and the generally consistent scale and street pattern.

9.222 There are quite a large number of listed buildings and assets within the conservation area. Of most relevance to the development proposal are grade I listed Church of St Michael dating from 1865 by notable gothic revivalist architect James Brooks, and grade II* listed St Michael's Church School (1870) also designed by James Brooks and part of the same complex. This group is located towards the east side of the conservation area closer to the application site. This complex is set within Mark Square and the setting is quite enclosed, largely now surrounded with larger buildings that obscure any opportunities for longer views of the church. The buildings are therefore experienced mostly at close range from within the square or from the immediately adjacent streets Mark Street and Luke Street.

9.223 The scale of the proposed building is such that it would be visible over a wide area and it is in a potentially sensitive location due to the large number of heritage assets in that area (including some with a high level of significance). It is considered that it would have an impact on the significance of the assets described below. The impacts described are all as a result of changes to the setting of assets and are mainly visual impacts, where the proposed building would be visible in views.

9.224 In all cases, the harm resulting from the proposal would be less than substantial, and generally a low level of less than substantial harm. However, it is important to note that some of the affected assets have high or very high level of significance, and this should be taken into account in reaching a decision.

9.225 The majority of the impacts described below result from the very large scale of the proposed building. The applicant team have worked closely with officers to develop the design of the building, and other aspects of the proposal including the quality of the architecture, the relationship of the building with the street and the proposed public realm are considered to be of a very high quality (as set out in the Design Officer's comments) meeting the expectations for high quality contextual design set out in the Islington Local Plan.

9.226 The building would be visible from many locations over a wide area and would be a prominent addition to the townscape and skyline (as evidenced in the HTVIA). Its visibility would not be limited to the locations described below. However, for many of the locations and assets identified in the scoping section of the HTVIA the visibility of the tower would not result in any identified harm to heritage significance.

9.227 The main impacts are all within the Bunhill Fields/Finsbury Square Conservation Area, but very minor adverse impacts in the Moorfields Conservation Area and East Shoreditch Conservation Area have been identified.

Impact on Armoury House and the HAC grounds

9.228 The view of Armoury house from the HAC grounds is an important part of the setting and contributes to significance. The proposed building would be very prominently visible (as shown in view 6 in the HTVIA) and would appear quite dominant. It is acknowledged that quite a number of large-scale modern buildings are visible from within the parade ground already, but there is still the potential for incremental harm as a result in additional large developments. It is noted that most of the existing large and prominent buildings are around the southern end of the space and less noticeable in views north towards Armoury House

(view 6). The proposed development would appear noticeably larger than any existing background buildings in this view, resulting in a detrimental impact on the setting of Armoury house and causing harm to significance. Taking into account the existing context of visible tall/large buildings, the impact would be a relatively low level of less than substantial harm.

Impact on Wesley's Chapel and other buildings in the group:

9.229 This group of assets is close to the site. A supplementary heritage analysis specifically focussing on this group of assets has been provided by applicants in addition to several views in the main HTVIA. It is evident from this analysis that the enclosed character of the courtyard limits the visibility of the proposed building considerably, but that it would be visible from some areas within the courtyard and would have an impact on the setting of these assets.

9.230 The enclosed courtyard setting makes an important contribution to significance. This is in line with Historic England's comments on the application, which state: *"The careful arrangement of buildings around the courtyard and their complementary yet subservient architecture to the Chapel provide a sense of hierarchy and formality. These attributes of the Chapel's setting also contribute to its significance. As previously set out, these attributes are best appreciated in east-facing views along the central axis. In these views, the chapel can be appreciated as the centrepiece and visual terminus of the building ensemble."* It is not agreed that the applicant's analysis of the impact, which is that the significance of the chapel would not be affected and that no harmful impacts are identified.

9.231 The visibility of a large modern building of a completely different scale and type above the historic roofline would introduce a visual distraction and erode hierarchy, scale and sense of enclosure resulting in a harm to the significance of the assets in the group.

9.232 The applicants' report does demonstrate that the areas of visibility are localised, and the building would appear in the periphery of key axial views rather than as a central element. For these reasons it is considered that there would be a low level of less than substantial harm. However, it is important to note that as a Grade I listed building, Wesley's Chapel is considered to be of exceptional significance and is of national importance. Other assets in the grouping are also highly significant, and great weight should be given to the finding of harm in accordance with NPPF paragraph 199.

Impact on Bunhill Fields

9.233 The visibility of the proposed building from Bunhill Fields burial ground is illustrated in View 12 in the HTVIA. The building would appear quite prominent in winter views rising above existing buildings. Other large scale modern buildings are visible from within Bunhill fields and the juxtaposition of the ancient open space with surrounding dense development is, to a degree, part of its established character. However, there is still potential for incremental harm as a result additional large developments and the proposed building would be of a noticeably larger scale than the existing ones in the view and would result in a noticeable additional impact encroaching on views from the burial ground and increasing the sense of enclosure somewhat. Again, this would be a low level of less than substantial harm.

Impact on Lowndes house

9.234 The setting of Lowndes House on a prominent junction and its relation to the wider townscape make an important contribution to its significance. Long and short street views when approaching along City Road from the south/Finsbury Square are of particular importance as the building is prominently framed and its distinctive domed roofline can be appreciated. The Local Plan site allocation for the development site states that the height

and form of any development must be calibrated so that it does not encroach into and detract from the view onto Lowndes House from City Road.

9.235 A comprehensive analysis has been provided to illustrate the visibility of the proposal in these views and how this varies in dynamic views (views 15A, B, C, D and E in the HTVIA and additional analysis report). It is evident that the building would be prominently visible in some mid-range and longer views, appearing above and behind the dome of Lowndes house, and would be a somewhat distracting presence. It would diminish the ability to appreciate the distinctive domed roofline causing harm to significance.

9.236 However, the area of visibility would be relatively localised. The analysis also shows that the proposed building would not impinge on long range views from Finsbury Square itself or close-range views from immediately in front of the building. The distance between the development site and Lowndes House, which is quite large and would be evident when experiencing the views in real life (as opposed to in a flat image), reducing the dominance of the proposed building. For these reasons there would be a low level of less than substantial harm to significance.

Impact on the Central Foundation School site and surrounds

9.237 This asset group is the closest to the development site, occupying the urban block immediately to the south. The proximity and the very large scale of the proposed building mean that it would appear very imposing from within and around the school site and would be of an entirely different scale and form to the consistent established scale of the historic buildings and would therefore cause some harm to character and significance. This impact is illustrated in view13 (*Tabernacle Street looking east along Cowper Street*) and 14 (*Leonard Street east of junction with tabernacle street*) in the HTVIA. It would be similarly prominent when experienced from the school courtyard, but it hasn't been possible to provide a visualisation from within the courtyard.

9.238 I have also considered potential enhancements to significance in this area. I consider that the improved quality of the public realm around the development site would provide some enhancement to the setting of these assets and the ability to appreciate it. I also consider that the proposed design (when compared with the existing building) would deliver a much-improved frontage and façade to the lower part of the building facing Cowper Street and would considerably improve the relationship of the building with the street and context.

9.239 Overall, the development would have a neutral net impact on the significance of the school site. The enhancements described above would approximately balance out the harmful impacts resulting from the building's scale.

Impacts on The Bunhill Fields/Finsbury Square Conservation Area as a whole

9.240 The sites and buildings described above all make important positive contributions to the character and appearance of the Bunhill Fields/Finsbury Square Conservation Area and its significance. Therefore, the localised impacts described above would contribute to a cumulative impact on the significance of the conservation area as a whole.

9.241 The impacts described above are all localised. The HTVIA reveals that the visibility of the proposed building would vary considerably, with little or no impacts identified in some parts of the conservation area. The enhancements described in 3.16 above would also be very localised around the immediate area of the development site, and have been factored in to the overall assessment. Overall, there would be a low level of less than substantial harm the significance of the Bunhill Fields and Finsbury Square Conservation Area.

Moorfields Conservation Area

9.242 The Moorfields Conservation Area runs along the south side of City Road. Buildings on this side have a consistent scale, character and hierarchy. The general absence of existing tall/large buildings that are visible above and behind the roofline of the historic City Road frontage is an important aspect of setting as it allows the scale and form of the historic buildings and townscape to be appreciated when viewed from City Road.

9.243 However, there are quite a lot of existing large scale tall buildings in the area, especially along the north and east sides of City Road opposite the conservation area. This aspect of the existing setting detracts from the character and appearance of the Conservation Area and its significance. There is the potential for new large scale developments visible on the north and east sides of City Road to add to this cumulative harmful impact.

9.244 The proposed development would be clearly visible and prominent from within the Moorfields Conservation Area as shown in view 8 (*City Road corner with Britannia Walk*), 9 (*City Road corner with Baldwin Street*) and 10 (*City Road north of Old Street Roundabout*) in the HTVIA, and it would be of a dominant scale compared with the historic part of the street. It would sit within/adjacent to the established group of tall buildings and would add to the cumulative impact of this group on the setting of the conservation area. However, it would not appear above or behind any of the historic frontage buildings and would not compromise the consistent scale and roofline of the buildings within the CA itself on the south side of City Road. Crucially, it would not impinge upon views of the grade II listed Leysian Mission on City Road, which is identified as a landmark (LL15) in Islington Local Plan. It would also be set apart from the Moorfields area as it is on the other side of the Old Street Roundabout, providing a good amount of buffer space between it and the CA.

9.245 Overall, there would be a very low level of less than substantial harm to the Moorfields Conservation Area because the building would add to the existing cumulative impact of tall buildings in the area.

South Shoreditch Conservation Area

9.246 There are localised impacts on the setting of the Church of St Michael within the South Shoreditch Conservation Area. The church is in the relatively enclosed and tranquil setting of Mark's Square with limited views out towards the busy urban environment beyond.

9.247 The HTVIA shows that the proposed building would be visible above the rooflines of the buildings that surround Mark's square. It would be of a much larger scale than any of the buildings around the square and would appear somewhat incongruous and distracting. This is shown in view 27 (*Luke Street looking across Banner Street)* in the HTVIA. However, this impact would be localised to a small section of Luke Street and would not affect any principal views of the church itself or its spire and roofline. The relatively large intervening distance and the mitigating effects of trees in Mark Square which would mask the view during summer months. Overall, this would result in a very localised, very low level of less than substantial harm to the significance of the Church of St Michael, St Michael's Church School (Grade II*) and the South Shoreditch Conservation Area. However, as a grade I listed building the Church is considered to have a high level of significance and this should be taken into account in reaching a decision.

9.248 The proposal would cause harm to the significance of the Bunhill Fields and Finsbury Square Conservation Area. This would be a low level of less-than substantial harm.

9.249 The proposal would cause harm to the significance of the following statutorily listed assets as a result of changes to their settings:

Armoury House (Grade II* listed building)

Bunhill Fields (Grade I registered historic park and garden) and various listed structures within it

Wesley's Chapel (Grade I listed building of exceptional interest) and other buildings in the group (Grade II listed statue of John Wesley, Grade II listed entrance gates)

Lowndes House (Grade II listed building)

9.250 The proposal would result in a very minor low level of harm to the significance of the Moorfields Conservation Area, the South Shoreditch Conservation Area and Grade I listed Church of St Michael.

9.251 The proposal would have a neutral impact on the Central Foundation Boys School building and former Shoreditch County Court Building (both Grade II listed). The harmful impact as a result of the scale and bulk of the proposed building would be offset by the enhancements to the street environment and immediate setting of these buildings, resulting in neutral overall impact.

9.252 The building would be visible across a wide area and would be a noticeable addition to townscape generally and to the settings of a large number of heritage assets detailed in the scoping section of the HTVIA report. However, in most cases this would not result in any harm to significance. The main harmful impacts would be to assets that are closest to the site within the Bunhill Fields and Finsbury Square Conservation Area as described above. In all cases the harm would be classified as 'less than substantial' and within that category the level of harm would be low.

9.253 Great weight should be given to the conservation of designated heritage assets as set out in section 2 above, and decision makers should take into account that several of the assets listed above are listed at Grade II* or Grade I and are therefore considered to have a high/exceptional level of significance.

9.254 As set out in the NPPF, decision makers should consider whether the harm would be clearly and convincingly justified in this case. In accordance with paragraph 202, the harm should be weighed against the public benefits resulting from the proposal. It is also relevant to consider whether the harmful impacts have been minimised and opportunities for enhancements to significance maximised (as set out in stage 4 of the four-stage process from *Historic England GPA3: The Setting of Heritage Assets (2017)* described in paragraph 2.18 above).

9.255 *Historic England Advice Note 4: Tall Buildings (2022)* provides principles to avoid or minimise impacts of tall buildings on the significance of heritage assets. These include taking a plan-led approach to tall buildings to determine their appropriate location; decision making informed by understanding of place, character and historic significance and tall buildings proposals which take account of local context and historic character.

9.256 The proposal is identified as a site suitable for a tall building in Islington's Local Plan and is supported by a site allocation. Officers consider that it is an appropriate location for a landmark tall building. The applicant team have worked closely with officers to develop the design of the building, including considering heritage impacts and contextual design from an early stage. The constrained site footprint and the aspiration to retain and reuse the existing structure mean that there are no real site layout options or alternative locations for the tall building that could be considered in order to reduce the harmful impacts described above. However, the quality of the architecture, the relationship of the building with the street and the quality of the public realm are considered to be of a very high quality (as set out in the Design Officer's comments). It would therefore be reasonable to conclude that

the harmful impacts have been minimised as far as possible for a building of this size, and potential benefits maximised in line with HE guidance.

However, decision makers should also consider that the height of the proposed building is considerably in excess of the maximum appropriate height indicated in Islington policy. It is likely that any tall building on the site as envisaged in the Local Plan would result in some harmful impacts along the lines described above. However, I consider that the additional height and very large scale of the current proposal is a considerable contributing factor in the harmful impacts identified above. Decision makers should consider whether this is adequately justified and whether these impacts are outweighed by the other benefits resulting from the ambitious scale of the scheme.

Archaeology

9.257 The application site is located within a designated Archaeological Priority Area (APA) – 'Moorfields'. The submitted 'Archaeological desk-based assessment' prepared by Museum of London Archaeology dated July 2022 outlines that there is potential for early post-medieval archaeological remains to survive on the site. Any archaeological remains on the site will be entirely removed by the proposed development. Historic England – Greater London Archaeology Advisory Service (GLASS) have been consulted on the application and have recommended further evaluation of the nature and extent of surviving remains, followed by, if necessary by a full investigation.

Accessibility

9.258 Policy D5 of the London Plan 2021 requires all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy DM2.2 of the Islington Development Management Policies 2013, which requires all development to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset and over its lifetime.

9.259 Fundamentally, the Council's inclusive economy and social value approach to development in the Borough seeks to access to jobs, services and homes to the greatest range of people as possible, providing opportunities for all. Ultimately, the development is required to be accessible throughout including access to the building, accessible journeys to the building, along with safe and inclusive movement through and around the building using adaptive design to facilitate this.

9.260 In light of these requirements, the scheme is able to incorporate key inclusive economy requirements. The site is located adjacent to a major transport hub at Old Street station and the site is located within a PTAL 6a location. However, neither the railway station nor the underground station has step free access, although a lift has been constructed to take persons from street level to the shopping mall concourse level below. The nearest underground station from the site is at Moorgate which incorporates principles of step free access but this is not universal across the station. London Buses which do provide ramped access from street level are served by several bus stops around the site and therefore disabled access through passenger transport is possible around the site.

9.261 While the site is constrained by the location of red route carriageway in both City Road and Old Street, the scheme layout design proposes the formation and use of a designated disabled car parking bay on Cowper Street as well as drop off facilities. This would be located very close to a building entrance, as well as the pedestrian linkage route through the building, the café, great room and office foyer/concierge.

9.262 Around the outside of the building, the proposed public realm improvements that would be carried out in connection with the scheme would also support a safer more accessible and inclusive public realm setting. The partial demolition of the existing building would result in the change to current building lines. This is particularly evident on the western elevation facing the Old Street Roundabout and also on the Old Street northern elevation. The current building has quite a progressive western elevation compared to the proposed building. The demolition of this part of the structure allows for a larger external area of public realm. While part of this will accommodate waiting and landing areas for pedestrians using the pedestrian crossing across City Road and on to the Old Street roundabout this will allow greater space for people in wheelchairs and those using pushchairs to navigate the space in this location. On the northern elevation, the proposed regression of the building line would allow for a significantly wider pavement, some of which would be partially covered by a building overhang and a colonnade. This would increase the existing pavement width from 2.7m which is separated from the highway by a cycle lane to 6.7m. The application documents propose a clearer demarcation between pedestrian pavement and cycle lane by way of a small but noticeable vertical upstand. Finally, the public realm would also be improved in Cowper Street. Notwithstanding the new station access adjacent to the southwest corner of the building, there is again a much more spacious circulation space leading into Cowper Street. The applicant proposes a shared surface extending out into the carriageway within Cowper Street. While there is a general presumption against shared surfaces by the Council and the Department for Transport and others for the impact that it potentially creates for visually impaired people for example, the applicants have agreed to provide a detailed shared surface plan by way of a planning condition (11)) which would incorporate upstands to demarcate between the spaces to be used for different modes.

9.263 End of journey facilities for cyclists are of significant importance to office floorspace developments for both sustainability as well as matching the expectation of what Category A office floorspace can offer. The London Plan requires that 20% of all cycle spaces should cater for accessible bikes, non standard bikes and single tiered Sheffield stands with a 5% provision for the former and a 15% provision for the latter. As a result, 44 non standard parking spaces are proposed and 132 single tier Sheffield stands are proposed. Combined, the 176 spaces provide 20% provision which meets the requirement. In addition, development is required to provide adequate provision for mobility scooter charging and storage.

9.264 At ground floor level, the proposed development features a range of different facilities, including a café, the office foyer/concierge, the pedestrian link with access to basement storage and first floor affordable workspace and the community floorspace. All these spaces would be step free with level access from the existing pedestrian pavement around the site. While it is acknowledged that some ramping will need to occur from Cowper Street to access the café, all level changes are within tolerance levels for the Council's Inclusive Design SPD and Building Regulations. The most prominent land level change would be in Cowper Street and accessing the level immediately in front of the café. This level is accessed by a short 12m ramp with a 1:12 gradient which is acceptable in the context of the Inclusive Design SPD. This level is proposed to feature tables and chairs for outdoor use. The ground floor layout plan indicates a clear strip for unimpeded movement with a width of 1.5m which is considered acceptable.

9.265 The pedestrian link through the building connecting Cowper Street with Old Street has a maximum width of 6.0m although this reduces to 3.0m in parts. This width is sufficient for passing. This space should also be appropriately lit and waymarked to facilitate easy navigation.

9.266 All entrances are level threshold and only one requires a change of level for either access or internal circulation after the entrance. This is the access from the pedestrian link to the office reception area. The link has an AOD of 16.850 while the lobby has an AOD of 17.6. Access from the former is via a set of steps. However, to mitigate this level change, there is a lift from public link with direct access into the lobby. The scheme proposes clear, logical and direct access to the various lift and stair cores. Each floor consists of step free circulation from the lift core into substantive functional office floor plates. Corridors are generally wide with no corridor width less than 1200mm. Passing places are 1800mm wide x 1800mm long are provided at junctions in corridors that are less than 1800mm wide to allow two wheelchair users to cross each other. An additional 1500mm width is provided in appropriate locations to provide for turning space.

9.267 Unisex wheelchair accessible WCs are available within each sanitation core. WCs are also designed and proposed for ambulant disable. No disabled WC is to be provided more than 40m from the furthest workspace. There are toilet facilities for each of the separate ground floor uses, and the applicant has confirmed (by way of reference to the Design and Access Statement) that accessible WCs will also be provided within the office lobby, great room and community room.

9.268 The proposals comprise a single core at the centre of the building which contain two fire stairs/fire lifts and evacuation lifts. Additionally there is a secondary core on the northeast which contains a fire stair and an evacuation lift. Proposed lifts have dimensions that exceed the Part M Building Regulations. All lifts will open to a level landing with dimensions of 1500mm x 1500mm. The internal stairs will be designed to Part K compliance including dimensions that support ambulant disabled people, clear tonal contrast for visually impaired people and suitably robust handrails.

9.269 The ability for everyone to access the optimum spaces of a new building is of critical importance and this includes the external terraces. Terraces will be provided for office employees at levels 1, 3, 5, 7, 9, 14, 18, 24, 30 and 33. All terraces are level access and have a minimum width of 1500mm. Details of the landscaping and layout of all the terraces will be secured through condition 18 so that access details can be evaluated prior to their construction and first use.

9.270 The application has been considered by the Council's Inclusive Design officer who provided comments and observations on the application. While the officer is supportive of the scheme in principle, requests for further information have been made in relation to design details concerning public realm, cycle parking and end of trip facilities. Further information was also requested around seating, handrails, and general design principles around level changes. It is recommended that further details will be reserved to condition (#23) to establish full compliance where possible with building regulations and the Council's Inclusive Design SPD.

Neighbouring Amenity

9.271 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. In this regard, the proposal is subject to London Plan Policy D4, as well as Development Management Policies DM2.1 and DM6.1 which requires for all developments to be safe and inclusive and to maintain a good level of amenity, mitigating impacts such as noise and air quality.

9.272 There are immediate residential occupiers to the application site, specifically the Bezier Apartments to the immediate south of the development at 95 City Road. A number of buildings in surrounding streets have also been converted in part to residential use. The

list of properties identified by the applicants to contain residential (and other sensitive) uses are as follows:

1	101-103 Great Eastern Street	13	Newland Court
2	97 Great Eastern Street	14	Imperial Hall, 104-122 Citiy Road
3	95 Great Eastern Street	15	125 City Road
4	93 Tabernacle Street	16	123 City Road
5	91 Tabernacle Street	17	121 City Road
6	87-89 Tabernacle Street	18	Adeyfield House
7	112-116 Tabernacle Street	19	Shoreditch Training Centre
8	25 Cowper Street	20	Chaulden House
9	Central Foundation Boys School	21	Kensworth House
10	Bezier Apartments	22	Gaddesden House
11	Galaxy House	23	Gaddesden House
12	24 Leonard Street		

Overlooking and privacy

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

9.274 The nearest residential building is Bezier Apartments, however, this is situated directly to the south of the site on the southern side of Cowper Street and as a result would not qualify for a privacy and overlooking assessment based on the caveats set out in policy DM2.1. The development would largely replicate the footprint of the current building on its southern side. The proposals result in the provision of a level 5 external terrace along the southern elevation, however, this is very thin in nature and the capacity and its position would largely face on to the Central Boys Foundation School and not the Bezier Apartments more directly.

9.275 Beyond this terrace relationship, officers are satisfied that the closest other relationship to a residential building is more than 18m away.

9.276 Given the prevailing Central London urban context, officers do not consider that the proposal would give rise to undue privacy concerns consistent with the character of the area.

Outlook and sense of enclosure

9.277 The proposal is not considered to give rise to an unduly harmful loss of outlook or unduly harmful increase sense of enclosure when viewed from neighbouring residential properties given the context of the urban location.

9.278 The site does not directly adjoin any neighbouring residential properties. However, the nearest residential properties are the Bezier Apartments on the southern side of Cowper Street and Chaulden Court on the northern side of Old Street. Bezier Apartments was constructed following the completion of Inmarsat House and the 9 to 10 storey mass of Inmarsat House was a consideration at the time that P052328 was appraised by the Council in 2005-2006.

9.279 However, as it can be seen in the images below, taking into account the fact that the 'nose' of the building is being demolished, shortening its westward projection, no part of the building would exist in front of the bulbous element of the northern tower and that balconies would continue to have a view over the roundabout. Openings and balconies on the eastern elevation would continue to retain its unfettered outlook towards the Central Boys Foundation School site and Tabernacle Street beyond.

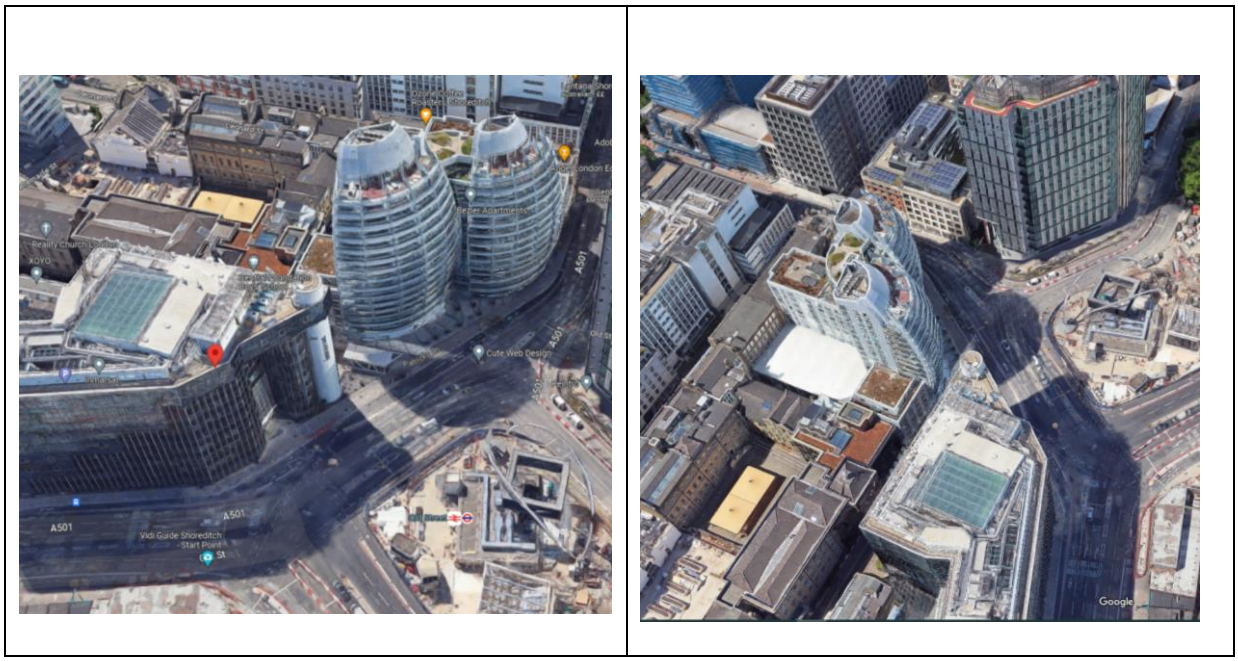

Figure 44: Relationships between Bezier Residential and Inmarsat House site.

9.280 There is however, a lower five storey element on the southern side of Cowper Street which faces north towards the proposed development which currently has inferior outlook and a greater sense of enclosure than the rest of the Bezier Apartments caused by Inmarsat House. The proposed development would retain the perception of massing and scale through the podium element but would subsequently endure the presence of a 35 storey tower directly to its north as shown below:

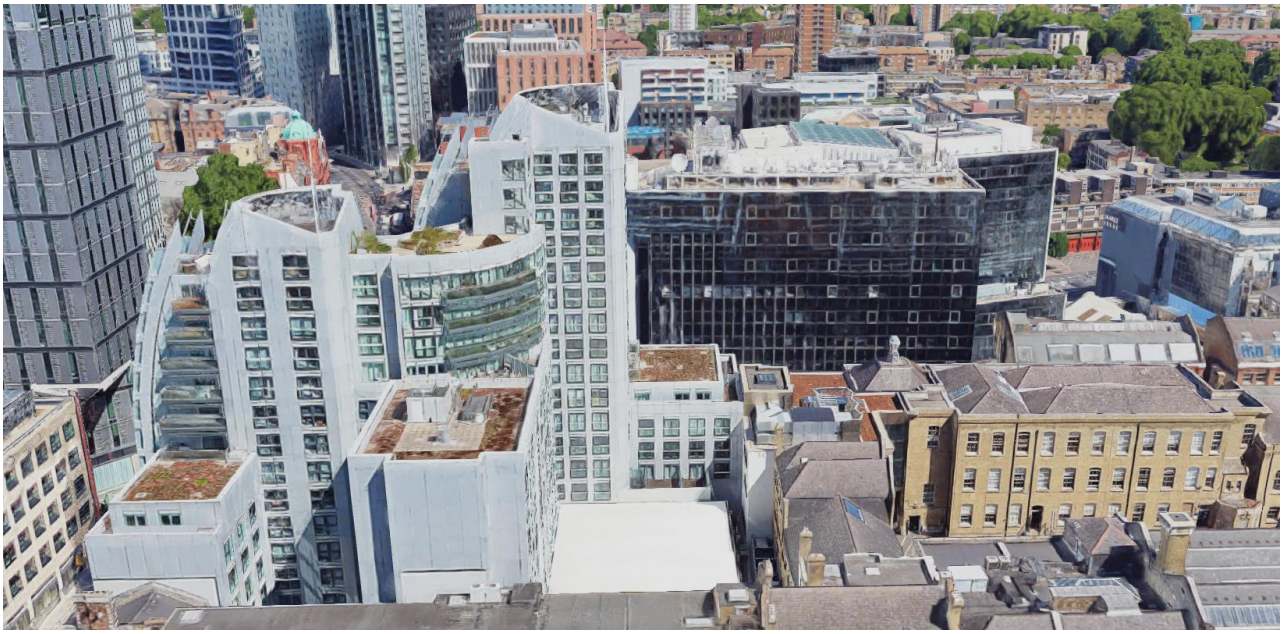

Figure 45: Rear (southern elevation) of Bezier apartments. Black building central is Inmarsat House demonstrating that Inmarsat House as a worst case scenario doesn't block views from Bezier with the exception of small section over four storeys.

Figure 46: Four storey section of Bezier apartments which contains 8 north facing apartments which would be situated directly opposite the new development.

9.281 On the northern side, the units open to Juliette balconies and openable patio doors, although with internal mechanical ventilation, they are not required for cooler air and noise and air quality impacts are minimised. Each of the four floors has two single aspect north facing units overlooking towards Cowper Street. The openings serve an LKD and a bedroom within each of the eight flats. While the daylight assessment (below) suggests that there would be a retention of acceptable daylight to each of the eight units, the proposed development would exacerbate a poor level of outlook that already exists. The applicant recognises that the Bezier Apartments are the most sensitive receptor close to

the building, however they have determined that optimising site potential and maximising scheme benefits and exceptional design outweighs the harm that would occur. Nevertheless, it is considered that given the current on site situation, the inactive elevations and architecture that would have a negative to neutral contribution to townscape, it is considered that the impact on sense of enclosure would be acceptable.

9.282 Chaulden House which is situated to the north of both 99 City Road and Old Street, would be 52m away from the site boundary. The two lowest floors facing south already look onto the rear of the retail properties that provide a direct frontage to Old Street. As a result the upper three floors would have an outlook towards Inmarsat House in its current form. The slender nature of the tower, combined with the distance to the south of Old Street would ensure that the main part of the building would only form a small part of a wider outlook panorama from windows within Chaulden House, insofar as that the building would not fill the full field of view from this building.

Noise and disturbance

9.283 The proposed development would change the current street level activity when construction is complete and occupation has occurred. The current building is visually impermeable and functionally sterile with the exception of the entrances to Old Street roundabout and Cowper Street. Unlike Bezier Apartments redevelopment, there are no ground floor commercial uses. The proposed development introduces commercial activity, public functions and public permeability around and through the site. The northern side provides for a widened pavement with colonnade allowing views into an active frontage at ground and first floor level. The western frontage would enclose the 'Great Room'. Drawings indicate that this space can be opened so that activities, functions and events can spill out on to the public realm. The southern side proposes a café with outdoor seating on a raised section above street level, while a new pedestrian linkage connects both Cowper Street and Old Street. Furthermore, new elevated external terraces are proposed including on the southern Cowper Street elevation. All this is in the context of an uplift of 2000 employees on site and an increase in the station capacity at Old Street.

9.284 The applicants have provided a noise assessment to support the application which has been prepared by Watermans. The assessment recognises that the most sensitive receptors closest to the site include the Bezier Apartments, Central Boys Foundation School and Chaulden House. The first two are within 15m of the site boundary while the latter is approximately 50m away. The closure of the northwestern arm of the roundabout has brought two way traffic to all three remaining sides of the roundabout including directly in front of the site.

9.285 The site and its surroundings are dominated by road traffic noise principally on City Road and Old Street. However, the main noise considerations from the proposed development that may adversely affect the prescribed sensitive receptors are noise from the reconfiguration of existing plan and the installation of new plant and building services and the changes to the existing service yard and operations.

9.286 The proposed development is car free while the current configuration offers parking for 15 vehicles. Together with the likely vehicular movements to support the servicing of the proposed development it is considered that traffic noise impacts will be limited and as a result, noise from traffic as a discernible impact will be discounted from consideration.

9.287 A baseline noise survey was carried out in November 2022 in Cowper Street and also at a location close to Chaulden House and Adeyfield House.

9.288 The noise criteria for the London Borough of Islington are that for fixed plant the rating level should be at least 5dB below background noise level. The scheme proposes plant at sub-

basement and basement, levels 2, 3 and 4 plantrooms, levels 17, 27 and 35 and roof top. Plant located at basement and sub-basement level are not anticipated to result in any significant adverse impact due to sound insulation provided by the building structure. Exhaust discharge from these facilities are to be mitigated through ducting attenuators and acoustic louvres where required. Plant situated within the podium would be subject to the same mitigation.

9.289 Plant located at roof level would be situated at AOD 169m with surrounding sensitive receptors at AOD 72m (Beziers) and 35m (Central Boys School) with Chaulden House at 32m. Sensitive receptors are therefore below the height of the tower roof level and therefore do not look directly on to rooftop plant and therefore benefit from the screening afforded by the building's architectural detailing and design. On this basis, the rooftop plant is anticipated to result in negligible impact. The applicant has designed that plant would be 10dB below the background noise levels for Bezier Apartments and Central Foundation Boys School which is considered to be policy compliant.

9.290 The proposed development would introduce commercial activity at ground floor level in Cowper Street through a café and one side elevation of the 'Great Room'. This would be the first commercial activity and active frontage in Cowper Street, although there are ground floor commercial units at 95 City Road (the ground floor of Bezier Apartments, but these are situated away from Cowper Street). The applicant has not determined the hours of opening for the café or the Great Room, while access to the office would likely be 24 hours a day. The Council's licencing policy suggests that cafes and coffee shops can be open up to 11pm weekdays and up to midnight on weekends, opening from 8am on any day. Given the location it is suggested that the café should open from 0700am to 2300 while the 'Great Room' should be open to the same period. No express objections have been received from the Environmental Health officer in relation to opening hours or the presence of these uses in the context of the surrounding residential neighbours.

9.291 The existing site has a service yard accessed from Cowper Street which is partially open air and partially covered. The service yard and its access will be retained and reconfigured with the provision of two loading bays and a turning yard. Access will remain unchanged but the service yard will be under cover. The noise impact from servicing and delivery vehicles especially HGV movements, manoeuvres and unloading will be dependent on the distance attenuation and proposed screening together with the pattern of servicing and delivery management. The undercover servicing yard will limit much of the noise from servicing although there will be some escape through the entrance which will largely and uniquely affect the school. Absorbent material could be used within the servicing yard to prevent noise impacts. However it should be noted that the school is currently directly opposite the servicing yard, so there are already some noise impacts. The applicant estimates that there is currently a maximum delivery impact of 27 vehicles a day which would increase to 64 per day with a maximum of 7 per hour. The Environmental Health officer has raised no objections to the sound levels associated with delivery movements.

9.292 The Environmental Health officer has proposed a range of noise – related conditions including securing either through condition or legal agreement an appropriate Construction Management Plan; a fixed plant below background noise level condition (#4) and a condition (#5) to control the noise generated by standby plant. This is accompanied by operational protocols set out within an informative. Emergency diesel generators are installed as backup power for emergency life-saving purposes such as fire safety for residents in tall buildings, vital computer suites or emergency lighting. These generators are usually run monthly as part of their maintenance regime. When maintenance runs are initiated there is usually a large plume of black smoke emitted. Therefore, it is essential that these flues are situated at height and well away from air intakes, balconies, roof terraces and openable windows. When installing an emergency generator Islington will

require the applicant to justify its purpose and complete a HMIP Technical Guidance TGND D1 “Guidelines on discharge stack heights for polluting emissions” calculation to ensure that the flue will not cause an amenity problem in adjacent areas. Islington will permit the maximum capacity of any emergency generator fuel tank to be able to run for 12 hours, with consideration of up to 24 hours for life critical systems.

Construction impacts

9.293 It is anticipated that the construction of the proposed development would inevitably cause some degree of noise and disruption affecting neighbouring residents and businesses. A final ‘Demolition and Construction Environmental Management Plan’ would be required to be submitted to and approved by the Council prior to the commencement of work in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. This would be secured by recommended condition 10 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.

Daylight, sunlight, overshadowing and solar glare.

9.294 Policy D9 of the London Plan outlines that the impact of a development upon daylight and sunlight penetration should be carefully considered and not compromise comfort and the enjoyment of open spaces around the building.

9.295 In general, for assessing the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (‘BRE’) document ‘Site layout planning for daylight and sunlight – A guide to good practice’ (2022) 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.

9.296 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be understood. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in ‘Rainbird vs Tower Hamlets [2018]’.

9.297 Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.

9.298 The ‘Effective Use of Land’ section in the Government’s Planning Practice Guidance (PPG), confirms that consideration is to be given as 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.

9.299 Whilst BRE guidelines are intended for use in adjoining dwellings, paragraph 2.2.2 (of the BRE guidelines) confirms that they may also be applied to existing non-domestic buildings (such as schools, hospitals, hotels and hostels, small workshops, and some offices) where occupants have a reasonable expectation of daylight.

Daylight Guidance

9.300 The BRE Guidelines (2022) stipulate at 2.2.23 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).”

9.301 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 is 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.”

9.302 At paragraph 2.2.10 of 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”.

9.303 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.

9.304 The BRE Guidelines at its Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location. 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”.

9.305 The BRE Guidelines at Appendix F gives provisions to set alternative target values for access to skylight and sunlight. It sets out that the numerical targets widely given are purely advisory and different targets may be used based on the special requirements of the proposed development or its location.

Sunlight Guidance

9.306 The BRE Guidelines (2022) state in relation to sunlight at paragraph 3.2.13: “If a living room of an existing dwelling has a main window facing within 90degrees of due south, and any part of a new development subtends an angle of more than 25 degrees to the horizontal measured from the centre of the window in a vertical section perpendicular to the window, then the sunlighting of the existing dwelling may be adversely affected. This will be the case if the centre of the window:

- Receives less than 25% of annual probable sunlight hours, or less than 5% of winter probable sunlight hours between 21 September and 21 March and;

- Receives less than 0.8 times its former sunlight hours during either period and;

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

9.307 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."

9.308 The guidelines go on to state at 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. Normally loss of sunlight need not be analysed to kitchens and bedrooms, except for bedrooms that also comprise a living space, for example a bed sitting room in an old people's home".

9.309 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.

Overshadowing Guidance

9.310 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.

9.311 At paragraph 3.3.17, the BRE guidelines state: "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 of daylight, sunlight and overshadowing

9.312 The diagram below shows the neighbouring residential receptors identified and tested within the Daylight and Sunlight Report. It should be noted that the assessment has also tested and considered the Central Boys Foundation School.

1	101-103 Great Eastern Street	13	Newland Court
2	97 Great Eastern Street	14	Imperial Hall, 104-122 Citiy Road
3	95 Great Eastern Street	15	125 City Road
4	93 Tabernacle Street	16	123 City Road
5	91 Tabernacle Street	17	121 City Road
6	87-89 Tabernacle Street	18	Adeyfield House
7	112-116 Tabernacle Street	19	Shoreditch Training Centre
8	25 Cowper Street	20	Chaulden House
9	Central Foundation Boys School	21	Kensworth House
10	Bezier Apartments	22	Gaddesden House
11	Galaxy House	23	Gaddesden House
12	24 Leonard Street		

9.313 The following (14) properties listed below are residential (and other sensitive) properties which have been demonstrated to pass the BRE guidelines with respect to “Vertical Sky Component” (VSC) and No-skyline” (NSL) testing (correlated with the list and map above).

1	101-103 Great Eastern Street	12	24 Leonard Street

2	97 Great Eastern Street	13	Newland Court
3	95 Great Eastern Street	15	125 City Road
4	93 Tabernacle Street	16	123 City Road
5	91 Tabernacle Street	17	121 City Road
6	87-89 Tabernacle Street	22	Gaddesden House
7	112-116 Tabernacle Street	23	Cranwood Court Vince Street

9.314 The remaining properties from the previous table therefore demonstrate a failure to meet the guidelines and will therefore experience a reduction in the quality of their (daylight) amenity as a result of this proposed development. Each building will be considered and appraised in the following paragraphs.

25 Cowper Street

9.315 This property is located on the north side of Cowper Street and to the east of the application site. 5 rooms served by 5 windows were assessed for this application. Part of the building is office while the upper floors are residential. Of the five windows tested, 3 were within the VSC guidelines. The two remaining windows were only marginally beyond the criteria. The two failing windows showed marginal fails under VSC. However all five windows passed under NSL. The results of their assessment are shown below.

Table 1 – 25 Cowper Street		Vertical Sky Component			Comparison with existing	No Skyline			Comparison with existing
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
First Floor									
R1/841	Unknown	2.14	1.62	0.52	**24.3**	**113.3**	**12**	**11.6**	**3.3**
R2/841	Unknown	2.72	2.17	0.55	**20.22**	**101.9**	**10.8**	**10.6**	**0.9**
Second Floor									
R2/842	Unknown	3.63	2.96	0.67	**18.46**	**113.3**	**17.4**	**17..4**	**2.3**
R2/842	Unknown	4.59	3.88	0.71	**15.47**	**101.9**	**15.9**	**15.8**	**0.6**
Third Floor									
R1/843	Unknown	7.98	7.19	0.79	**9.90**	**206.8**	**29.6**	**31.6**	**-6.8**

9.316 The table shows minor first floor transgressions with one second floor window failing by 0.2% However, when taking into account the NSL value, no room or window fails while the third floor accommodation shows an improvement, which is likely to occur as a result of a podium section that is lower than the current building.

Figure 47: 25 Cowper Street (light grey door and roof extension)

Central Boys Foundation School

9.317 This is not a residential building and the school provides no boarding facilities and is a day-attendance establishment only. Nevertheless, the building has been assessed on the basis that there is an expectation that there should not be any unduly unreasonable impact on workspace and education. The building faces north on to Cowper Street and has a frontage occupies most of Cowper Street's southern side. Various classrooms look out on to Cowper Street while the main hall forms the eastern end. The applicants have assessed 126 windows serving 29 rooms. 22 windows will experience VSC alterations that are in line with the BRE guidance. The extent of VSC reduction is more pronounced at the eastern end.

9.318 69 of the windows will experience reductions of between 20 – 30% while 35 more will experience VSC reductions of greater than 30%. These larger reductions will occur to spaces used as a gym, arts education, dining hall, language and science classrooms. While the reductions are larger than 30%, the real terms loss is much smaller, and on average is 3% of VSC, meaning that it is likely that electric lighting is already used in these rooms even before development. However, when taking into account the NSL or daylight distribution, the results show a reduction greater than guideline in only one room out of the 29 assessed. The results (VSC failures only) are shown below.

Table 2 – Central Boys Foundation School		Vertical Sky Component			Comparison with existing	No Skyline			Comparison with existing
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R1/379 – W1	Design & Tech	22.7	17.67	5.03	**22.16**	**1195.4**	**365.2**	**357.8**	**2**
R1/379 – W2	Design & Tech	22.45	17.25	5.20	**23.16**				

R1/379 – W3	Design & Tech	22.16	16.9	5.26	**23.74**				
R1/379 – W4	Design & Tech	21.91	16.53	5.38	**24.55**				
R1/379 – W5	Design & Tech	21.83	16.51	5.32	**24.37**				
R1/379 – W6	Design & Tech	21.69	16.29	5.4	**24.90**				
R1/379 – W7	Design & Tech	21.59	16.17	5.42	**25.10**				
R1/379 – W8	Design & Tech	21.49	16.06	5.43	**25.27**				
R2/379 – W9	Gym	12.20	7.65	4.55	**37.30**	**395.6**	**165.6**	**132.5**	**20**
R2/379-W10	Gym	14.69	10.28	4.41	**30.02**				
R2/379-W11	Gym	12.69	9.33	3.61	**27.90**				
R2/380-W1	Prep	24.99	19.60	5.39	**21.57**	**94.8**	**31.8**	**78.5**	**14.5**
R2/380-W2	Design & Tech	24.74	19.15	5.59	**22.59**	**1020.2**	**562.2**	**566.6**	**-0.8**
R2/380-W3	Design & Tech	24.43	18.80	5.63	**23.05**				
R2/380-W4	Design & Tech	24.16	18.48	5.68	**23.51**				
R2/380-W5	Design & Tech	23.86	18.02	5.84	**24.48**				
R3/380-W6	Humanities	23.47	17.47	6.00	**25.56**	**589.8**	**442.9**	**425.8**	**3.8**
R3/380-W7	Humanities	23.06	17.03	6.03	**26.15**				
R3/380-W8	Humanities	22.55	16.51	6.04	**26.78**				
R3/380-W9	Humanities	21.84	15.76	6.08	**27.84**				
R5/380-W11	Arts	19.48	13.65	5.83	**29.93**	**405.8**	**312.7**	**273.7**	**12.5**
R5/380-W12	Arts	17.42	12.29	5.13	**29.45**				
R5/380-W13	Arts	14.81	10.46	4.35	**29.37**				
R1/381-W1	Library	28.61	22.64	5.97	**20.87**	**1179.9**	**1148.1**	**1145.3**	**0.2**
R1/381-W2	Library	28.32	22.13	6.19	**21.86**				
R1/381-W3	Library	27.98	21.77	6.21	**22.19**				
R1/381-W4	Library	27.69	21.43	6.26	**22.61**				
R1/381-W5	Library	27.38	20.93	6.45	**23.56**				
R2/381-W6	ICT	26.99	20.36	6.63	**24.56**	**557.3**	**538.5**	**536.7**	**0.3**
R2/381-W7	ICT	26.61	19.91	6.70	**25.18**				
R2/381-W8	ICT	26.25	19.49	6.76	**25.75**				
R2/381-W9	ICT	25.73	18.81	6.92	**26.89**				
R4/381-W11	ICT	24.14	17.32	6.82	**28.25**	**445.6**	**430.9**	**384.6**	**10.8**
R4/382-W12	ICT	23.06	16.69	6.37	**27.62**				
R4/382-W13	ICT	19.53	13.62	5.91	**30.26**				
R1/383-W1	Business	31.79	25.18	6.61	**20.79**	**516.8**	**516.8**	**516.8**	**0**
R1/383-W2	Business	31.55	24.66	6.89	**21.84**				
R1/383-W3	Business	31.22	24.34	6.88	**22.04**				
R2/383-W6	Business	30.23	22.95	7.28	**24.08**	**627.7**	**599.5**	**596.9**	**0.4**
R2/383-W7	Business	29.88	22.63	7.25	**24.26**				
R2/383-W8	Business	29.56	22.23	7.33	**24.80**				
R2/383-W9	Business	29.21	21.71	7.50	**25.68**				
R4/383-W11	Maths	28.29	20.49	7.80	**27.57**	**476.5**	**456.0**	**450.9**	**5.1**
R4/383-W12	Maths	27.88	20.27	7.61	**27.30**				
R4/383-W43	Maths	27.42	19.85	7.57	**27.61**				
R5/383-W4	Business	30.92	23.98	6.94	**22.45**	**364.7**	**363.9**	**363.9**	**0**
R5/383-W5	Business	30.60	23.48	7.12	**23.27**				
R4/399-W6	Dining	7.66	5.41	2.25	**29.37**	**1603.5**	**392.8**	**359.2**	**8.6**
R4/399-W7	Dining	9.76	7.50	2.26	**23.16**				
R4/399-W8	Dining	10.04	7.90	2.14	**21.3.1**				
R4/399-W9	Dining	9.94	7.70	2.24	**22.54**				
R4/399-W10	Dining	9.82	7.04	2.78	**28.31**				
R3/402-W10	English	21.83	17.31	4.52	**20.71**	**433.5**	**408.4**	**386.0**	**5.5**
R4/402-W11	English	21.17	16.65	4.52	**21.35**	**645.8**	**605.4**	**574.3**	**5.1**
R4/402-W12	English	20.35	15.71	4.64	**22.80**				
R4/402-W13	English	19.49	14.97	4.52	**23.19**				

R5/402-W11	Languages	18.56	14.03	4.53	**24.41**	**652.3**	**567.0**	**511.5**	**9.8**
R5/402-W15	Languages	17.59	12.81	4.78	**27.17**				
R5/402-W16	Languages	16.46	11.16	5.30	**32.20**				
R8/402-W20	Science	8.76	4.38	4.38	**50.00**	**1056.3**	**520.5**	**175.1**	**66.4**
R8/402-W21	Science	8.51	4.22	4.29	**50.41**				
R8/402-W22	Science	9.02	4.29	4.73	**52.44**				
R8/402-W23	Science	8.71	4.08	4.63	**23.16**				
R8/402-W24	Science	7.65	3.86	3.79	**49.54**				
R8/402-W25	Science	7.78	3.70	4.08	**52.44**				
R8/402-W26	Science	7.42	3.74	3.68	**49.60**				
R8/402-W27	Science	7.52	3.55	3.97	**52.79**				

R8/402-W28	Science	7.11	3.69	3.42	**48.10**				
R8/402-W29	Science	7.18	3.49	3.69	**51.39**				
R8/402-W30	Science	6.96	3.72	3.24	**46.55**				
R8/402-W31	Science	7.02	3.53	3.49	**49.72**				
R2/403-W4	English	26.16	20.62	5.54	**21.18**	**437.0**	**425.3**	**409.4**	**3.7**
R3/403-W5	English	25.32	19.7	5.62	**22.2**				
R3/403-W6	English	24.23	18.42	5.81	**23.98**	**673.9**	**646.2**	**619.3**	**4.1**
R3/403-W7	English	23.16	17.39	5.77	**24.91**				
R4/403-W8	Language	21.94	16.13	5.81	**26.48**				
R4/403-W9	Language	20.75	14.88	5.87	**28.29**	**680.6**	**622.4**	**565.5**	**9.1**
R4/403-W10	Language	19.49	13.09	6.40	**32.84**				
R8/403-W15	Science	10.88	5.06	5.82	**53.49**				
R8/403-W16	Science	10.36	4.78	5.58	**5.86**				
R8/403-W17	Science	9.63	4.31	5.32	**55.24**	**1058.8**	**718.8**	**623.7**	**13.2**
R8/403-W18	Science	9.22	4.18	5.04	**54.66**				
R8/403-W19	Science	8.89	4.12	4.77	**53.66**				
R8/403-W20	Science	8.72	4.18	4.54	**52.06**				
R1/421-W1	Science	4.8	3.09	1.71	**35.63**				
R1/421-W2	Science	5.48	3.40	2.08	**37.96**				
R1/421-W3	Science	7.30	5.13	2.17	**29.73**	**952.7**	**224.8**	**361.3**	**-60.7**
R1/421-W4	Science	7.48	5.61	1.87	**25.00**				
R1/421-W5	Science	7.60	6.02	1.58	**20.79**				
R1/422-W1	Science	5.92	3.49	2.43	**41.05**				
R1/422-W2	Science	6.75	3.94	2.81	**41.63**				
R1/422-W3	Science	8.57	5.96	2.61	**30.46**	**952.7**	**80.9**	**348.2**	**-330.4**
R1/422-W4	Science	8.73	6.50	2.23	**25.54**				
R1/422-W5	Science	8.81	6.93	1.88	**21.34**				
R1/423-W1	Science	9.57	5.27	4.30	**44.93**				
R1/423-W2	Science	9.82	5.64	4.18	**42.7**				
R1/423-W3	Science	10.12	5.89	4.23	**41.80**				
R1/423-W4	Science	10.36	6.20	4.16	**40.1**				
R1/423-W5	Science	10.63	7.00	3.63	**34.15**	**952.7**	**131.0**	**286.2**	**-118.4**
R1/423-W6	Science	10.59	7.34	3.25	**30.69**				
R1/423-W7	Science	10.96	7.46	3.23	**30.22**				
R1/423-W8	Science	10.63	7.76	2.87	**27.00**				
R1/423-W9	Science	10.70	8.10	2.60	**24.32**				
R1/423-W10	Science	10.69	8.36	2.33	**21.80**				

9.319 Following scrutiny of both VSC and NSL, only one room fails both which is a science classroom. It should be noted that where a figure is expressed as a negative, there is an improvement in the existing daylight situation from the current baseline with Inmarsat House and the future proposed development.

Bezier Apartments, 95 City Road

9.320 This is a multi storeyed modern apartment block which was consented under P052328 in 2006 (see paragraph 7.10 above). It is situated directly to the south of the proposed development and has a frontage to Cowper Street facing north and a frontage to the southeast corner of the Old Street roundabout. With the exception of a small range of retail and commercial units on the ground floor, the building is residential. There is an entrance to a basement car park from Cowper Street on the south side of this street. Its construction also included 15 Leonard Street which was not demolished but became part of the overall development. This is a much smaller 4 to 5 storey building situated on the northern side of the road to the south of Cowper Street. The Bezier Apartments features two conjoined towers which have the appearance of a quarter of an onion bulb with the outward facing frontage (on to Old Street roundabout being the curved element and the east and south sides face east perpendicular to the proposed building or southwards parallel to Leonard Street. All three sides have balconies.

9.321 The applicants have confirmed that they have assessed 256 windows serving 140 rooms. Of these 256 windows, 67 windows gain daylight as a result of demolitions. These

increased levels amount to between 4 – 5% of VSC which when added to existing lighting conditions of around 10% VSC are beneficial improvements. Of the remaining 189 windows, 155 windows show reductions which are within the BRE guidelines. Therefore 34 windows are affected beyond the 20% reduction whereby daylight reductions become noticeable. 11 of these 34 retain a VSC of between 15.47% and 18.8% which would exceed the applicants' target VSC and is considered to be excellent for a densely developed city centre location where there are other tall buildings present within a narrow highway framework.

9.322 From the remaining 23 windows, 2 windows serving a Lounge, Kitchen and Diner (LKD) and a bedroom are located beneath balconies and it is considered that the architectural design of the Bezier Apartments rather than the proposed development at 99 City Road which gives rise to the contravention. The remaining 21 windows within the overall development are situated at 15 Leonard Street. These serve 9 rooms including a mixture of LKDs and bedrooms. These windows would experience a more moderate impact with reductions in VSC of up to circa 40% and retain a VSC value of between 9 – 15%.

9.323 The reason that the windows within 15 Leonard Street will experience higher reductions of VSC and a lower retained value is partly due to the presence of the larger and newer Bezier Apartments located immediately adjacent to these windows. This fairly recent development constrains the existing levels of daylight that can be enjoyed and in such circumstances, the BRE guidelines suggest that an alternative assessment can be carried out. On this basis, the applicant has carried out an assessment of the Leonard Street windows using an existing and proposed scenario where the Bezier Apartments do not exist. Following this assessment, it has been calculated that without the Bezier Apartments being present, and the proposed development having been constructed, there is no contravention of the BRE guidelines with respect to VSC occurring.

Galaxy House

9.324 This building is situated to the southeast of 99 City Road at the junction of Leonard Street and Tabernacle Street. Its currently in use at the ground floor as a cocktail bar, however, the three floors above are in use for residential purposes. A number of flats have been established in use as a result of Certificates of Lawfulness. The VOA indicates the presence of 18 flats in the building.

9.325 The applicants have advised that they have assessed 32 windows serving 16 rooms. 30 of these windows are within the BRE guidelines. The remaining two windows are beyond the guidelines by way of a margin of 2%. All rooms meet daylight distribution criteria.

Table 3 – Galaxy House		Vertical Sky Component			Comparison with existing	No Skyline			Comparison with existing
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R1/315-W7	Unknown	13.46	10.50	2.96	**21.99**	**214.5**	**200.5**	**200.5**	**0**
R2/315-W6	Unknown	14.21	11.09	3.12	**21.96**	**188.3**	**176.6**	**176.6**	**0**

9.326 The results in table 3 show no change to the daylight distribution as a result of the proposed development, despite minor VSC infringements.

Imperial Hall, 104-122 City Road.

9.327 This building is an ornate red brick structure located on the western side of City Road (within the London Borough of Islington) on the northern side of the Old Street roundabout. Its ground floor level is commercial/retail. It has four storeys above to parapet level, above which, is a form of semi mansard with two storeys. A central tower with dome or cupola adds a further two storeys. Permission was granted in the mid 1990s for its use above ground floor for 60 flats. The front elevation faces east over City Road. There are south facing windows on to Old Street (west) however, a mature tree constrains outlook and light benefitting windows on the southern return.

9.328 The applicant has established that there are 279 windows in the building and all meet the BRE guidelines with the exception of one window. The non-conforming window is located at the third floor level and appears to be a slanted window incrementally affected by the built form and architecture of the building within which it is situated. The applicant has demonstrated that this one window fails to meet the VSC by 0.5% and all other windows pass the daylight distribution assessment.

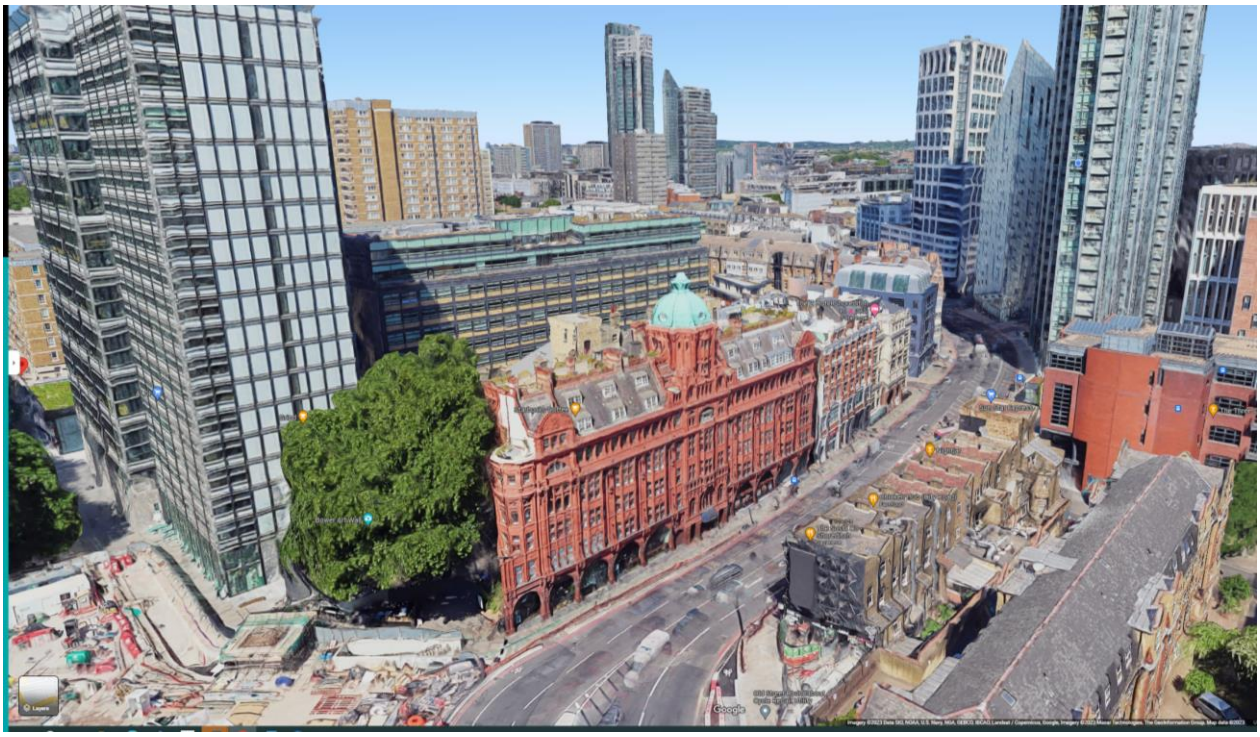

Figure 48: Imperial Hall (red brick with adjoining tree)

Shoreditch Training Centre

9.329 This building situated a short distance to the northeast on the northern side of Old Street within the London Borough of Hackney is a six storey building containing residential on the four upper floors and flanks above and around a fire station. The uppermost two floors also benefit from what appear to be roof terraces. It is unclear if the flats are associated with the staffing of the station below.

9.330 The applicant has advised that of 92 windows assessed, 90 meet BRE guidelines. The remaining two windows are a marginal contravention. These two windows are a west facing window situated within a deep recess at the uppermost level of the building. These narrow windows are not the only window on the western elevation of each recessed section.

Table 4 – Shoreditch Training Centre	Vertical Sky Component	Comparison with existing	No Skyline	Comparison with existing

Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R2/105-W6	Unknown	17.79	14.03	3.76	**21.14**	**725.4**	**719.1**	**713**	**0.8**
R3/105-W6	Unknown	19.79	15.61	4.18	**21.12**	**725.9**	**724.1**	**723**	**0.2**

9.331 The table above shows marginal VSC contraventions with only minor, imperceptible downgrades for daylight distribution.

Figure 49: Shoreditch Training Centre

Adeyfield House

9.332 This five storey block of flats forming one of four similar buildings on the northern side and eastern side of Old Street and City Road respectively is located in the London Borough of Hackney. The building is set well back from the highway in Old Street. Its principle elevations face west on to City Road and east on to the interior of the estate within which it is located. Its southern elevation faces the development which is located immediately opposite. There are 20 windows facing the proposed development and all appear to be habitable room windows.

9.333 The applicant has surveyed 52 windows, of which 43 meet the BRE guidelines recommendations. The applicants are confident that of the 9 remaining windows, these serve five rooms, all of which are dual aspect. The applicant has advised that the retained VSC for each of the rooms is at least 17.5% which is considered to be in excess of alternative target criteria within a location within Central London. Nevertheless, the proposed daylight distribution is within guidelines. The VSC non-compliant windows are shown below.

Table 5 – Adeyfield House	Vertical Sky Component	Comparison with existing	No Skyline	Comparison with existing

Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R1/170-W1	Unknown	17.66	12.57	5.09	**28.82**	**305.7**	**217.2**	**248.1**	**-14.2**
R1/170-W2	Unknown	22.33	17.53	4.80	**21.50**				
R1/171-W1	Unknown	21.42	16.22	5.20	**24.28**	**305.7**	**226.2**	**253.6**	**-12.2**
R1/171-W2	Unknown	23.65	18.53	5.12	**21.65**				
R1/173-W1	Unknown	25.15	20.06	5.09	**20.24**	**254.3**	**233.8**	**229.2**	**2.0**
R1/173-W2	Unknown	25.10	19.94	5.16	**20.56**				
R2/173-W3	Unknown	25.11	19.62	5.49	**21.86**	**259.5**	**238.1**	**236.4**	**0.8**
R2/173-W4	Unknown	25.01	19.96	5.05	**20.19**				
R2/174-W5	Unknown	27.68	21.86	5.82	**21.03**	**243.7**	**237.2**	**230.6**	**2.8**

9.334 The results show that in two of the five rooms, the daylight distribution is improved.

Chaulden House

9.335 Chaulden House is situated immediately to the east of Adeyfield House and forms the most southerly of the four blocks within this estate. It is also located directly to the north of the proposed development. It has five storeys and the principal elevation faces directly south along Old Street. The building is entirely residential. The applicant has surveyed 56 windows which serve 39 rooms. Of the 39, 25 will experience VSC reductions that are in line with the BRE criteria. A further 30 windows will experience VSC reductions that are minor adverse with a reduction of up to 30%, but retain a VSC of at least 15% which the applicant suggests is an appropriate target VSC. The outstanding window serves a bedroom and would have a VSC that is less than 66% its former value. The window in question is at first floor level towards the western end of the facing elevation. The applicant has used a comparison window to demonstrate that the bedroom window is constrained by the built form of Chaulden House. The alternative window adjoining is situated within a projecting bay bringing it closer to 99 City Road. Having tested this window adjacent, the VSC reduction is much smaller with the window being approximately 75% of its former value which is a minor adverse reduction.

9.336 The further testing on daylight distribution show that all tested windows satisfy this criterion. The VSC non compliant windows are shown below.

Table 6 – Chaulden House		**Vertical Sky Component**			**Comparison with existing**	**No Skyline**			**Comparison with existing**
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R1/120-W3	LKD	19.97	14.80	5.17	**25.89**	**137.5**	**124.2**	**124.2**	**0**
R2/120-W2	Bedroom	15.28	10.04	5.24	**34.29**	**112.9**	**77.5**	**81.5**	**-5.2**
R5/120-W7	LKD	22.66	17.55	5.11	**22.55**	**154.7**	**87.2**	**88.3**	**-1.3**
R6/120-W8	Bedroom	22.83	17.78	5.05	**22.12**	**142.9**	**71.2**	**67.7**	**4.9**
R7/120-W9	Bedroom	22.97	18.06	4.91	**21.38**	**142.3**	**63.8**	**60.3**	**5.5**
R1/121-W3	Bedroom	19.64	14.04	5.60	**28.51**	**137.5**	**124.8**	**124.8**	**0**
R5/121-W5	LKD	24.25	18.71	5.54	**22.85**	**154.7**	**91.2**	**91.3**	**0**
R6/121-W6	Bedroom	24.36	18.89	5.47	**22.45**	**142.9**	**75.2**	**71.3**	**5.2**
R7/121-W7	Bedroom	24.46	19.14	5.32	**21.75**	**142.3**	**66.5**	**63.0**	**5.3**
R8/121-W8	LKD	24.39	19.15	5.24	**21.48**	**151.8**	**84.5**	**85.7**	**-1.4**
R1/122-W3	Bedroom	22.51	16.46	6.05	**26.88**	**112.9**	**94.7**	**91.7**	**3.2**
R2/122-W2	LKD	25.29	19.51	5.78	**22.85**	**137.5**	**125.9**	**126.4**	**-0.3**
R4/122-W7	LKD	25.50	19.48	6.02	**23.61**	**154.7**	**102.8**	**101.7**	**1.2**

R5/122-W6	Bedroom	25.58	19.63	5.95	**23.26**	**142.9**	**85.7**	**76.6**	**10.6**
R6/122-W9	Bedroom	25.69	19.92	5.77	**22.46**	**142.3**	**75.7**	**69.4**	**8.3**
R7/122-W10	LKD	25.65	19.96	5.69	**22.18**	**151.8**	**92.9**	**94.2**	**-1.4**
R1/123-W2	LKD	26.39	20.14	6.25	**23.68**	**137.5**	**129.5**	**130**	**-0.4**
R2/123-W5	Bedroom	22.34	15.84	6.5	**29.10**	**112.9**	**92.7**	**91.4**	**1.4**
R4/123-W6	LKD	24.95	18.47	6.48	**25.97**	**154.7**	**99.5**	**97.8**	**1.8**
R6/123-W3	Bedroom	25.02	18.59	6.43	**25.7**	**142.9**	**82.8**	**74.8**	**9.7**
R7/123-W8	Bedroom	25.14	18.91	6.23	**24.78**	**142.3**	**73.5**	**67.5**	**8.2**
R8/123-W11	LKD	25.13	18.99	6.14	**24.43**	**151.8**	**90.1**	**91.4**	**-1.4**
R13/123-W13	Bedroom	27.19	21.68	5.51	**20.26**	**148.8**	**146.7**	**146.7**	**0**
R13/123-W14	Bedroom	27.41	21.92	5.49	**20.03**				
R1/124-W2	LKD	26.20	19.43	6.77	**25.84**	**137.5**	**134**	**134.5**	**-0.3**
R2/124-W3	Bedroom	26.05	19.02	7.03	**26.99**	**112.9**	**96.8**	**94.3**	**2.7**
R6/124-W8	Bedroom	28.16	21.20	6.96	**24.72**	**137.1**	**77.8**	**72.7**	**6.6**
R7/124-W9	Bedroom	28.26	21.55	6.71	**23.74**	**136.3**	**73.2**	**69.5**	**5.1**
R12/124-W15	Bedroom	26.11	20.14	5.97	**22.86**	**108**	**97.7**	**97.2**	**0.6**
R12/124-W16	Bedroom	26.81	20.87	5.94	**22.16**	**148.8**	**146.7**	**146.7**	**0**

9.337 The table above indicates a small number of improvements relating to daylight distribution as a result of the demolition of part of the existing building.

Kensworth House

9.338 This block of flats is situated directly to the north of Chaulden House and is further away from 99 City Road. As a 5 storey block of flats it is largely identical to Chaulsden House. Daylight impacts to this building are likely to be affected by both 99 City Road and Chaulsden House directly to the south.

9.339 64 windows have been assessed and 57 windows will meet the BRE guidelines pertaining to VSC. Of the 7 contraventions, the margin of failure is within 2% of the guidelines and therefore the impact will be insignificant. There are no daylight distribution failures. The non-conforming windows are set out in Table 7 below.

Table 7 – Kensworth House		**Vertical Sky Component**			**Comparison with existing**	**No Skyline**			**Comparison with existing**
Room / Window	Room Use	Existing (%)	Proposed (%)	Reduction (%)	Reduction (%)	Room area (sq ft)	Existing (sq ft)	Proposed (sq ft)	Reduction (%)
R2/143-W3	Kitchen	25.23	19.93	5.3	**21.01**	**62.6**	**58.6**	**58.6**	**0**
R7/143-W8	Kitchen	27.68	22.01	5.67	**20.48**	**74**	**68.6**	**66.3**	**3.5**
R8/143-W9	Kitchen	27.84	22.10	5.74	**20.62**	**74.0**	**67.2**	**65.5**	**2.5**
R12/143-W13	Kitchen	24.34	19.38	4.96	**20.38**	**65.3**	**61.7**	**61.7**	**0**
R1/144-W2	Kitchen/diner	28.41	22.37	6.04	**21.26**	**137.9**	**132.8**	**132.8**	**0**
R2/144-W3	Kitchen	29.38	23.5	5.88	**20.01**	**62.6**	**58.3**	**58.3**	**0**
R5/144-W6	Bedroom	30.23	24.16	6.07	**20.08**	**86.6**	**83.8**	**64.3**	**19.5**

9.340 Unusually, it is noted that the majority of the non-conforming rooms are located at the uppermost levels of the building and predominantly are of a kitchen function.

Conclusion

9.341 Having assessed and appraised the 9 buildings where there are shortfalls of the VSC below the BRE guidelines, it would appear that that level of decline in daylight to residential properties – and where known, habitable rooms – is extremely limited. The information shows that of all the residential properties assessed all pass the daylight distribution test, thereby determining that there would be an acceptable level of daylight for a heavily

developed Central London setting which is already dominated by large or tall buildings. The only location where the appraisal demonstrates a decline in daylight distribution is the Central Boys Foundation School. While not subject to the same high standards as residential, there is an expectation that there should be some reasonable quality of daylight as a workplace and as a place of education. Nevertheless, the existing levels of VSC and NSL are low with the expectation therefore that electric lighting would be used in any case for the existing baseline scenario.

9.342 It is therefore demonstrable that having appraised daylighting conditions, that there would not be any undue or unacceptable harm to the quality of daylight for existing residential neighbours that would have a material impact on the recommendation. The proposal is policy compliant in respect of the daylight impact.

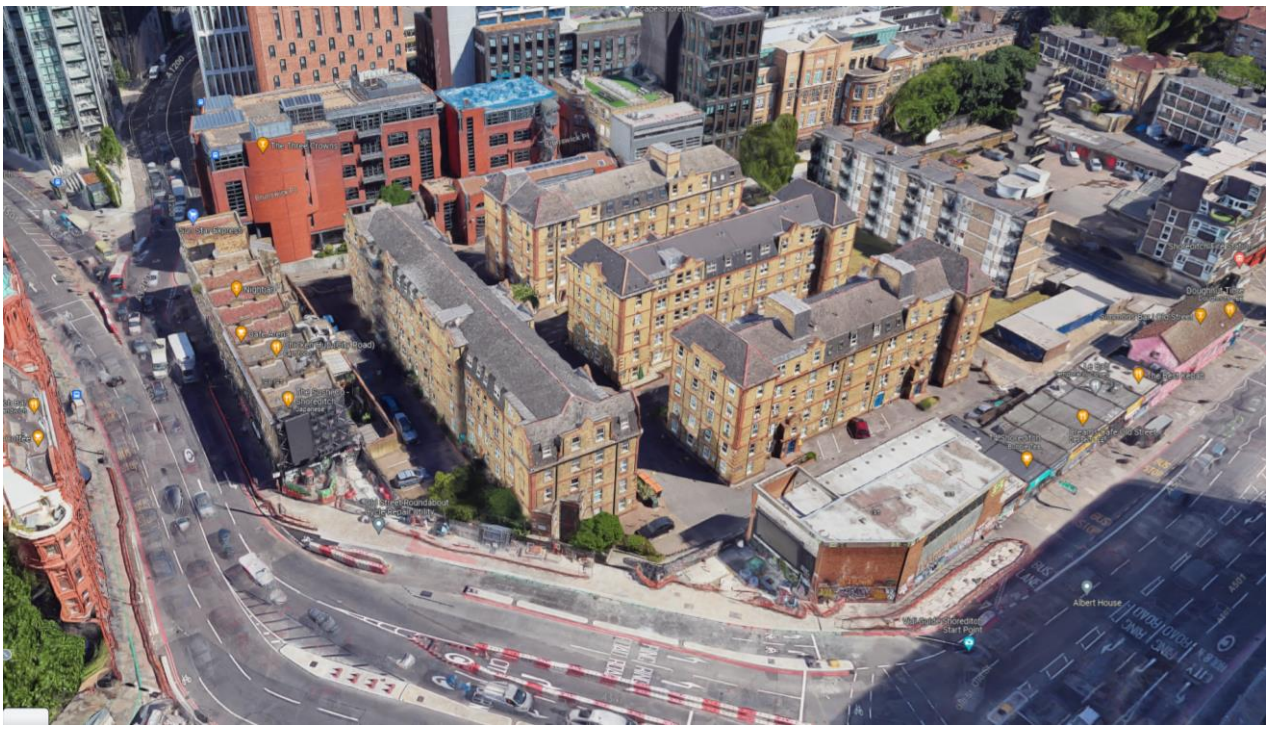

Figure 50: Adeyfield, Chaulden and Kensworth Houses.

Sunlight

9.343 Given the orientation of the proposed development in relation to the site and surroundings, only a small number of buildings have been deemed to qualify for a consideration of the impact on Annual Probable Sunlight Hours and Winter Sunlight Hours. An appraisal is required when the proposed development would be located within 90 degrees of due south of a sensitive receptor. On this basis, many of the surrounding residential buildings considered for daylight are ruled out. A consideration of the sunlight impact is therefore relevant for the buildings at Shoreditch fire station, 104-124 City Road, Chaulsden House, Adeyfield House and Kensworth House.

9.344 The applicant's sunlight statement confirms that 104-122 City Road (Imperial House) would pass for all windows. This is the same for Shoreditch fire station and Adeyfield House within the London Borough of Hackney.

9.345 The only affected buildings are Chaulsden House and Kensworth House. At Chaulden House, only 34 of the 39 windows that were appraised for daylight require an assessment for sunlight. Of the 34 windows, 33 are within the BRE guidelines, which fails both the annual hours (21%) and the winter hours (3%). The window in question, is the constrained window on the façade which is impeded by adjoining building structure which would affect

afternoon light due to a build out to its immediate west. The other building is Kensworth House to the rear of Chaulden House. 49 windows have been assessed for sunlight. 45 windows would meet the requirements for APSH. The remaining four would suffer minor declines within 1 to 2% margin of failure. These values are considered acceptable for a Central London setting and would not give rise to harm to the amenity of neighbours as a result.

9.346 One further building – Cranwood Court – which would not endure any daylight reductions beyond BRE guidelines would qualify for an appraisal under APSH, due to its position to the northeast of the site and directly behind Shoreditch Fire Station. Of 20 rooms which would fall within the scope of appraisal, 16 would experience tolerable reductions within BRE guidelines. The remaining four would be short for winter and annual hours by a margin of 3% for three windows and 6% for one window. While the latter is considered to be a large reduction, this constitutes a small proportion of the overall range of windows potentially affected by the proposed development and the likely impact is considered acceptable.

Overshadowing

9.347 The two hour sun on ground assessments have been undertaken on 21st June to two amenity spaces: the public realm to the Old Street Station and the private open space adjacent to Cranwood Court. The results show that the two amenity spaces will continue to enjoy very good levels of sunlight throughout the year well within the BRE guidelines with at least 90% of their areas that will receive at least 2 hours of direct sunlight that day.

Solar Glare

9.348 The annual sequence images within the statement shows that there is the potential for solar glare for road users along City Road, Old Street, Tabernacle Street, Leonard Street, Cowper Street and Featherstone Street. Assessments have been carried out at 15 points to respond to these potential impacts. The Calendar Graph Plots show the instances of glare that can occur as a result of the proposed development. The largest blocks of glare that could occur are generally at an angle of more than 30degrees from the road users straight line view. These are not of concern as they are located beyond the main field of vision. Some glare may occur at 10 – 30 degrees range, but the angle is still largely beyond field of normal user vision. Some very slight, fleeting glare will occur in eastbound views along Old Street towards the development for road users in the evening peak at the spring and autumn equinox lasting for around 5 – 10 minutes daily over a period of three weeks, depending on weather conditions. A similar daily glare will occur over a one week period in late January and mid November, again dependent on weather condition, having regard to the fact that average sunshine hours in London are 61.7hours and 70hours in January and November respectively.

Energy and Sustainability

9.349 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.

Energy performance

9.350 The Council requires all developments to meet the highest standards of sustainable design and construction and make the fullest contribution to the mitigation of and adaptation to climate change. Developments must demonstrate that they achieve a significant and measurable reduction in carbon dioxide emissions, following the London Plan energy hierarchy. All developments will be expected to demonstrate that energy efficiency has been maximised and that their heating, cooling and power systems have been selected to minimise carbon dioxide emissions.

9.351 Islington's Core Strategy policy CS10 (part A) states that all developments should maximise on-site reduction in total (regulated and unregulated) carbon dioxide emissions. The Core Strategy also requires developments to address a number of other sustainability criteria such as climate change adaptation, sustainable transport, sustainable construction and the enhancement of biodiversity. Development Management.

9.352 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.

9.353 The applicant has submitted the relevant detail within a 'Energy Statement' dated 6 March 2023 prepared by Atelier Ten. A sustainability statement has also been submitted by 'Twin and Earth' dated 27 March 2023. Following initial comments on the submitted energy statement by the Council's Energy Officer, revised and further information was submitted.

Carbon emissions

9.354 The London Plan (2021) sets out a CO2 reduction target, for regulated emissions only, of 35% against Building Regulations 2013. The submitted SDCS indicates 46% reduction in regulated CO2 emissions against a Building Regulations 2013 baseline, thereby meeting the London Plan target.

9.355 Islington's Core Strategy policy CS10 requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 40% where connection to a decentralised energy network ('DEN') 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. The submitted SDCS shows a 23.9% reduction in total emissions against a Building Regulation 2013 baseline, thereby the scheme fails to meet the requirements of Islington's Core Strategy policy CS10 where not connecting to a DEN. They project has limited scope for further reduction of carbon emissions. As it can be seen from both the description of the energy strategy in Section 3 of the Energy Statement and detailed assumptions for the energy model listed in Appendix C of the Energy Statement, the performance of building envelope and services has been maximised. However, as the design progresses, we will endeavour to seek further opportunities for carbon reduction. A planning condition (43) will be added to secure a further improvement as the scheme progresses through an updated Energy Statement/Strategy.

9.356 With regard to Zero Carbon policy, the council's Environmental Design SPD states "after minimising CO2 emissions onsite, developments are required to offset all remaining CO2 emissions (Policy CS10) through a financial contribution". All in this regards means both regulated and unregulated emissions. The Environmental Design SPD states "The calculation of the amount of CO2 to be offset, and the resulting financial contribution, shall be specified in the submitted Energy Statement". In order to mitigate against the remaining carbon emissions generated by the development, the SDC includes a correctly calculated Carbon Offset contribution of **£606,433** of total CO2 emissions. This figure has been agreed by the energy policy team. This is to be secured by way of a planning obligation.

Sustainable design standards

9.357 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”. 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”.

9.358 A BREEAM Pre-Assessment has been submitted for the office element of the development achieving an ‘outstanding’ rating with an overall score of 91.73%, exceeding the requirement of Islington DM 7.4A for ‘excellent’, which shall be secured through Condition 20. The retail and community use elements of the scheme are both expected to achieve excellent ratings with scores of 75.81% and 76.32% respectively.

Energy demand reduction (be lean)

9.359 Council 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.” Further, Council policy states “developments are required to demonstrate how the proposed design has maximised incorporation of passive design measures to control heat gain and to deliver passive cooling, following the sequential cooling hierarchy”.

9.360 The proposed U-values for the fabric elements of the proposal are improvements on the recommendations of Islington’s Environmental Design SPD. Further, the Energy Statement shows the proposed development achieving a 25.6% reduction in Regulated Emissions over a Part L 2013 baseline meeting the requirement in the London Plan for non-domestic buildings to achieve a 15% reduction at this stage. LED lighting has been specified throughout with suitable sensors.

9.361 The U-values proposed for roof, floor, windows and doors are all close to the recommendations of Islington’s Environmental Design SPD. The main outlier here is due to the fact that the SPD does not suggest a value for curtain walling, and the U-values for this development’s curtain walling vary between the glazed and non-glazed sections.

9.362 The Energy and Sustainability Strategy shows the proposed development achieving a reduction of -5.5% in Regulated Emissions over a Part L 2021 baseline. This falls short against the 15% London Plan target. The GLA advised within their response to the application that as part of reviewing the energy efficiency strategy, there should be consideration of the opportunity for a greater proportion/greater thickness of solid insulated areas in the curtain walling, which would reduce the façade heat loss. Further modelling of energy efficiency measures should be undertaken along with the provision of justification of walling construction type.

9.363 The Part L document of the Be Lean case shows that the energy consumption for heating, lighting and domestic hot water in the building exceeds the energy consumption for the same end uses in the notional building. The heating energy use can be reduced by improving the fabric performance. The thermal bridging value for non-repeated thermal bridges can be reduced from 25% to 10% as most of the non-repeated thermal bridges of the facades are already accounted for in the average u value. To reduced the lighting energy use, further opportunities will be explored although it should be noted that the lighting power density has already been reduced significantly and best-in-category lighting control systems have been adopted. Delivery efficiency in hot water systems has also been maximised.

9.364 In respect of the facades, there is consistency across the facades with the majority of them consisting of one type where glass makes up 36% of the wall type. This improves insulation and provides a sufficient balance between solidity and daylighting. The orientation and design of the facades reduces solar radiation gains by 31%. This reduction is prior to the installation of fins and other high performance materials such as glass coating.

9.365 An alternative façade system has been modelled which consists of a rainscreen and window solution or a faced precast concrete and window solution. The option analysis considered thermal performance, embodied carbon, weight, impact on design, impact on areas, buildability, programme, safety and cost. Whilst the rainscreen solution has a thermal performance benefit, the buildability of it on a taller building would carry health and safety risks and programme risks. The façade zone would be deeper to achieve the thermal performance benefit, thereby reducing the extent and quality of floorspace. The precast solution does not offer a significant thermal performance benefit over the proposed design. The weight would have an impact on structural design including load transfer through the full height of the building and between the existing retained structure of the current building.

9.366 In accordance with council policy “Applications for major developments are required to include details of internal temperature modelling under projected increased future summer temperatures to demonstrate that the risk of overheating has been addressed”.

9.367 An Overheating Risk Assessment has been provided which indicates that appropriate Thermal Modelling has been carried out, and through a mixture of passive design measures and active cooling in the basement areas the risk of overheating has been eliminated. Although overheating risk can be eliminated by passive design measures, active cooling will be required in the basement areas due to the lack of opening windows. Based on the thermal modelling results, the Council’s Energy Officer accepts the approach to the cooling hierarchy and active cooling.

9.368 A TM52 overheating analysis has been undertaken. The underlying assumptions for the analysis were generally considered to be reasonable.

9.369 This shows that the development will fail the overheating criteria if natural ventilation and passive approaches to cooling are used. The analysis also showed that a system using mechanical ventilation (without active cooling) was not sufficient for the building to pass the TM52 criteria. A system using mechanical ventilation and active cooling allows all relevant areas of the building to meet the requirements.

9.370 The Energy Statement provides a discussion of the cooling hierarchy. This focuses initially on minimising internal heat gains, through external shading, glazing, reducing transmission of heat through building elements. Internal heat gains will be minimised via pipework insulation, high efficiency lighting and controls, and the use of efficient equipment. Natural ventilation through openable windows is referenced, but more as a future issue, where road pollution levels in the area may be lower. Mechanical ventilation is considered, and finally active cooling, in line with the cooling hierarchy.

9.371 We believe that proper attention has been given to the cooling hierarchy, and the anticipated cooling demand falls well below that of the equivalent notional building. However, further attention could be given to investigating whether any further reductions in the cooling demand are possible, as the development falls short against its energy targets.

9.372 Further opportunities to further improve the cooling demand will be explored at later stages, as the design progresses. However, we do anticipate that the building will still be reliant on active cooling, as currently proposed, as a last step to mitigate the overheating risk. The floor plates are too deep to allow for natural ventilation across the whole plate.

Low carbon energy supply (be clean)

9.373 The applicant is proposing that heating and cooling will be provided to the development via air source heat pumps and a separate system of air heat source pumps for the hot water supply system.

9.374 Policy DM7.3B states “all major developments within 500 metres of an existing or planned DEN…. are required to submit a feasibility assessment of connection to that network, to determine whether connection is reasonably possible.” The proposed development is within 500m (around 100m) from the Citigen DEN. Adequate ‘future-proofing’ through pipe routes and ‘an area set aside’ at basement level should be provided allowing for necessary plant to connect to any nearby DEN.

9.375 London Plan policy SI3 part D states in the energy hierarchy that low emission CHP should only be used: “where there is a case for CHP to enable the delivery of an area wide network, meet the development’s electricity demand and provide demand response to the local electricity network” 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.”

9.376 The applicant has reviewed the potential of forming a Shared Heat Network with neighbouring sites and demonstrated that it would not be viable to form a Shared Heating Network.

9.377 The applicant’s energy and sustainability strategy states that the Citigen and Bunhill heat networks are more than 500m from the development while the Council’s own measurements states that these are not more than 300m away for Bunhill and 400m away for Citigen. Therefore the potential for connection should be investigated, pursued as a preferred option and a connection agreed.

9.378 While options are being considered, the applicant has agreed to a future proofing obligation in the legal agreement.

Renewable energy supply (be green)

9.379 The use of renewable energy should be maximised to enable the achievement of CO2 targets.

9.380 The Energy Statement includes an assessment of various renewable technologies including biomass, solar thermal, GSHP and wind turbines which have been ruled out for valid reasons. The Energy Statement proposes ASHP and a 21KWP Solar PV array which is supported by the Council’s Energy officer. The roof design provides limited scope for an increase in the PV capacity. However, as the development falls short against carbon targets, there is scope to establish whether the provision can be maximised including determining whether there is scope to improve the output per square metre of array. The applicant has considered the option for further PV, while confirming that the proposed installation output has been designed to maximise performance, meaning that improvements could only be secured through the provision of further infrastructure. Potential additional areas were investigated including the horizontal overhangs on the south, southwestern and southeastern elevations, however, their orientation here would be constrained due to a lack of solar radiation. The roof is principally dedicated to plant. Using PV here would limit the access to fresh air intake and ventilation. The use of roof terraces would limit amenity access. Further opportunities will be explored further as detailed design progresses, but it is unlikely that this could be improved.

Be seen

9.381 The London Plan 2021 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." Sufficient detail has been provided of how the development will meet the GLA's 'be seen' requirements. The Council will also seek to secure this via Section 106 Agreement, based on the template wording used by the GLA.

Green performance plan (GPP)

9.382 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.

9.383 A Draft Green Performance Plan has been submitted alongside the energy strategy which includes measurable targets for electricity, CO2 emissions and water usage. This also includes how data will be collected and details of how this will be collected and monitored and arrangements for addressing any underperformance. A finalised Green Performance Plan is to be submitted and is secured through a section 106 agreement.

Whole Life Cycle Carbon

9.384 London Plan Policy SI 2 requires proposed developments to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development's carbon footprint.

9.385 Emerging Local Plan policy S4 states that all major development proposals must calculate whole lifecycle carbon emissions through a nationally recognised whole life-cycle carbon assessment and demonstrate actions taken to reduce life-cycle carbon emissions (WLC).

9.386 WLC emissions are the total carbon emissions resulting from the construction and the use of a building over its entire life, including its demolition and disposal. They capture a building's operational carbon emissions from both regulated and unregulated energy use, as well as its embodied carbon emissions - that is, emissions associated with raw material extraction, the manufacture and transport of building materials, and construction; and the emissions associated with maintenance, repair and replacement, as well as dismantling, demolition and eventual material disposal. A WLC assessment also includes an assessment of the potential savings from the reuse or recycling of components after the end of a building's useful life. It provides a true picture of a building's carbon impact on the environment. The WLC requirement is not subject to the Mayor's net zero-carbon target; but planning applicants are required to calculate operational and embodied emissions, and demonstrate how they can be reduced as part of the WLC assessment.

9.387 A whole life-cycle carbon ('WLC') assessment has also been undertaken to quantify the embodied carbon of the proposal. This would be updated at each design stage as more of the design becomes quantifiable, and the specific materials become known. This WLC Assessment has been prepared in line with the GLA's London Plan Policy SI2 and using the methodology outlined in the RICS Professional Statement 2017 and BS EN15978:2011.

9.388 The submitted WLC assessment outlines that the upfront carbon intensity of the development is 693kgCO_{2e}/m^2. This includes a 10% safety factor as recommended by the RICS Whole Life Carbon Assessment 2nd edition. The whole life embodied carbon intensity of the building model is 987 kgCO_{2e}/m^2, without accounting the carbon sequestration (biogenic carbon stored in the timber elements of the building). This is notably less than the GLA targets of 950 and 1400 respectively for office developments. However, this does not yet meet the aspirational targets of 600 (upfront) and 970 (whole life).

9.389 The London Plan guidance and policy assumes an improving performance during construction and lifetime and these are known as aspirational results. It is highlighted within Circular Economy Statement that the procurement of materials with a higher recycled content and lower upfront embodied carbon will be explored during the later design stages. This has been demonstrated through setting aspirational targets for increased levels of recycled content, however it also acknowledges the current limitations surrounding the procurement of these materials and their availability within the supply chain.

9.390 As such, the design has followed an approach of reducing the initial embodied carbon through the retention of as much of the existing structure as possible and a lean design within the superstructure. An assessment has then been conducted to provide an aspirational upfront carbon value.

9.391 The upfront aspirational carbon intensity of the development is 573kgCO_2e/m^2. This includes a 10% safety factor as recommended by the RICS Whole Life Carbon Assessment 2nd edition. The aspirational target is 600.

9.392 In order to achieve compliance with an aspirational target, the applicant has identified various measures. This includes the minimisation of material volume which includes the consideration of offsite fabrication, modularisation and standard sizes to reduce building complexity and embodied energy use in production. The aspirational performance also seeks to use materials with recycled content including the use of recycled aggregates, Rebar with 97% recycled content and recycled aluminium, plasterboard, glass and interior elements. In addition, the applicant has sought to identify low-carbon materials including concrete sourced from a closer source and composed of different materials. Furthermore, timber, zinc (as an aluminium substitute), low carbon steel and repurposed steel.

9.393 Condition 25 requires the submission of updated WLC information and Condition 26 secures a postconstruction report.

Circular economy

9.394 London Plan Policy D3 requires development proposals to integrate circular economy principles as part of the design process. London Plan Policy SI 7 requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG. Further, policy SI 7 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.

9.395 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,

9.396 The Circular Economy strategy has been developed to identify opportunities for minimising waste in line with the waste hierarchy, the strategy has been applied to the existing building, the new development, the operational phase and the end-of-building-life stage.

9.397 A Circular Economy ('CE') assessment has been submitted with the application. A number of key commitments and design strategies have been identified to ensure the development will contribute towards a circular economy. These involve design decisions to minimise resources used, minimise waste and strategies to manage waste effectively. The Strategic Approach has been defined following the Circular Economy Core Principles. The application strategy has sought to achieve the following targets:

- Minimum of 95% of demolition waste diverted from landfill for re-use, recycling or recovery.

- Minimum of 95% of excavation waste diverted from landfill for beneficial re-use

- Minimum of 95% of construction waste diverted from landfill for re-use, recycling or recovery.

- Minimum of 65% of municipal waste recycled by 2030.

9.398 Waste generation will be minimised in each of the key phases. At demolition, a pre-demolition audit will be undertaken prior to commencement of site activity. The contractor managing the demolition and excavation shall be required to operate a site waste management plan and take steps to reduce waste in accordance with the waste hierarchy. At construction, the contractor will be required to operate a site waste management plan and take steps to reduce waste in accordance with the waste hierarchy. Best practice commitments shall seek to secure three BREEAM credits in the waste portion. At the operational phase, a delivery and servicing plan has been prepared. A combined office and commercial refuse store would be provided at the ground floor level with space for separate storage of refuse, recycling and food waste. In addition, the applicant will adopt a standard for overall recycled content in building materials of at least 20%.

9.399 A pre-redevelopment audit and a pre-demolition audit have been provided to the Council for consideration. With respect to the pre-redevelopment audit, a summary building survey was conducted by New Zone developments as part of the acquisition of the site. The survey identified that many of the existing building services were nearing the end of life and would require replacing within the next 5 years (to 2027). Furthermore, although it was identified that the existing façade was maintained in a relatively good condition, it was identified that the glazing within the curtain walling had exceeded their 25 year lifetime. A structural assessment identified that the existing steel structure is capable of receiving an extension of up to four storeys. Side extension and an infill to the front would be possible although external amenity would be lost. The building does not currently incorporate any sustainability measures and as a result is non-performing in respect of carbon emissions.

9.400 In terms of the targets listed above in section 10.171, the proposed strategy meets and or exceeds all the targets with suitable evidence in place to support this process. On this basis, it is considered that the scheme will be compliant with the requirements of policy D3 and SI 7 of the London Plan and emerging local plan policy S10

Sustainable urban drainage

9.401 DM Policy DM6.6 is concerned with flood prevention and requires that schemes must be designed to reduce surface water run-off to a 'greenfield rate' (8 litres/second/hectare), where feasible. Where it is demonstrated that a greenfield run-off rate is not feasible, rates

should be minimised as far as possible, and the maximum permitted run-off rate will be 50 litres per second per hectare.

9.402 The submitted Sustainable Drainage Report indicates that the site as existing and proposed is 100% impermeable. All surface water currently drains to basement level before being pumped to the underside of the ground floor and discharged to a sewer in Cowper Street. The site occupies an area of approximately 3,200sq.m. For the peak 1 in 1 year return period the existing discharge rate is 32.7litres per second and for the 100 year storm event, the discharge rage is 89 litres per second. The proposed development anticipates the same, however, with a climate change allowance of 40%, this would given an unattenuated discharge rate of 124.7 litres per second. By incorporating SUDS as per the NPPF, the limitation on surface water discharge incorporating a 40% climate change allowance would be 89 litres per second.

9.403 Taking into account the greenfield run off to comply with the London Plan and emerging local plan policy, the proposed development would be able to support a run off rate of 0.92 litres per second per hectare with a growth rate of 2.95litres per second per hectare, well within the policy limitation of 8litres.

9.404 The Drainage Strategy sets out a SUDS 'Management Train'. It is intended to minimise the hardened areas within the site, undertake frequent maintenance of impermeable surfaces and minimise use of de-icing under the category of site management and prevention. The strategy has regard to the London Plan drainage hierarchy with emphasis on rainwater re-use, rainwater infiltration to ground, rainwater attenuation through green infrastructure including roofs, rainwater discharge to a watercourse, controlled discharge to a surface sewer or drain and lastly controlled discharge to a combined sewer. In order to align with the hierarchy, the applicants have considered SUDS methods for suitability. With respect to rainwater harvesting, the applicants have advised that it is unlikely that the available roof area will provide sufficient yield to meet enough of the required demand to make a rainwater harvesting scheme viable or efficient. Rainwater harvesting will not be incorporated.

9.405 Blue roofs have been considered. These can be designed to attenuate differing volumes of rainwater. Blue roofs are designed to maximise water retention. There are a number of areas that would be suitable to be constructed as blue roofs and these have been considered. The combined discharge from these roofs would be 6.55litres per second under the 100 year plus climate change event. Blue roofs will be taken forward.

9.406 Raingardens are planted areas to absorb rainfall or directed surface water. There is insufficient space within the site to accommodate a raingarden. Permeable surfacing and swales are also discounted due to size constraints.

9.407 The application considers storage tanks. The worst case storage tank volume would be 210cu.m of attenuation to achieve the greenfield rate of 2.95litres per second assuming no contribution from blue roofs. However, analysis suggests that with the current blue roofs and rates, an attenuation tank of approximately 120cu.m would be required to reduce the total discharge to 2.95litres per second. Subject to reduction of blue roof run-off rates, it may be possible to reduce the tank volume further. The SUDS strategy therefore proposes the combination of green/blue roofs with storage tanks and design for exceedance

9.408 The submitted 'Flood Risk Assessment & SuDS Strategy Report' indicates that the site as existing and proposed is 100% impermeable and there are no attenuation system for rainwater and hence all rainwater on the site flows into the existing combined sewer. The strategy seeks to provide for source control technique to the aforementioned green roofs. The total effective area of blue roofs will be approximately 1653sqm. The proposal would

represent an 86% reduction in run-off rate. An attenuation tank of circa 200 cubic metres is proposed at basement level.

9.409 Thames Water have not raised objections to the proposal in relation to foul or surface water drainage, subject to informatives. The Sustainable Urban Drainage measures are to be secured through condition 42.

Biodiversity, landscaping and trees

9.410 London Plan (2021) policy G5 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. Further, Islington Policy DM6.5 states that 'developments must protect, contribute to and enhance the landscape, biodiversity value, and growing conditions of the development site and surrounding area'. Further, developments should maximise the provision of green roofs and the greening of vertical surfaces as far as reasonably possible, and where this can be achieved in a sustainable manner, without excessive water demand. Developments should use all available roof space for green roofs, subject to other planning considerations.

9.411 Core Strategy policy CS7 'Bunhill and Clerkenwell' requires that major development improve the public realm, provide ample private / semi private and public open space, and incorporate space for nature. Policy CS15 requires that biodiversity be protected and enhanced across the borough and seeks to create a greener borough by maximising opportunities for planting, green roofs and green corridors.

9.412 Emerging Local Plan policy G4 states that all developments are required to minimise impacts on existing trees, hedges, shrubs and other significant vegetation, and provide sufficient space for the crowns and root systems of existing and proposed trees and their future growth. Developments within proximity of existing trees are required to provide protection from any damage during development.

9.413 There is limited soft landscaping within the site at present. There is a small triangle of enclosed space close to the western apex of the existing building with a small number of pots containing non-native species. The Cowper Street elevation at present consists of raised planters with shrubs, grasses and small trees which extend for much of the frontage. There are no other trees or planting within either the curtilage or the public realm in either Cowper Street or Old Street.

9.414 A total of 2146sq.m of outdoor amenity space is proposed including 640sq.m of publicly accessible space at street level and 1454sq.m over several roof terraces. The scheme involves a significant increase in planting throughout with new trees proposed for the newly designed public realm to the front of the development and new planting around the southern side of the development including planters in front of the proposed café space and new trees in Cowper Street which have been shown on the ground floor plan, and the general site arrangement plan. This plan shows approximately 4 trees in front of the western elevation and then three trees within the site curtilage, but actually positioned on the pavement on the southern side of Cowper Street. The trees to the west of the footprint would be plane trees while the three to the south would be Liquidambar.

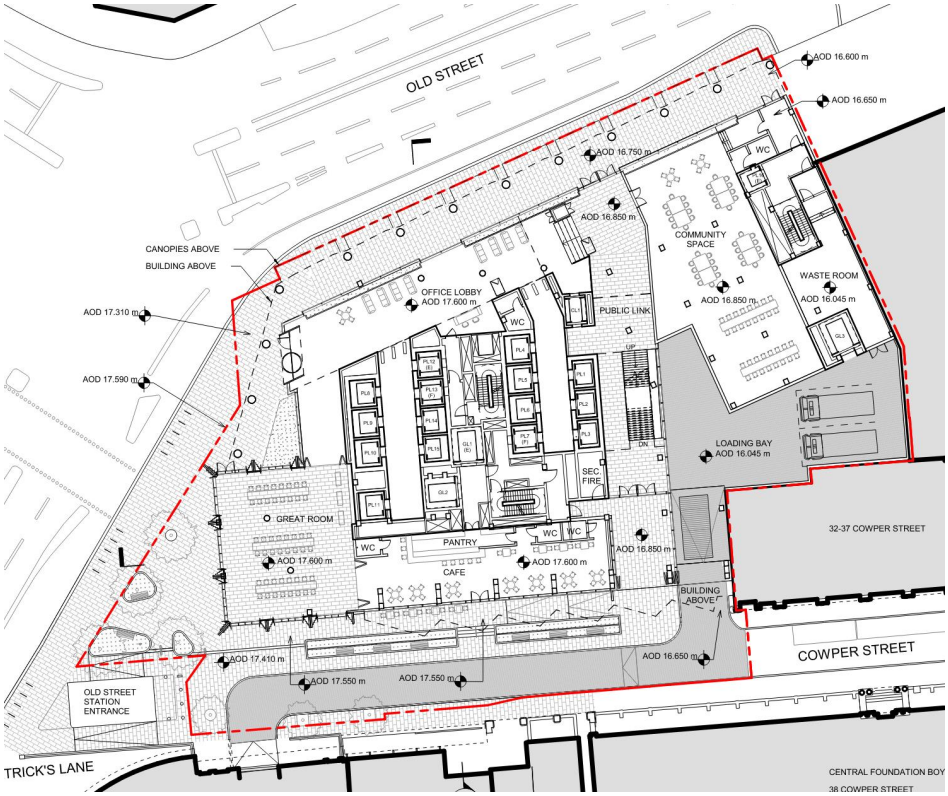

Figure 51: Proposed ground floor

9.415 The proposal includes landscaping to external terraces at the 1st, 3rd, 5th, 7th, 9th, 14th, 18th, 24th, 30th and 33rd floor level as well as a green roof. Low level and higher level planters are combined across all of the roof terraces to provide a variety of roof planting and create a dynamic landscape. Fixed seating is also provided and the spaces are accessible to all. High quality durable and non-combustible timber decking is proposed as a surface finish complementing the terracotta material detailing. Species specified for the terraces would be designed for high levels of exposure in relation to drought and rainfall, cold and hot. They would be of variable types including shrubs, grasses and other planting to provide diversity of species and colour. An example of the planting is shown in this conceptual image of the 9th floor terrace which would be the largest accessible terrace space within the development.

Figure 52: Proposed terrace at 9th floor.

Figure 53: Proposed terraces.

9.416 An extensive living roof is proposed at the uppermost roof level which would incorporate PV, plant and maintenance access. Details of the planting will be secured by condition in collaboration with officers to maximise biodiversity and effectiveness for water management.

9.417 The arboricultural officer raises no objections to the proposed planting and landscaping set out within the scheme. The officer proposes two planning conditions, requiring details of soft landscaping to be approved prior to its installation, and a specific condition (#12) addressing the proposed tree planting within the site curtilage (#13).

Urban Greening Factor (UGF)

9.418 London Plan Policy G5 requires major development proposals to 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.

9.419 Emerging Local Plan policy G4 requires all developments to protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development and surrounding area. All developments must protect and enhance site biodiversity, including wildlife habitats, trees and measures to reduce deficiencies in access to nature.

9.420 The whole curtilage of the site is covered by either built footprint, hardstanding and small areas for planting. The site has very little ecological activity for soft landscaping as existing. The numerous flat roofs of the proposed building offer an opportunity to enhance the biodiversity by providing green roofs. The submission highlights that the proposal will achieve an Urban Green Factor of 0.306 due to the inclusion of the green roofs and biodiversity measures, which is welcomed, and shall be secured through Condition 21.

Biodiversity Net Gain

9.421 Given the transformation of the site from a largely sterile building with a line of planters and a selection of potted shrubs on the forecourt to a building with a multitude of planted and landscaped terraces, a brown/green roof and new tree planting the proposed Biodiversity Net Gain arising from the site is estimated to be 13,252%.

Air quality

9.422 In accordance with Islington's Development Management Policies (2013) Policy DM6.1, developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits.

9.423 The whole of the borough has been designated by the council as an Air Quality Management Area. It is recommended that, for the proposed development's construction phase, the submission, approval and implementation of a Construction Environmental Management Plan (CEMP) assessing the environmental impacts (including in relation to air quality, dust, smoke and odour) be secured by condition 13. This would help ensure that the proposal would not detrimentally impact upon the amenity of the neighbouring occupiers with regard to air quality. Emissions from non-road mobile machinery would also need to be addressed in submissions made pursuant to condition 24.

Highways and Transportation

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

9.425 Development Management Policy DM8.2 requires that proposals meet the transport needs of the development and address its transport impacts in a sustainable manner and in accordance with best practice.

9.426 Emerging policy T1 states that 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). Applicants must provide appropriate information to allow proper assessment of transport impacts and show how these impacts can be addressed. The same policy at part B states that the design of developments, including building design and internal layout, site layout, public realm and the provision of transport infrastructure, must prioritise practical, safe and convenient access and use by sustainable transport modes, namely walking, cycling and public transport.

9.427 Emerging policy T2 states that development proposals must mitigate against negative impacts on safe, sustainable travel choices. Furthermore, the proposed development must provide all pedestrian and cycling infrastructure and facilities and to design these in such a way that they are in accordance with the relevant guidance. Cycle parking should be provided in accordance with the standards set out in the Development Plan including the London Plan and provide also for accessible cycle parkin

9.428 Emerging Policy T5 states that delivery and servicing plans are required for developments that may impact on the operation of the public highway. These plans must demonstrate the mitigation of any potential impacts on the highway and transport system.

Existing Highway Network

9.429 The site is situated at a key junction within the local and strategic highway network on the southeastern arm of the Old Street roundabout which connects City Road to Old Street. Both streets constitute the A501 as part of the Inner Ring Road, joining the A10 less than half a mile away on Great Eastern Street and subsequently the A11 in Aldgate. These streets form part of the Strategic Transport for London Route network and are red routes. Old Street has six lanes bi-directional on the north side of the site to and from the Old

Street roundabout. The roundabout is subject to substantial modification which will end in 2024 to remove the full circular traffic flow and create a gyratory with limited access meaning no right turn to City Road from Old Street west

9.430 The southern frontage of the site is accessed through Cowper Street which terminates adjacent to the site with no through connection to City Road. Cowper Street then rejoins Old Street to the north via Tabernacle Street and Singer Street. While the southern side of Old Street has no waiting at any time, Cowper Street benefits from on street parking bays and vehicular access to in-curtilage parking for both the development site and the Bezier Apartments. Cowper Street is of limited width and with parking within marked bays, there is little clearance space for other vehicles. There is a turning head at the western end of Cowper Street.

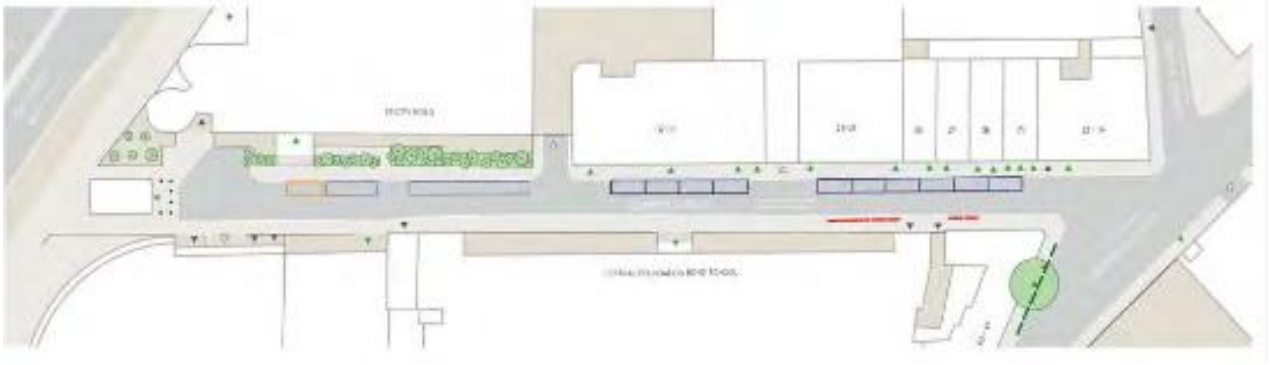

Figure 54: Proposed layout within Cowper Street

Bus services

9.431 There are three bus corridors within close proximity to the site that converge at Old Street roundabout. There are bus stops on Old Street and City Road which serve 10 routes and 2 night bus routes.

Underground and rail transport

9.432 The site is adjacent to Old Street station serving the Northern Line to Barnet/Edgware and Morden/Battersea and National Rail to Hertfordshire and North London. A new access has been constructed directly facing the terminus of Cowper Street so that pedestrians leaving the station from that exit, appear immediately adjacent to the southwest corner of Inmarsat House. Other exits serving the station have been retained including existing step free access. Moorgate is within 800 metres from the site providing a greater range of underground lines and Crossrail.

Cycle and pedestrian infrastructure

9.433 Informal cycle parking facilities on street within the local area are limited and is currently provided through a small number of Sheffield Stands on Cowper Street and Old Street. The nearest currently operational docking stations according to TFL are in Leonard Street, Baldwin Street (off City Road) and on Old Street to the west of the roundabout. The nearest of these facilities is 300m from the site and cumulatively, they provide spaces for over 100 bikes. A part of City Road passes directly in front of the site and a pedestrian crossing is proposed to be constructed from the public realm of the roundabout on to the front of the site once the roundabout works are completed. Cycle Superhighway (CS1) runs down Paul Street to the east of the site and connects Tottenham with the City via Stoke Newington and Dalston. Quietway 13 (Q13) starts at the junction between Leonard Street and Tabernacle Street. Demarcated and separated on street cycle lanes exist on the southern side of Old Street. The pavement on the southern side of Old Street is currently quite

narrow and given the width of the highway in Old Street, the pedestrian environment is vulnerable and challenging in this location.

On site servicing

9.434 The site itself benefits from an in-curtilage service yard which is accessed from Cowper Street at the southeastern corner of the site and provides car parking for occupiers of the building as well as servicing and waste collection.

Trip Generation

9.435 The existing development generates 22.296 trips per 100sq.m on a daily basis which equates to a total of just over 4800 trips to and from the building as a whole. Of these trips, 74% are borne through national rail and underground through Old Street and to a lesser extent Moorgate. Pedestrian trips, cycle trips and bus trips account for 6.6%, 5.3% and 9.3% respectively. While the proportional modal split for the proposed development would be largely similar to the existing building, it is estimated that the scheme as completed could support over 12700 daily trips. Nearly 9,700 trips would be absorbed by the rail and tube network, bus trips would increase from 448 to 1210 while cycle trips would increase from 245 to 662 (daily round trips). The pedestrian based trip generation would increase from 319 to 862. The net changes to trip generation by modal split is set out below:

Mode	AM Peak (09:00-10:00)			PM Peak (17:00-18:00)			Daily		
	In	Out	Total	In	Out	Total	In	Out	Total
Car Driver	-14	-1	-16	-1	-14	-15	-60	-60	-121
Car Passenger	6	1	7	0	6	6	25	24	49
Bus/coach	99	10	109	7	94	101	389	373	762
National Rail	428	41	470	29	405	435	1,674	1,608	3,282
London Underground	366	35	402	25	347	372	1,431	1,374	2,805
Taxi	3	0	3	0	3	3	12	12	24
Motorcycle	16	2	18	1	16	17	64	62	126
Bicycle	54	5	60	4	51	55	213	204	417
Walk	71	7	78	5	67	72	277	266	543
Total	**1,031**	**100**	**1,131**	**71**	**976**	**1,046**	**4,024**	**3,862**	**7,886**

Figure 55: Proposed trip generation

9.436 In terms of daily site servicing and deliveries it is expected that the proposed development would attract 66 daily return trips with 8 during peak hour. Most of these would be long wheelbase vans up to 7.5tons, noting the narrow width of the servicing yard entrance and the narrow width of Cowper Street. The applicants have been able to estimate how long vehicles would dwell on site to load and unload and the results of this exercise have been used to justify the presence of 2 bays within the loading yard. To manage vehicle arrivals a booking management system will be brought into use. Nevertheless it is estimated that the expected trip generation and dwell time would result in the development utilising 63% of the servicing yard capacity. The applicant has also considered the impact that the proposed Great Room (218sq.m) would generate. Three scenarios have been considered including its standard use as a food and beverage outlet with on the premises seating; it use as a daily event space and thirdly as a weekend market. Under the standard function, it is expected that the Great Room would generate two trips per day but the utilised capacity of the loading yard is expected to remain below 80%. Under the second scenario, the same

level of servicing is expected, although a larger vehicle may be used and would be controlled through the booking system. Scenario 3 would justify a greater number of return trips, usually in smaller vehicles which can be accommodated more easily in the larger loading bays in the absence of daily office servicing trips. The applicant has offered to secure the DSP as a planning condition with a requirement to provide an updated document prior to occupation, reviewable after years 1, 3 and 5.

9.437 Within Cowper Street, the proposed development would result in an average two way flow of 178 vehicles on a daily basis, with 36 using the servicing yard and 23 accessing the Bezier Apartments. The average two way peak hour movements is 14 movements which is considered acceptable and it is considered that the local highway network would not be significantly impacted by the proposed development.

9.438 The proposed development seeks to make changes to the layout within Cowper Street to support the public realm objectives of the scheme. These include the formation and layout of a new public realm within Cowper Street that includes a delineated resurfaced shared surface that incorporates the pavement, highway and the end of the access route into the Bezier Apartments. A small number of existing parking bays will be removed including a diplomat's bay and some standard CPZ bays within the street, taking into account that the recognised Parking Stress levels within the street do not generally exceed 50%. A waiting bay for a delivery vehicle will be located within the street as well as a disabled bay. The existing turning circle at the western end of Cowper Street will be removed due to the pedestrian focus associated with the exit from the Underground Station. In lieu of the turning head, larger vehicles will be able to carry out a turn in the road at the entrance to the loading bay

9.439 The submitted transport, delivery and servicing management and Travel Plan documents have been shared with and appraised by Transport for London. While a number of objections have been raised about the constrained highway network for larger vehicle deliveries to and from Cowper Street, along Tabernacle Street and subsequently the National Highways trunk route network. They have raised no concerns about the likely delivery vehicle trip generation or construction management plan. However they have advised that an updated finalised Delivery and Service Management Plan should be secured through the legal agreement and that the CEMP should be secured through a planning condition, the details of which should be approved in consultation with both Transport for London and the London Borough of Islington.

Impact on buses and the bus network

9.440 The applicants have established that there are approximately 140 buses per peak hour passing within walking distance of the development site. It is considered that the development would generate a bus passenger demand of one person per bus over the two hour peak period. As a result, the overall impact would be negligible.

Impact on rail and underground network

9.441 The applicants have established that the scheme would give rise to an increase on the rail and underground network by up to 6087 two way trips with 75% of those using Old Street, 20% using Liverpool Street and 5% using Moorgate. In the context of Old Street station, the applicants have carried out a capacity assessment of Old Street station to determine whether the proposed development would overload the re-modelled Old Street station including its concourses, corridors and access/egress points. It is anticipated that an extra 749 passengers will use the new access point at the western end of Cowper Street with 3445 passengers using the new access point in the morning peak hour and 2914 in the evening peak hour. An assessment has been carried out on the basis of pedestrian comfort expressed in the required staircase width to accommodate the additional demand. The

overall morning peak would require a staircase width of 2.7m at the very least to accommodate the flow. The access would have a staircase width of 3.6m so that it is considered that this is acceptable. With respect to gateline and vertical travel to platform level, the station requires 14 ticket gates to accommodate demand rather than the current 10 and two escalators in each direction rather than the provision of 1+2. However, the applicant advises that the station is already operating over capacity in relation to gateline access and escalators and the capacity requirements for this development is based on pre-pandemic requirements which have not been re-modelled for this application. No objections have been received from TFL in relation to the impact on the operation of the station as a result of the proposed development.

Impact on rail and underground infrastructure assets

9.442 The development constitutes a significant structural increase within the site compared to the current development in situ. The building is situated over and above Old Street station, an interchange station between Network Rail and London Underground. The proposed development has a basement and sub-basement below ground level which may have an impact on the structural integrity of the railway infrastructure. The Council has consulted both Network Rail and Transport for London in the context of the potential impact on the infrastructure. TFL have responded. They have raised no objection but have recommended conditions requiring the applicant to provide details for the benefit of London Underground to consider the impacts prior to demolition, prior to sub-structure and prior to super-structure phases of the development. At the time of writing observations have not been received from Network Rail and it is assumed that a similar set of conditions which deal with impacts on their infrastructure should be included.

Pedestrian impacts

9.443 The proposed development combined with the changes to the public realm in front of and around the western elevation of the proposed development and the southern elevation in Cowper Street will result in significant upgrades to the pedestrian comfort levels around the site.

9.444 A significant part of the public realm benefit around the site are the proposed pedestrian safety and connectivity benefits around the site. These include the creation of a pedestrian link through the building that connects Old Street and Cowper Street as well as connect the pedestrian network to various aspects of the building. This route has a width of up to 6m at its widest part and 3m at its narrowest. This would provide an animated, active and surveilled route for pedestrians (and cyclists accessing the basement parking) open between 0800 – 1800 during the winter and 0700 – 2000 during the summer. The space will be managed patrolled and controlled to ensure that the space is safe to use. The other principal pedestrian benefit associated with the scheme is the significant widening of the pavement within the northern side of the site in Old Street. The pavement on Old Street is currently narrow and inactive. In response to this, the proposed design creates an arcade that sits within the retained structure of the existing building. The ground floor line on Old Street is set back 4m from the existing building line and acts as a double height arcade. The double height space extends into the building so sense of space along Old Street is considerably more generous. The pavement has been widened from 2.6m to 6.7m. Canopies will shelter the pavement from wind and rain.

Figure 56: Proposed Old Street pavement widening.

9.445 The school generates significant pedestrian trips in Cowper Street which need to be accommodated within the future trip generation profile for the development. The pedestrian link through from Old Street provides a safe environment while the public realm works which seek to create a pedestrian dominated environment will also assist.

Cycle parking

9.446 Long stay cycle parking for the office use will be provided in a dedicated cycle store located in the basement with access provided via a cycle entrance from Cowper Street which is also the pedestrian link described above. The basement parking would be accessed through a cycle lift and a staircase with a groove. The groove should be sufficiently wide to permit a wider wheeled/tyred cycle which is common for electric cycles.

9.447 The required long and short stay cycle parking requirements are set out in the table below:

Use	Min. Short-Stay Spaces	Min. Long-Stay Spaces	
Office E(c)	20	Provided as Sheffield stands 1.8m spacing (5%)	44
		Provided as Sheffield stands (15%)	132
		Folding cycle lockers (10%)	90
		Wall Hangers (15%)	122
		High Racks -Two-tier over Sheffield (15%)	125
		Provided as two-tier racks (40%)	368
		Total (Office)	**881 spaces**
Retail E(b) – assumed A3 café/restaurant	20		

Figure 57: Proposed cycle parking.

9.448 This cycle provision will be provided within the basement.

9.449 It is important to note that within the provision, the London Plan and the local plan require 20% of this (long stay) provision should include parking for non-conventional bikes (5%) and accessible bikes (15%). This has been provided with 176 spaces (44 and 132 respectively) within the development.

9.450 The applicant has confirmed that there would also be space for mobility scooter storage and charging although details for the precise location and quantity has yet to be determined and a condition (9) has been imposed to address this and secure details for approval. Lockers and showers have been provided to the satisfaction of the highways officer.

9.451 In terms of short stay cycle parking, there is limited public space around the building. Much of the new public realm around the site has been dedicated for pedestrians and pedestrian comfort. As such, opportunities are limited for short stay cycle parking the public realm. The applicant has indicated the provision of 30 spaces in locations along City Road to the southwest. There is also provision within the local vicinity around Cowper Street and Old Street for a low number of cycles.

9.452 The applicant has agreed in principle, payment of a sum of £220,000 to TFL to construct a new cycle hire docking station in Cowper Street to the east of the site following discussions with TFL. This will require the removal of a small number of existing CPZ bays which has as described above accommodate a parking stress level of approximately 50% so there would not be any knock on impacts as a result of the removal of localised parking opportunities.

Construction

9.453 The C.M.P. shows the sites access routes which are as expected entrance via Tabernacle Street and exit via Paul Street. Transport routes to Tabernacle Street will be by strategic networks routes. The cycle routes around the site have been highlighted by TfL and the developer has acknowledge the need to address these during the construction phases. There are references to pit lanes, hoardings and gantries and these will be agreed with Islington street works, link in the attached standard highways comments document. During demolition works loading and unloading will take place on site accessed by the existing access road and be monitored by traffic marshals.

9.454 During construction the developer has shown that parking bays suspensions and traffic marshalls will be required. The swept paths provided are acceptable. No loading or unloading will take place on the public highway. There will obviously be a cumulative impact of vehicular movements as part of the development and the developer will need to show how this is mitigated, possibly by a booking system whereby delivery vehicles arrive at a set time.

Waste strategy

9.455 The advice set out in the Council's 'Recycling and Refuse Storage Requirements (2013) will be considered in designing the waste storage and collection strategy for the Proposed Development. Consequently, the waste storage requirements will be based on the guidance and private refuse collection will be pursued to allow compact waste storage and frequent collections by smaller refuse vehicles if necessary. The main requirements within the LBI guidelines such as 50% recyclable storage would be adhered to. Waste will be separated where possible and the storage containers listed below provide waste streams for general waste, dry mixed recyclable waste, glass, organic and card. A waste oil drum is included for the café.

9.456 The proposed waste provision within the servicing area which will be used by all proposed uses is as follows:

- 5 x 1100 L Eurobin for residual waste
- 11 x 360L Wheeled bins for organic waste
- 9 x 120L Wheeled bins for glass waste
- 12 x 1100L Eurobin for dry-mixed recyclable waste
- 5 x 240L Cardboard bale
- 1 x cardboard baler
- 1 waste oil drum

9.457 Dedicated waste storage is provided in bin stores at ground level and within the basement. Large Eurobins will be stored at ground level adjacent to the loading bay for ease of collection. Smaller bins used to store glass and organic wastes and baled cardboard are stored within the basement to be transported to the loading bay via the goods lift. Waste will be collected from the service yard and as such will be designed to allow waste collection vehicle operation providing sufficient clear head height and operational space around the vehicle.

Air Quality

9.458 Policy SI 1 (Air quality) of the London Plan (2021) states that development proposals should not lead to the further deterioration of air quality or create any new areas that exceed air quality limits. Developments should at least be air quality neutral. An air quality assessment should be provided. In accordance with Policy DM6.1 of the Adopted Islington Local Plan, developments in locations of poor air quality should be designed to mitigate the impact of poor air quality to within acceptable limits. Policy S7 of the emerging local plan states that all development proposals must mitigate or prevent adverse impacts on air quality and investigate and implement all reasonable opportunities to improve air quality. Development in excess of 10,000sq.m net increase of floorspace should be air quality positive.

9.459 The whole of the Borough has been designated by the Council as being an Air Quality Management Area. An Air Quality Assessment has been prepared by Watermans to support this application. The main likely affects on local air quality during construction relate to the generation of dust and particulates. A range of measures to minimise or prevent dust and particulates would be implemented throughout the construction works. Furthermore, it is expected that the implementation of appropriate mitigation measures would result in insignificant effects on air quality from construction vehicles. The applicant is satisfied that the net changes in vehicle flows to service and deliver to the proposed building would be below the Environmental Protection UK and Institute of Air Quality Management guidance criteria for developments within an AQMA. In addition, the proposed building would not give rise to any centralised combustion plant. It is therefore likely that the proposed operation of the building would not generate any significant impacts on air quality.

9.460 The applicant has submitted an Air Quality Positive Statement with the application that includes a range of measures that would be adopted to ensure that the development achieves and maintains this categorisation. These measures will either be secured through the CEMP, through the approved drawings or through either a condition or planning obligation. The range of measures proposed have been considered by the Environmental Health officer who has raised no objections. They have sought to emphasise compliance with the CMP which should be secured via a planning obligation and the fact that there is no combustion related to heat and power within the building. Recognising that the applicant aims to achieve Air Quality Positive for the development, a planning condition(#33) has been proposed which seeks to secure this is a minimum for the proposed development.

Fire Safety

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

9.462 A fire statement has been submitted which was prepared by a qualified third party assessor (The Fire Surgery) with listed qualifications. The fire statement provides details relating to construction methods; materials; means of escape; features to reduce the risk to life; access for fire services personnel and equipment; fire appliance access; and protection of the base build in the context of future modifications.

9.463 The GLA, within their Stage 1 commentary, advised that the submitted fire statement seeks to address policy D5 and D12 of the London Plan, however it does not appear to include a declaration of compliance in relation to both policies D12 (Fire Safety) and Section B5 of Policy D5 (Inclusive Design). With respect to policy D5, this part of the policy relates to a building achieving the highest standard of accessible design by, 'being 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 a building". As set out by the Fire Safety LPG, such a declaration should be included within the fire statement. Prior to determination, the Council must confirm that the appropriate fire safety considerations have been agreed and that compliance has been secured by way of a condition or legal agreement. The fire statement has been updated accordingly. The applicant has also confirmed that a fire evacuation lift has been provided in each of the three cores and has agreed to this being secured through a relevantly worded planning condition (#36).

9.464 The statement is required to demonstrate how the development will function in terms of the building's construction including methods, products and materials used; means of

escape; measures to be installed to mitigate the risk to life; access and effectiveness of combatting fire for the fire fighting team; means of access for fire fighting vehicles; and ensuring that any future building modifications take into account these policy requirements.

9.465 The applicants fire statement (updated June 2023) and the separate parallel strategy set out in the Design and Access Statement demonstrate general compliance with the requirements of policy D12 of the London Plan. At the time of writing, further information was sought concerning the capacity assessment of the evacuation methods to determine that a complete evacuation can be undertaken within 120 minutes so that the building construction can demonstrate compliance with the Building Regulations. The applicant has committed to carrying out both a capacity assessment as well as a Qualitative Design Review to demonstrate whether the measures are BS 9991: 2015 compliant or whether further fire – engineered solutions would be required.

9.466 A Policy D12 review of the fire strategy and fire statement is set out as follows:

London Plan policy D12(B) requires the following detail:	**Response:**
1. The building's construction: methods, products and materials used, including manufacturers' details.	The structure of the building will be comprised of steel and concrete elements. All elements of the structure will achieve a minimum load bearing fire resistance of 120 minutes. The façade will be a curtain walling system including glazed and unitised terracotta panels. All parts of the façade will be constructed from materials that comply with the European rating of A2-S1,d0 or better, including internal and external elements as well as insulation and filler materials with the exception of specific materials that are exempted under the guidance.
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	The building is provided with three protected stair cores, including two firefighting shafts that serve all levels and a protected escape stair that serves the podium levels. The building will be operated with a phased evacuation strategy. The phased evacuation allows for a stair capacity significantly in excess of the expected occupancy in the building. All of the stairs are provided with lobbies to prevent ingress of fire and smoke and the fire fighting shafts are pressurised so have additional protection. This will allow the stairs to continue to be available throughout the egress of the building even in the event of a fire in a floorplate. The design will be developed so that the provision of evacuation lifts is in compliance with London Plan Policy D5(B5). An evacuation lift is provided that is associated with each stair core used for escape. These are separate from the firefighters lifts so that they can be in use while firefighting is occurring elsewhere. Each lift will be designed in accordance with BS9999. A capacity assessment will be carried out to demonstrate that the lifts can evacuate all of the expected users within the appropriate time period.
3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated	A Category L1 automatic fire detection and alarm system will be provided throughout the building, designed and installed in accordance with the latest BS 5839-1.

London Plan policy D12(B) requires the following detail:	Response:
management and maintenance plans	Emergency Lighting and signage to be provided to escape routes. Emergency voice communication system and evacuation lifts provided to assist with escape of mobility impaired persons. Compartmentation provided throughout the building to enclose significant fire risks and protect means of escape and prevent unseen fire spread. Smoke extract and mechanical ventilation systems provided to support the fire strategy including basement extract, pressurisation to firefighting shafts and loading bay ventilation. Two firefighting shafts are provided to serve Levels B1 to 34 including a protected stair, lobby, firefighters lift , wet main and fire telephone system. Secondary power supply system A new automatic sprinkler system will be installed throughout the building, designed and installed in accordance with the latest BS EN 12845.
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	The primary means of internal firefighting will be using the two firefighting shafts that serve all building levels. The firefighting shafts are centrally located in the tower section of the building so that they are able to access all floors and provide coverage to all parts of the floor plate within 60m of the wet main outlets. A fire control centre is to be provided at ground level.
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building	Vehicle access is available on three sides of the building from Old Street, City Road and Cowper Street with hydrants located on these three streets.
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	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. Any future modifications to the scheme will be subject to Building Regulations approval and should consider the base build fire strategy.

9.467 A condition is recommended requiring an updated fire statement to be submitted in the event that there are changes to accommodate the outcomes of the capacity review and the Qualitative Design Review.

Equalities and the Public Sector Equalities Duty.

9.468 In relation to the Equality Act 2010, an Equalities Impact Assessment (EqIA) is a way of measuring the potential impacts (both positive and negative, temporary and permanent) that a proposal may have on the key protected characteristics covered by the Equality Duty and on Human Rights. An EqIA was submitted with the application to anticipate and mitigate against impacts that the proposal could have on people with the protected characteristics.

9.469 The statement has appropriately recognised the standard groups of people with protected characteristics as set out in the Equality Act 2010 and has determined that there are no negative equality impacts that would arise from the proposed developments. In fact, the proposed development has recognised and outlined positive equalities impacts that would arise as a result of this proposed development.

9.470 In relation to community facilities, the proposed development will feature at least two spaces that will have the potential to support events and training space to suit local needs. The proposed development also enhances access to these spaces. The applicant seeks to partner with the Central Boys Foundation School to establish ways in which the school and the development can collaborate to bring about benefits for young people at the school. This will result in direct positive impacts to students with protected characteristics such as age, race and religion or belief.

9.471 In relation to access to nature and open space, the proposed development will improve and enhance public realm by providing new public square and over 1000sq.m. of ground floor publicly accessible space, widening the Old Street pavement to over 6.5m and activating the currently inactive Cowper Street with improved shared surface and a pocket garden adjacent to the proposed café. A new pedestrian link connects Cowper Street to Old Street and the scheme involves extensive urban greening at street and upper terraces levels.

9.472 In relation to accessibility and inclusivity, the proposed development has been designed to incorporate the highest levels of inclusive and accessible design. Measures include the lowering of internal ground floor levels to provide step free access, new ramps and steps for accessibility purposes. Active Travel is at the heart of the proposed transport provision at the development as a result of there being no on site car parking and the provision of policy compliant cycle parking. The latter has also been designed to take into account the use of accessible and non – conventional bikes and their parking requirements.

9.473 The proposed development will incorporate specific secured by design measures. Combined with proposals to activate all three street facing elevations and measures to promote through site permeability the scheme aims to make users of the building and the adjoining highway network more safe and secure. A condition (#18) has been added to the proposed recommendation to ensure that the development adheres to Secured by Design standards. Better lighting and better surveillance as well as better and more intensively used pedestrian routes in Old Street and Cowper Street will contribute to this.

9.474 The applicants estimate that the construction and development phase will generate over 2500 jobs while the long term occupation will generate the net uplift of over 2350 jobs. Employment and skills initiatives have been agreed between the developer and the Council to ensure that local residents benefit from these opportunities. Some of these programmes and initiatives aim to reach difficult to reach parts of the workforce.

9.475 The applicants have used the Council's Equalities Impact Assessment Screening Tool Template to summarise how each of the key protected characteristics may or may not be affected by the proposed development. The assessment shows that the predominant impact of the proposed development on affected groups has been positive with a small

occurrence of neutral impacts. There have been no negative impacts in respect of equalities.

9.476 The application and the Equalities Statement has been shared with the relevant Fairness and Equality officer. The officer is content that there is suitable collaboration with local communities and establishing suitable mitigation measures for where there may be a negative equality impact. The applicant is committed to continued engagement with local communities throughout the construction and operational phase. During construction, there will be a requirement for the applicants to provide points of contact for the community and measures will be adopted for the CEMP to ensure that accessibility through the public realm will be maintained. The applicant is committed through its local partnerships and any community groups who will use any of the public spaces to ensure that equalities are maintained and that equality, diversity and inclusion (EDI) and social value are adopted as key principles.

Unexploded ordinance

9.477 A preliminary risk and threat assessment has been provided as part of the CEMP. The document has been commissioned as part of the Envirocheck land searches. The conclusions of this document recommend a detailed risk assessment and investigation is carried out. This is conditioned. A contamination investigation condition has also been added to the recommendation.

Planning Obligations, Community Infrastructure Levy and local finance considerations

9.478 Part 11 of the Community Infrastructure Levy (CIL) Regulations 2010 introduced the 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.

9.479 A Section 106 agreement including relevant Heads of Terms would be necessary in order to mitigate the impacts of the proposed development. The necessary Heads of Terms are:

a) Provision of **4,320sq.m** of **affordable workspace** at 1st and 2nd floor to be leased to the Council at peppercorn rent for perpetuity. To be provided at CAT A and LBI specification. 3 years equivalent service charge free within the first 5 years.

b) Provision of the '**Great Room'** comprising of 220sq.m (GIA) floorspace with allowance to be used by the Council and other groups and charities in the London Borough of Islington for **26 days per year**.

c) An annual budget of **£10,000 for 10 years** to cover operational costs generated by users of this space.

d) Provision of the **community space** comprising of 350sq.m (GIA) floorspace offered at peppercorn rent. The applicant will enter into a Joint Venture with the Council to run the space as a '**Maker Space'** (a form of creative and fabricating space equipped with technology to form a training area for schools, colleges, entrepreneurs, start ups and jobseekers) with emphasis on social value, equalities, diversity and inclusion.

e) Contribution of **£1,500,000** by owner at commencement and a further **£500,000** after 5 years for a mix of capital and operating costs.

f) Contribution of **£450,000 per annum** to the Council's participation in the LIFT programme for a period of five years in order to secure 75 jobs pa FTE equivalent, 20 internships, targeting 75% BAME, 60% female, 15% disabled persons uptake

g) Formation of **circa 950sq.m public realm** comprising of 220sq.m on Old Street, 545sq.m on Cowper Street, 185sq.m. on City Road with works undertaken by the Developer.

h) Formation of **pedestrian link** connecting Cowper Street and Old Street through the building opening between 0700 – 1800 daily (0700 – 2100 during BST period).

i) Contribution of £250,000 over five years towards cultural programming within and for the London Borough of Islington to be determined by the Council and in alignment within its wider Corporate objectives.

j) Delivery of 65 construction training placements and apprenticeships

k) Contribution of £122,000 for accessible transport provision in lieu of 61 disabled parking bays

l) £43,300 for construction practice monitoring

m) £25,000 for highways reinstatement bond

n) £606,433 for carbon offsetting

o) £220,000 payment to Transport for London for a new cycle hire docking station.

p) Removal of the right to apply for commercial vehicle parking permits

q) Code of Construction Practice compliance

r) Updated Travel Plan and monitoring

s) Green Performance Plan

t) Updated Energy Strategy

u) District Energy Network future proofing.

9.480 All payments to the Council would be index linked from the date of Committee and would be due upon implementation of the planning permission unless where stated or agreed to be deferred within the Section 106 agreement.

Planning balance

9.481 As identified within this report, the proposed development would result in identified benefits and identified harm in planning terms.

9.482 Section 70(2) of the Town and Country Planning Act 1990 states that in dealing with a planning application 'the authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material consideration.'

9.483 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that 'If regard is to be had to the development plan for the purpose of any determination to be made under

the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.'

9.484 There are the following additional requirements when considering planning applications which affect the setting of a listed building or the character and appearance of a conservation area. (Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that: 'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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'.

9.485 Section 72(1) of the Act states: 'In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area".

9.486 The effect of the duties imposed by section 66(1) and 72(1) of the Planning (Listed buildings and Conservation Areas) Act 1990 is, respectively, to require decision-makers to give considerable weight and importance to the desirability of preserving the setting of listed buildings, and to the desirability of preserving or enhancing the character or appearance of a conservation area.

9.487 The NPPF states at paragraphs 132 and 134-135, inter alia, that: 'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification… 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 securing its optimum viable use.

9.488 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 affect directly or indirectly 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.

9.489 From the outset, there is recognition that the scheme is, contrary to the policies of the emerging Local Plan with respect to Tall Buildings and building height. The scheme has been advertised as a departure from the Local Plan. A small number of objections have been received which relate to the height of the building. Furthermore, Historic England have advised that the building would generate some less than substantial harm (within the middle of the scale) to a range of heritage assets including Wesley's Chapel and Bunhill Fields. Furthermore, the building at its proposed height would be visually prominent in views from the south in the context of the Honourable Artillery Company Grounds open space and Lowndes House in City Road.

9.490 A Tall Buildings Study was commissioned by the London Borough of Islington to support its Local Plan Review. A tall building can be defined both by its physical and designed height in the context of a height and storey threshold and also by its relationship to surrounding context. It is clearly demonstrable that the proposed development is a tall building within each strand of the definition and forms a pronounced contrast with some of its surrounding context. Furthermore, the proposed building height constitutes a metropolitan landmark. Tall buildings are seen as part of a prosperous economy generating homes and jobs, concentrating density in sustainable locations close to public

transport. However, taller buildings can also be seen to have an adverse impact on the local environment, heritage assets, protected parks and gardens and the character of local communities and townscapes. They generate impacts on amenity, alter the microclimate and impact on visual amenity.

9.491 As a result, Islington's policy position on tall buildings is clearly set through the Development Plan. Islington has devised a tall building strategy which is informed by this study. Based on the results of the study, the Council has designated a variety of locations which are suitable for tall buildings. Some of these sites have become site allocations where a prescribed height is given. In the case of this site (site allocation BC9) the prescribed height is 106m.

9.492 The tall buildings study has appraised the City Road and Old Street taking into account the presence of taller buildings which have been constructed in this location and the impact that they have generated along with a consideration of the sensitivities that exist. The study recognises the presence of four groupings: City Road Basin; City Road (East Street) Old Street and Moorgate cluster. These clusters should remain as detached groupings of buildings that should not merge so that they remain as distinct groupings. The study states that, '*With the White Collar Factory and the Bower developments a cluster of more commercial taller buildings has started to emerge around Old Street roundabout. There is an opportunity to expand this cluster on the south side of the Old Street with carefully placed taller buildings that reinforce the cluster. This could include up to three additional taller buildings that help to bring regeneration of the area and support its employment function in the Tech City Cluster. The tallest of the three buildings would be located on the site of Inmarsat House. It could rise slightly above the height of the Bower and the White Collar Factory up to 106m establishing a new central focus of the cluster. However the massing and design of this building must ensure it does not create unacceptable harm to views onto Lowndes House from City Road'.*

9.493 By proposing a building with a height of more than 150m above its adjoining ground level, the proposed development is substantially greater than the site allocation and gives rise to the objections and to the harms that have been outlined. The London Plan in particular is clear in its policy direction, insofar as that the Local Planning Authorities should defined the appropriate location for a tall building. The London Plan then gives consideration to the range of factors that should be taken into account for a tall building. These have been considered within the report. The Council's emerging local plan policy DH3 states that all schemes that exceed prescribed heights should be refused. All proposals should however, meet the criteria set out in the policy which are very similar to those in London Plan policy D9.

9.494 Given the proposed height, its exceedance beyond the prescribed height for the site allocation informed by the tall buildings study, a high bar has been set which the scheme must attain in order to offset. It is considered that there are three main ways which this scheme seeks to achieve this. Firstly, the quality of the architecture and scheme design; secondly, the public benefits directly offered by the applicant to offset the harm for the benefit of the wider community and finally, environmental and sustainability benefits which the scheme seeks to aspire to.

9.495 It is important to emphasise that these are benefits that are unique to this scheme and this site and are not transferrable to become applicable to other sites. The context, characteristics and attributes are unique to this site and its immediate surroundings only.

9.496 The applicant has demonstrated a scheme of exceptional architecture utilising a globally renowned architectural practice that has developed a built form specific to this site responding to a unique context. The siting, surroundings and visual points of reference have informed the architecture inherent within the scheme. The building has been

designed as a focal point on a roundabout at which a number of key highway and townscape views intersect from City Road north and south and Old Street east and west. Taking into account the way that the site is approached from various directions and the way that the building is to be used, the building has been designed to be dynamic and ever changing. It has a number of different planes and different orientations and articulations. The building folds around the vertical. The elevations consists of smoother and more well defined fins and projections. This assists the massing and scale becoming fluid as people viewing the building travel in various directions towards and past the building. The building is more than just a tower in the urban context but one that is consistently changing its appearance as it is approached. The other substantial element to the overall structure is the podium base which is consistent with the prevailing built form of the surrounding area in terms of massing and height as well as the existing building. Between the podium and the tower, there is a definitive break that allows the podium to be visually distinguishable from the rest of the building. On Cowper Street there is a clear continuity from the existing brick warehouse style building to the subject building that is sympathetic and respectful. The west elevation to Old Street roundabout consists of a large front door that defines the building and frames the space and brings the building down to a manageable visual scale that interacts with the new public realm at the junction of City Road and Old Street. The northern side brings about wider safer pedestrian first pavements with an attractive colonnade. The building brings the outside in with active frontages to the street for the first time and a pedestrian link into the site. The materiality ties into prevailing colours used in South Shoreditch and provides that link into the relevant portion of the Old Street roundabout acting as an entry point into Tech City. The building aims to minimise the visual impact of plant and emphasise activity and urban greening. The former is built out of sight while the latter is expressed through generous terraces visible on all four sides of the building. Improvements to the public realm are expressed through shared surfaces and tree planting to add interest and texture to street level. This exceptionally high quality of design incorporated into this scheme enhances the setting, the wider area and landmarks the roundabout with a distinctive and unique design that defines the location.

9.497 The developer has recognised the challenge in offsetting the harm that can be perceived when creating taller buildings and has worked with the Council to offer significant benefits that tie into the site, its location, its function and contribution to the designations applicable here. The site is located in the CAZ and Tech City. Both are intrinsically important functions in supporting London as a global city. At the baseline, the scheme provides a net increase of over 40,000 sq.m of floorspace. This constitutes 10% of the requirement for the Borough. The scheme provides over 4000sq.m of affordable workspace. This accounts a doubling of the amount of affordable workspace in the Borough. The scheme identifies a workforce uplift of 2000 FTE people on the site. This opens opportunities for local people to find pathways into work. Not only is the applicant prepared to support starts ups and SMEs in the London office environment, the applicant is supporting the Council's successful existing strategies (such as LIFT) to secure employment and training for some of the Borough's hard to reach sections of the workforce including BAME, women and the disabled. The applicant is also supporting training for schools and the assumed workforce, as well as providing facilities for SMEs through a fabrication laboratory that can support training, employment and industry through technology. The scheme provides support for charities and other community groups through the provision of space that can be used by these groups for 26 days a year. The space can be used for markets, the display of art, as well as meetings and training. The space is complemented by a café. The applicant is also providing contributions to carbon offsetting, culture and artistic programming within the London Borough of Islington, public realm improvements as previously stated, improved cycling infrastructure and accessible transport contributions.

9.498 Finally, the proposed development is integrating substantial improvements to the energy, environmental and sustainability performances for the building compared to what exists in

situ. The scheme provides an overall policy compliant reduction in the context of CO2 emissions, it seeks to retain over 60% of the existing structure in order to reduce the level of embedded carbon (through re-use, recycling and reduction). The proposed development reduces overall Co2 emissions by 46%. The remaining CO2 is offset through a contribution of over £600,000. The development is to be developed to BREEAM Outstanding and the building is one of a select handful to be built to NABERs five star standard. The urban greening factor is 0.3% and the biodiversity net gain is exceptional on account of meaningful landscaping present within the development for the first time. The development utilises PV and ASHP and meets its surface water, drainage and water attenuation obligation effectively.

9.499 The Courts have found through a number of varied decisions that a building, taller than a designated threshold, or a building contrary to a policy is not necessarily a policy contravention. R (Hillingdon) v Mayor of London [[2021] EWHC 3387 (Admin) found that in relation to London Plan Policy D9 that parts A and B of the policy are not policy gateways. In summary, a site that breaches the first part of the policy in respect of site suitability does not automatically breach the policy as a whole if the scheme satisfies the tests set out within the policy. In addition, the Courts have determined that where a scheme does not accord with a policy in the Development Plan does not give rise to a scheme that is necessarily in breach of the Development Plan if other relevant policies (which in this case including land use, other design policies, sustainability policies (as an example)) find in favour of the scheme and when taken as a whole demonstrate that the scheme can be seen to be supported by the aims and objectives of the Development Plan.

9.500 While the objective visual harm expressed through height and visual impact is very tangible, it is considered that the proposed development would result in a strong package of benefits including quality of design, public benefit contributions to assist and support training and employment as well as clearly adopted performance targets pertaining to environment, energy and sustainability. The scheme achieves excellence on a wide range of metrics and on balance the complete development as designed and submitted justifies recommendation for planning permission subject to conditions and the outlined terms (in paragraphs 10.391 – 10.394) of a Section 106 legal agreement.

10. SUMMARY

10.1 The proposal would deliver high quality office accommodation constituting a significant quantum within one site that would make a substantial contribution towards the London Plan's and the Emerging Local Plan's target of over 440,000sq.m and 50,000 new jobs in the London Plan period. The scheme delivers a net uplift of 43,000sq.m of office floorspace with over 4,300sq.m of affordable workspace but also envisages an uplift of 2,000 jobs insitu. The proposed development would otherwise contribute to the function of the Central Activities Zone and the London Plan defined area known as Tech City. Further, mixed use community and commercial facilities exist at the ground floor level to support the principal office use and connect the building to the street and the public realm that surrounds.

10.2 The proposed development replaces a moderately recent office block on the site which fails to make a positive contribution to the streetscene. The proposed development seeks to retain more than 60% of the original structure and use that as a structural base to construct a 35 storey tower with a total height of 151m above adjoining ground and 169m AOD. The site is a defined site allocation with a prescribed target height of no more than 106m. This scheme is therefore a departure from the Development Plan and has been advertised as such. The proposed development will deliver over 4300sq.m of affordable workspace in perpetuity. The scheme will provide active frontages to all three street facing elevations and will include a café, a community space and an events space. The scheme

will provide enlarged and enhanced public realm around its footprint as well as generous upper level terraces.

10.3 The height of the building constitutes a departure from the development and its additional height would constitute harm. Development plan policy requires public benefits to be accumulated and various tests responding to economic, social and environmental considerations to be passed before such height can be supported. In addition, to the affordable workspace and the public realm benefits, the scheme achieves exceptional design standards, particularly at the podium level where outstanding elevational detail is proposed. At upper levels, the main shaft of the tower is designed with angular components to align with streets and buildings to create a visually dynamic building which changes its form and massing from different view points.

10.4 The range of benefits that the scheme offers, many of which will be secured through a legal agreement include a substantial provision of affordable workspace, the provision of an event space that can be used by the community and community groups, a community training space for creative and manufacturing technology, a substantial contribution towards the Council's participation in a jobs and training scheme for hard to reach sections of the Borough's workforce which benefit the protected characteristics of age, gender and race, contributions towards cycle hire, cultural programming, CO2 offsetting and accessible transport provisions.

10.5 The proposed development would not give rise to negative daylight, sunlight, overshadowing and glare impacts and would in some cases improve the daylight conditions for some neighbours.

10.6 The proposed development would be BREEAM outstanding, would achieve five-star NABERS (BRE) performance for office buildings, would retain two thirds of the existing structure and would perform well on embodied carbon, urban greening factor, SUDS and carbon emissions.

10.7 Taking into account all of the above, the application is recommended for approval subject to conditions, completion of a legal agreement and Stage 2 mayoral approval.

11. REASON FOR APPROVAL

11.1 For the reasons noted within this report, it is considered that on balance, the harm created by these proposals, inclusive of the tall building that represents a departure from policy, is outweighed by the scheme benefits, notably exceptional design and fundamental improvements to townscape and public realm, excellent sustainability and energy performance, generous community facilities and employment and training benefits including affordable workspace. Following an appraisal of the scheme, where it is demonstrated that the amenity and highways impacts of the scheme are not harmful and in some instances constitute improvements over the current scenario, it is considered that more widely, that the balance weighs more heavily in favour of development and the application should be approved.

12. CONCLUSION

12.1 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction** by **The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

a. allow the draft decision to proceed unchanged; or
b. direct the Council under Article 6 to refuse the application; or
c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

a) Provision of **4,320sq.m** of **affordable workspace** at 1st and 2nd floor to be leased to the Council at peppercorn rent for perpetuity. To be provided at CAT A and LBI specification. 3 years equivalent service charge free within the first 5 years.

b) Provision of the '**Great Room'** comprising of 220sq.m (GIA) floorspace with allowance to be used by the Council and other groups and charities in the London Borough of Islington for **26 days per year**.

c) An annual budget of **£10,000 for 10 years** to cover operational costs generated by users of this space.

d) Provision of the **community space** comprising of 350sq.m (GIA) floorspace offered at peppercorn rent. The applicant will enter into a Joint Venture with the Council to run the space as a '**Maker Space'** (a form of creative and fabricating space equipped with technology to form a training area for schools, colleges, entrepreneurs, start ups and jobseekers) with emphasis on social value, equalities, diversity and inclusion.

e) Contribution of **£1,500,000** by owner at opening and a further **£500,000** after 5 years for further operational costs generated by the users of the space.

f) Contribution of **£450,000 per annum** to the Council's participation in the LIFT programme for a period of five years in order to secure 75 jobs pa FTE equivalent, 20 internships, targeting 75% BAME, 60% female, 15% disabled persons uptake

g) Formation of **circa 950sq.m public realm** comprising of 220sq.m on Old Street, 545sq.m on Cowper Street, 185sq.m. on City Road with works undertaken by the Developer.

h) Formation of **pedestrian link** connecting Cowper Street and Old Street through the building opening between 0700 - 1800 daily (0700-2100 in BST period)

i) Contribution of £250,000 over five years towards cultural programming within and for the London Borough of Islington to be determined by the Council and in alignment within its wider Corporate objectives.

j) Delivery of 65 construction training placements and apprenticeships

k) Contribution of £122,000 for accessible transport provision in lieu of 61 disabled parking bays

l) £43,300 for construction practice monitoring

m) £25,000 for highways reinstatement bond

n) £606,433 for carbon offsetting

o) £220,000 payment to Transport for London for a new cycle hire docking station.

p) Removal of the right to apply for commercial vehicle parking permits

q) Code of Construction Practice compliance

r) Updated Travel Plan and monitoring

s) Green Performance Plan

t) Updated Energy Strategy

u) District Energy Network future proofing.

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

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks /) from the date when the application was made valid, the Service Director, Planning and Development / Head of Service – Development Management 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 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, and that there is delegated to each of the following: the Head of Development Management , the Team Leader Major Applications and the Team Leader Planning Applications to make minor changes (additions removals or amendments) to the conditions:

List of Conditions:

1	Commencement
	CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission. REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).
2	Approved plans list (compliance)

	CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans and documents: PA-001; PA-002; PA-003; PA-019; PA-020; PA-021; PA-025; PA-025; PA-029; PA-030; PA-031; PA-035; PA-036; PA-049; PA-050; PA-051; PA-055; PA-059: PA-098; PA-100; PA-101; PA-105; PA-109; PA-113; PA-117; PA-121; PA-125; PA-125; PA-129; PA-133; PA-137; PA-200; PA-201; PA-202; PA-203; PA-210; PA-211; PA-212; PA-213; PA-250; PA-251; PA-301; PA-302; PA-303; PA-304; PA-305; PA-306; 99CR-Publ-L-0000 rev A; 99CR-Publ-L-1000 rev B; 99CR-Publ-L-ARR rev B; 99CR-Publ-L-1001 rev B; 99CR-Publ-L-1002 rev B; 99CR-Publ-L-1003 rev B; 99CR-Publ-L-1004 rev B; 99CR-Publ-L-1011 rev B; 99CR-Publ-L-1031-rev B; 99CR-Publ-L-ARR-1050 rev B; 99CR-Publ-L-1051 rev B; 99CR-Publ-L-1052 rev B; 99CR-Publ-L-1071 rev B; 99CR-Publ-L-1091 rev B; 99CR-Publ-L-1141 rev B; 99CR-Publ-L-1181 rev B; 99CR-Publ-L-1241 rev B; 99CR-Publ-L-1301 rev B; 99CR-Publ-L-1331 rev B; 99CR-Publ-L-1371 rev A; 99CR-Publ-L-2001 rev B; 99CR-Publ-L-2002 rev B; 99CR-Publ-L-2003 rev B; 99CR-Publ-L-2011 rev B; 99CR-Publ-L-3001; 99CR-Publ-Stage2Report; Design and Access Statement (KPF); Air Quality Assessment (Watermans, March 2023); Archaeological Desk Based Assessment (Watermans, May 2023); Building Management Strategy (Helix, March 2023); Circular Economy Statement (Twin and Earth Ltd, March 2023); Construction and Environmental Management Plan (Avison Young, March 2023); Daylight and Sunlight, Overshadowing and Solar Glare Report (Point 2, March 2023); Delivery and Servicing Plan (Steer, April 2023); Drainage Strategy Report (AKT II Ltd, March 2022); Energy Statement (Atelier Ten, April 2023); Equalities Statement (Volterra, April 2023); Fire Statement (The Fire Surgery, March 2023); Flood Risk Assessment (Watermans, March 2023); Framework Travel Plan (Steer, April 2023); Health Impact Assessment (Volterra, April 2023); Heritage, Townscape and Visual Impact Assessment (Montagu Evans, March 2023); Noise and Vibration Impact Assessment (Watermans, March 2023); Planning Statement (DP9, April 2023); Socio-Economic Statement (Volterra, March 2023); Statement of Community Involvement (Kanda Consulting, March 2023); Sustainability Statement (Twin and Earth Limited, March 2023); Telecommunications Impact Assessment (Gtech Surveys, March 2023); Transport Assessment (Steer, April 2023); Utilities and Foul Sewage Assessment (Atelier Ten, March 2023); Ventilation and Extraction Statement (Atelier Ten, March 2023); Whole Life Carbon Assessment (Twin and Earth Limited, March 2023); Wind and Microclimate Assessment (RWDI, March 2023); Biodiversity Net Gain Assessment (Watermans, March 2023). REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.
3	Materials (details) (example condition) (final condition to be determined)
	CONDITION: Detailed drawings and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority in conjunction with the Islington Design Review Panel prior to the commencement of the above ground works. The details and samples shall include: a. Plan, elevation and section drawings of each external window and door typology at a scale of 1:10; b. Samples and manufacturer's details at a scale of 1:10, of all main facing materials including each type and colour of terracotta tile, external facing columns, copings, soffits, ground floor sills and entrance signage;

	c. Samples and manufacturer's details of all metalwork including to window systems, sills, canopies, ventilation grilles, soffits, rainwater goods, balustrades, gates, shutters, and roof terrace railings; d. Samples, including a sample panel, and manufacturer's details of all facing materials to the walls and flooring to the pedestrian walkway connecting Old Street with Cowper Street; e. Full scale sample bay panels should be erected on-site to show the various typical window and/or bay details – the exact ones to be modelled are to be agreed with the local planning authority prior to their fabrication Once agreed, these should be approved by the Council before the relevant parts of the work are commenced. This should demonstrate the exact materiality and profiling and demonstrating the proposed colours, texture, face-bond and pointing and include junctions with typical window openings. The development shall be carried out in accordance with the approval given; f. Any other materials to be used. g. Green Procurement Plan The development shall be carried out strictly in accordance with the details and samples 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. 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
4	Fixed plant (details)
	CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq\ Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90\ Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142:2014+A1:2019. REASON: To ensure that the amenity of neighbouring residents is not adversely affected.
5	Standby plant (details)
	CONDITION: 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 of the emergency plant and equipment 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. REASON: To ensure that the operation of the generator does not impact on residential amenity.
6	Restriction of PD Rights (compliance)
	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.

	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
7	Restriction of PD Rights (office use) (compliance)
	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 units and associated basement spaces the 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
8	Refuse and recycling (compliance)
	CONDITION: The dedicated refuse / recycling enclosure(s) shown on the approved plans shall be provided prior to the first occupation of the development hereby approved and shall be maintained as such thereafter. REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.
9	Cycle parking (details)
	CONDITION: Notwithstanding the approved proposed basement floor plan (PA-098 rev 00) and the approved proposed ground floor plan (PA-100 rev 00) details of the proposed long stay cycle parking shall be provided to and approved by the local planning authority prior to the commencement of super structure works. The details shall demonstrate the provision of 881 cycle storage units, the layout and location of accessible bike storage, mobility scooter storage and charging locations as well as standard and accessible toilets, showers and lockers. The facilities submitted and approved through this condition should be provided prior to the first occupation of any part of the building. REASON: To ensure adequate cycle parking is available and easily accessible on site and to promote sustainable modes of transport.
10	Construction and Environment Management Plan (CEMP) (Details)
	CONDITION: Prior to the commencement of demolition AND prior to the commencement of construction, a Construction and Environmental Management Plan shall be submitted to and approved in writing by the Local Planning Authority and shall include details of the 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 reports shall assess the impacts during the preparation demolition 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 CEMPs 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 construction 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 construction shall thereafter be carried out in accordance with the details and measures approved in the Construction and Environmental Management Plan.

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

REASON: In order to secure the safe and efficient operation of the highway network, local residential amenity and to mitigate the impacts of the development.
REASON (2): The condition is required prior to commencement given the importance of routing and movements as well as the environmental and amenity

	implications of construction being considered and agreed prior to the first works dependent on such movements.
11	Details of the shared surface (details)
	CONDITION: Notwithstanding the approval of the proposed ground floor plan (P100-rev 00) details of the proposed shared surface within Cowper Street, which shall include appropriate measures to delineate and demarcate areas for pedestrian and vehicular usage, shall be submitted to and approved by the Local Planning Authority prior to the commencement of construction of above ground works and shall be completed prior to the first occupation of the development hereby approved. REASON: To enhance the quality of the public realm and to safeguard for pedestrians and other users of Cowper Street.
12	Landscaping (details)
	CONDITION: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; details of treatment of all parts on the site not covered by buildings (and within the red line site area) shall be submitted to and approved in writing by the Local Planning Authority. The site shall be landscaped strictly in accordance with the approved details in the first planting season after completion or first occupation of the development, whichever is the sooner. Details shall include: 1. a scaled plan showing all existing vegetation and landscape features to be retained and trees and plants to be planted; 2. location, type and materials to be used for hard landscaping including specifications, where applicable for: a. permeable paving b. tree pit design c. underground modular systems d. Sustainable urban drainage integration e. use within tree Root Protection Areas (RPAs); 3. a schedule detailing sizes and numbers/densities of all proposed trees/plants; 4. specifications for operations associated with plant establishment and maintenance that are compliant with best practise; and 5. types and dimensions of all boundary treatments There shall be no excavation or raising or lowering of levels within the prescribed root protection area of retained trees unless agreed in writing by the Local Planning Authority. Unless required by a separate landscape management condition, all soft landscaping shall have a written five-year maintenance programme following planting. Any new tree(s) that die(s), are/is removed or become(s) severely damaged or diseased shall be replaced and any new planting (other than trees) which dies, is removed, becomes severely damaged or diseased within five years of planting shall be replaced. Unless further specific permission has been given by the Local Planning Authority, replacement planting shall be in accordance with the approved details.

	REASON: Required to safeguard and enhance the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.
13	Tree planting (details)
	CONDITION: Prior to completion or first occupation of the development hereby approved, whichever is the sooner; full details of all proposed tree planting shall be submitted to and approved in writing by the Local Planning Authority. This will include planting and maintenance specifications, including cross-section drawings, use of guards or other protective measures and confirmation of location, species and sizes, nursery stock type, supplier and defect period. All tree planting shall be carried out in accordance with those details and at those times. Any trees that are found to be dead, dying, severely damaged or diseased within five years of the completion of the building works OR five years of the carrying out of the landscaping scheme (whichever is later), shall be replaced in the next planting season by specimens of similar size and species in the first suitable planting season. REASON**:** To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 to safeguard and enhance the amenity of the area, to maximise the quality and usability of open spaces within the development, and to enhance its setting within the immediate locality.
14	Light spill prevention (details)
	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: - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter. REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.
15	Lifts (Compliance)
	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. 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.
16	No plumbing or pipes (compliance)
	CONDITION: No plumbing, down pipes, rainwater pipes or foul pipes shall be located/fixed to the northern external elevation of the building hereby approved.

	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.
17	No obscure glazing or vinyl graphics (compliance)
	CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the street facing elevations unless otherwise agreed in writing by the Local Planning Authority. 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.
18	SBD (detail)
	CONDITION: Prior to occupation of the development hereby approved, details of how the development achieves Secured by Design (2015 commercial guide) accreditation shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. REASON: In the interests of safety and security.
19	Lighting (details)
	CONDTION: Details of any general / security external lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant works. The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The general lighting and security measures shall be carried out strictly in accordance with the details so approved, shall be installed prior to occupation of the development and shall be maintained as such thereafter. REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity and is appropriate to the overall design of the building.
20	BREEAM (compliance)
	CONDITION: The commercial element of the development shall achieve a BREEAM rating of no less than ‘Excellent’. REASON: In the interest of addressing climate change and to secure sustainable development.
21	Urban Greening Factor (compliance)
	CONDITION: The development hereby permitted shall achieve an Urban Greening Factor of 0.3. Alternatively, a report shall be submitted to an approved in writing by the Local Planning Authority prior to first occupation of the development hereby permitted which satisfactorily demonstrates that an Urban Greening Factor of 0.3 cannot be achieved. The report shall give consideration to additional planting, intensive or semi-intensive green roofs, the addition of raingardens and planting. REASON: In the interest of biodiversity, sustainability and to ensure that green infrastructure is maximised on the site.
22	Swift nesting bricks (details)
	CONDITION: Details of swift nesting boxes/bricks shall be submitted to and approved in writing by the Local Planning Authority prior to superstructure works commencing on site. The details shall include the exact location, specification and

	design of the habitats. The nesting boxes/bricks shall be provided strictly in accordance with the details so approved, installed prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter. REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.
23	Inclusive Design (details)
	CONDITION: Details including floorplans, sections and elevations at a scale of 1:50 shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on any of the part of the development hereby approved. The details shall include: • accessible WC provision; • public entrances including sections showing level access, door furniture, door opening weights and manifestations to glazing; • space for the storage and charging of mobility scooters; • details of accessible changing facilities for staff; • details of evacuation arrangements for people with disabilities; • details of a second means of access between the entrance lobby and ground floor when the lift is out of service; and • details of how the development would comply with the relevant parts of the Inclusive Design in Islington SPD. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. REASON: To ensure that the proposed development facilitates inclusive design and access.
24	Other plant (compliance)
	CONDITION: On-site plant and machinery must comply with the London non-road mobile machinery (NRMM) Low Emission Zone standards for the Central activities Zone. REASON: To safeguard street level air quality.
25	Whole Life Cycle Carbon (details)
	CONDITION: An updated Whole Life Carbon Assessment shall be submitted to, and approved in writing by, the Local Planning Authority. The updated assessment shall include/address: • Further carbon reduction quantification through the detailed design stage material selection and specification; • Completed Updated GLA Whole Life-Cycle Carbon Assessment • Details of how opportunities for retaining and refurbishing/re-purposing existing buildings, materials and other resources on site have been maximised to reduce the need for new materials; • Details of life cycle of embodied carbon and finite resources relating to the enabling works stage and end of life approach;

	• Details of the applicant's Principals of Sustainable Procurement and details of specific measures being taken on the site for specification and sourcing of materials; • Consideration of end-of-life de-construction; • Cost premiums, supply chain limits and structural constraints for the proposal and Implications of Key Performance Indicators not being met; and • Updated targets for Bill of Materials; A Post-Construction Assessment should be submitted prior to Occupation. REASON: The revised and updated details and designs will ensure that the embodied carbon emissions associated with the proposed development, taking into account the materials quantities and loads, operational energy consumption of the built scheme, with total emissions estimated and compared to the GLA benchmarks are reduced to their lowest possible levels, having regard to GLA benchmarks in accordance with policy S4 of the London Plan.
26	Whole Life Cycle Carbon post construction assessment (details)
	CONDITION: Within 3 months of practical completion of the development hereby approved, a whole life carbon post-construction assessment report shall be submitted to approved by the Local Planning Authority. 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 and renewable energy are met.
27	Circular economy (details)
	CONDITION: An updated Circular Economy Statement shall be submitted to, and approved in writing by, the Local Planning Authority as follows: a) Prior to demolition works and relating to the demolition phase; and b) Prior to construction works. The updated statement shall include outstanding information including the reporting of key metrics and commitments to achieve London Plan policy targets. The information and specific commitments shall demonstrate how the development will achieve Circular Economy actions and principles identified. The development shall be carried out strictly in accordance with the details so approved for stages a) and b) and no change therefrom unless otherwise specified in writing by the Local Planning Authority. REASON: The revised and updated details and designs will ensure that the embodied carbon emissions associated with the proposed development, taking into account the materials quantities and loads, operational energy consumption of the built scheme, with total emissions estimated and compared to the GLA benchmarks are reduced to their lowest possible levels, having regard to GLA benchmarks in accordance with policy S4 of the London Plan.
28	Circular economy (Post construction report) (details)
	CONDITION: Within 3 months of practical completion of the development hereby approved, a postconstruction circular economy report shall be submitted to the Local Planning Authority for approval in writing. REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that circular economy principles have been incorporated into the design, construction and management of the approved development in accordance with London Plan Policy SI7.

29	External wayfinding signage (details)
	CONDITION: Prior to occupation of the development hereby approved, details of all external site wayfinding signage shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed details shall be installed prior to the occupation of the development and shall be maintained as such permanently thereafter, unless otherwise approved in writing by the Local Planning Authority. R EASON: In the interests of visual amenity and to ensure that the entrance approach is both welcoming and inviting.
30	No amplified sound or music (compliance)
	CONDITION: No amplified music shall be played either internally or externally until an Noise Report which assesses the cumulative impact of music and crowd noise has been submitted and approved by the Local Planning Authority. REASON: To ensure that an appropriate standard of neighbouring residential accommodation is provided.
31	Building Operation Management Plan (Details)
	CONDITION: An Operation Management Plan providing details of how access to and management of the roof-top amenity spaces and terraces are to be achieved shall be submitted to and agreed in writing by the Local Planning Authority prior to the occupation of the development hereby approved. REASON: To ensure the protection of neighbouring amenity in respect to noise and disturbance.
32	Roof terrace structures (details)
	CONDITION: Details of any roof terrace/balcony furniture or structures (including seating, planters, fencing, wind breaks, umbrellas and heaters) shall be submitted to and approved in writing by the Local Planning Authority prior to occupation. The details shall include the location, height above roof level, specifications and cladding. The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. 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.
33	Air Quality (details)
	CONDITION: The development shall achieve Air Quality Positive status as a minimum. Following completion of measures identified in the Air Quality Positive Statement within the Waterman air quality assessment, a verification report, that confirms the measures implemented, must be produced which is subject to the approval in writing of the Local Planning Authority. REASON: To ensure that the development does not result in unacceptable impacts to air quality, in accordance with Development Management Policy DM6.1 and London Plan Policy SI1.
34	TFL Infrastructure Asset protection (details)
	CONDITION: 1. Before the Demolition stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority. a) provide an overview of the overall development including both design on temporary and permanent works. b) provide detailed design and Risk Assessment Method Statement (RAMS) for the demolition works

	c) accommodate the location of the existing London Underground structures d) accommodate ground movement arising from the proposed demolition and construction works e) mitigate the effects of noise and vibration arising from the adjoining railway operations within the structures f) provide details on the use of tall plant/scaffolding for the demolition phase g) demonstrate that any EMC emissions from any plant or equipment to be used on the site or in the finished structure will not adversely affect LU equipment or signalling h) demonstrate that the design allows for any emissions from London Underground's tunnel, tracks and ventilation shafts or emissions from the proposed development 2. Before the sub-structure construction stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority. a) Provide detailed design and Risk Assessment Method Statement (RAMS) for all substructure works (temporary and permanent) including foundations, basement and ground floor structures, or any other structures below ground level, including piling. b) Ground movement analysis if requested 3. Before the super-structure construction stage begins, no works shall be carried out until the following, in consultation with TfL Infrastructure Protection, have been submitted to and approved in writing by the local planning authority. a) Provide detailed design and Risk Assessment Method Statement (RAMS) for all superstructure works (temporary and permanent) b) Provide details on the use of tall plant/scaffolding for the superstructure construction phase c) Ground movement analysis if requested REASON**:** To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2021, draft London Plan policy T3 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012. REASON (2): This condition is required prior to commencement due to the proximal relationship to strategic infrastructure.
35	Network Rail infrastructure asset protection (details)
	CONDITION: Development shall not commence until demolition and construction methodologies 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. REASON: To safeguard the safety and operational needs and integrity of the railway REASON (2): This condition is required prior to commencement due to the proximal relationship to strategic infrastructure.
36	Fire Safety (compliance/details)
	CONDITION: A fire evacuation lift should be located in each core. An updated fire strategy should be submitted prior to the commencement of above ground works which should detail the outcome of the Qualitative Design Review and the Capacity Review.

	REASON: To facilitate effective evacuation in the event of a fire and to comply with policy D5 of the London Plan (2021)
37	Construction Logistics Plan (details)
	CONDITION: Prior to the commencement of development a detailed Construction Logistics Plan has been submitted to and approved by the local planning authority (in consultation with Transport for London). The logistics plan shall include details of site access, journey planning, access routes, hours of delivery, temporary traffic arrangements or restrictions, site operation times, loading and unloading locations and material storage. All works shall be carried out in accordance with the approved details throughout all demolition and construction works. REASON: In order to secure highway safety and free flow of traffic, local residential amenity and mitigate the impacts of the development. REASON (2): The condition is required prior to commencement given the importance of routing and movements being considered and agreed prior to the first works dependent on such movements.
38	Digital Connectivity (details)
	CONDITION: Prior to commencement of above ground works detailed plans shall be submitted to and approved in writing by the local planning authority demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development. The development shall be carried out in accordance with these plans and maintained as such in perpetuity. Reason: To provide high quality digital connectivity infrastructure to contribute to London's global competitiveness.
39	Piling Method Statement (sewerage infrastructure) (details)
	CONDITION: 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 water and 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 and water utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.
40	Water Infrastructure protection (details)
	CONDITION: No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.
41	Phasing (details)

	CONDITION: Prior to the commencement of any part the development hereby permitted at the site, a Phasing Plan setting out the delivery of the phases across the whole site shall be submitted to and approved in writing by the local planning authority. The Phasing Plan shall confirm the order and timing of the delivery of each of the Phases, and development shall thereafter be carried out in accordance with the approved phasing plan unless otherwise agreed in writing by the Local Planning Authority Reason: To facilitate the effective development of the site
42	SUDS (details/compliance)
	CONDITION: The development shall be carried out in accordance with the approved drainage strategy prepared by AKT II ltd (March 2022). Notwithstanding the measures set out therein, reasonable endeavours should be undertaken to demonstrate the adoption of rainwater/greywater harvesting within the development. REASON: To ensure that surface water drainage corresponds with the sustainable drainage strategy and safeguards against surface water flooding in the surrounding environment.
43	Energy (details)
	CONDITION: Prior to first occupation updated Energy information shall be submitted to the Local Planning Authority and approved in writing: a) Potential improvements to energy efficiency specifications; b) Details regarding solar PVs: - Location; - Area of panels; - Design (including elevation plans); - PV specification / efficiency; and - How the design of the PVs would not adversely affect the provisions of green roofs on site. The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter. The development shall be constructed in accordance with the updated energy information and retained as such permanently thereafter. 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.
44	Green/brown roofs (details)
	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: a) green roofs shall be biodiversity based with extensive substrate base (depth 80 – 150mm); b) laid out in accordance with plans hereby approved; and 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. d) Details of Blue Roof. e) Submission of a maintenance plan demonstrating how it will be maintained. 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. 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. REASON: In order to ensure the development maximises opportunities to improve the green infrastructure on site and help boost biodiversity and minimise run-off.
45	Archaeology (details)
	CONDITION: No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works. If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include: A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works B. Where appropriate, details of a programme for delivering related positive public benefits C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI. REASON: To safeguard, protect and record potential deposits that may be located within the Moorfields Archaeological Priority Area.
46	Contamination (details)
	CONDITION: Prior to the commencement of development (excluding demolition) the following assessment in response to the NPPF and in accordance with Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) and BS10175:2011+A2:2017 shall be submitted to and approved in writing by the Local Planning Authority a) A land contamination investigation. The investigation shall be based upon and target the risks identified in the approved preliminary risk assessment and shall provide provisions for, where relevant, the sampling of soil, soil vapour, ground gas, surface and groundwater. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements

	for sampling and testing. Following the agreement to details relating to point a); details of the following works shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site: b) A remediation method statement of any necessary land contamination remediation works arising from the land contamination investigation. This statement shall detail any required remediation works and shall be designed to mitigate any remaining risks identified in the approved site investigation. The development shall be carried out strictly in accordance with the investigation and any scheme of remedial works so approved and no change therefrom shall take place without the prior written approval of the Local Planning Authority. If, during development, contamination not previously identified is found to be present at the site, the Council is to be informed immediately and no further development (unless otherwise agreed in writing by the Council) shall be carried out until a report indicating the nature of the contamination and how it is to be dealt with is submitted to, and agreed in writing by, the Council. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing c) Following completion of measures identified in the approved remediation scheme a verification report, that demonstrates the effectiveness of the remediation carried out, must be produced which is subject to the approval in writing of the Local Planning Authority in accordance with part b). This report shall include: details of the remediation works carried out; results of any verification sampling, testing or monitoring including the analysis of any imported soil; all waste management documentation showing the classification of waste, its treatment, movement and disposal; and the validation of gas membrane placement. All works must be carried out in compliance with and by a competent person who conforms to Land Contamination Risk Management (LCRM) guidance (Environment Agency as updated 2021) or the current UK requirements for sampling and testing. d) A detailed risk assessment for Unexploded Ordinance shall be carried out and submitted to the Local Planning Authority for approval prior to the commencement of substructure work REASON: Given the history of the site the land may be contaminated investigation and potential remediation is necessary to safeguard the health and safety of future occupants
47	Window cleaning (details
	CONDITION: Details of the window cleaning strategy including any apparatus and associated goods, their operation and housing shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on-site. Any apparatus and associated goods associated with the window cleaning strategy shall be installed strictly in accordance with the approved plans and shall be maintained as such thereafter. When not in operation/use any associated window cleaning apparatus and any associated goods shall be returned to, and housed entirely within the dedicated roof-top enclosure. REASON: To ensure that the resulting window cleaning apparatus and any associated equipment are appropriately housed and out of view in the interest of maintaining an appropriate appearance of the building.

List of Informatives

1	S106
	SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.
2	Superstructure
	DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' 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.
3	Community Infrastructure Levy (CIL) (Granting Consent)
	INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.
4	Car-Free Development
	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.
5	Construction works
	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, excluding event days including football games, where the site must not be operational 2.5 hours prior to kick-off and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email pollution@islington.gov.uk) or seek prior approval under Section 61 of the Act

	if you anticipate any difficulty in carrying out construction other than within the hours stated above.
6	Roller Shutters
	ROLLER SHUTTERS The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.
7	Highway requirements
	Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through streetworks@islington.gov.uk. All agreements relating to the above need to be in place prior to works commencing. Compliance with section 174 of the Highways Act, 1980 - "Precautions to be taken by persons executing works in streets." Should a company/individual request to work on the public highway a Section 50 license is required. Can be gained through streetworks@islington.gov.uk Section 50 license must be agreed prior to any works commencing. Compliance with section 140A of the Highways Act, 1980 – "Builders skips: charge for occupation of highway. Licenses can be gained through streetworks@islington.gov.uk. Compliance with sections 59 and 60 of the Highway Act, 1980 – "Recovery by highways authorities etc. of certain expenses incurred in maintaining highways". Haulage route to be agreed with streetworks officer. Contact streetworks@islington.gov.uk. Joint condition survey required between Islington Council Highways and interested parties before commencement of building works to catalogue condition of streets and drainage gullies. Contact highways.maintenance@islington.gov.uk.
8	Alterations to the highway
	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. 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 streetlights@islington.gov.uk 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. 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.
9	Environmental Health Management code for the testing of emergency plant
	The Management code shall include measures to address the following matters: 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. 2. The duration of the testing to be commensurate with the test requirements and not to exceed one hour.

	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. 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 (LA90). The rating level to be determined as per the guidance provided in BS 4142:2014+A1:2019. 5. A report to be commissioned by the applicant, using an appropriately experienced & 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."
10	Tree Protection
	The following British Standards should be referred to: a. BS: 3882:2015 Specification for topsoil b. BS: 3936-1:1992 Nursery Stock - Part 1: Specification for trees and shrubs c. BS: 3998:2010 Tree work – Recommendations d. BS: 4428:1989 Code of practice for general landscaping operations (excluding hard surfaces) e. BS: 4043:1989 Recommendations for Transplanting root-balled trees f. BS: 5837 (2012) Trees in relation to demolition, design and construction - Recommendations g. BS: 7370-4:1993 Grounds maintenance part 4. Recommendations for maintenance of soft landscape (other than amenity turf). h. BS: 8545:2014 Trees: from nursery to independence in the landscape – Recommendations i. BS: 8601:2013 Specification for subsoil and requirements for use
11	Network Rail
	Fail Safe Use of Crane and Plant 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. With a development of a certain height that may/will require use of a crane, the developer must bear in mind the following. 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. **Excavations/Earthworks**

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. 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. 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.

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.

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.

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.

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.
12	London Underground infrastructure
	The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; excavation; construction methods; security; boundary treatment; safety barriers; landscaping and lighting
13	Thames Water
	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.
14	Archaeology
	Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.
15	Swift bricks
	Habitat features must be incorporated on-site to support existing species and provide opportunities for new wildlife. Integrated swift bricks in particular are requested, in clusters of a minimum of three in a row. Their location should be informed by a suitably qualified ecologist.

APPENDIX 2: RELEVANT POLICIES

This appendix lists all relevant development plan polices 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 - Spatial Development Strategy for Greater London

1. Planning London's Future - Good Growth
Policy GG2 Making the best use of land
Policy GG5 Growing a good economy

2. Spatial Development Patterns
Policy SD4 The Central Activities Zone
Policy SD5 Offices, other strategic functions and residential development in the CAZ

3. Design
Policy D1 London's form, character and capacity for growth
Policy D3 Optimising site capacity through the design led approach
Policy D4 Delivering good design
Policy D5 Inclusive design
Policy D8 Public Realm
Policy D10 Basement development
Policy D11 Safety, security and resilience to emergency
Policy D12 Fire safety
Policy D13 Agent of Change
Policy D14 Noise

6. Economy
Policy E1 Offices
Policy E2 Providing suitable business space
Policy E3 Affordable Workspace
Policy E11 Skills and opportunities for all

7. Heritage and Culture
Policy HC1 Heritage conservation and growth

8. Green Infrastructure and Natural Environment
Policy G5 Urban Greening
Policy G6 Biodiversity and access to nature
Policy G7 Trees and woodlands

9. Sustainable Infrastructure
Policy SI1 Improving air quality
Policy SI2 Minimising greenhouse gas emissions
Policy SI4 Managing heat risk
Policy SI5 Water infrastructure
Policy SI7 Reducing waste and supporting 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 Car parking
Policy T6.2 Office parking
Policy T7 Deliveries, servicing and construction

B) Islington Core Strategy 2011

Spatial Strategy
Policy CS7 Bunhill and Clerkenwell

Strategic Policies
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 Space

Infrastructure and Implementation
Policy CS18 Delivery and Infrastructure

C) Development Management Policies 2013

2. Design and Heritage
Policy DM2.1 Design
Policy DM2.2 Inclusive Design
Policy DM2.3 Heritage
Policy DM2.4 Protected views

5. Employment
Policy DM5.1 New business floorspace
Policy DM5.2 Loss of existing business floorspace
Policy DM5.4 Size and affordability of workspace

6. Health and open space
Policy DM6.1 Healthy development
Policy DM6.5 Landscaping, trees and biodiversity
Policy DM6.6 Flood prevention

7. Energy and Environmental Standards
Policy DM7.1 Sustainable design and construction statements
Policy DM7.2 Energy efficiency and carbon reduction in minor schemes
Policy DM7.3 Decentralised Energy Networks
Policy DM7.4 Sustainable design standards
Policy DM7.5 Heating and cooling

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

9. Infrastructure
Policy DM9.1 Infrastructure
Policy DM9.2 Planning obligations
Policy DM9.3 Implementation

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

Policy BC8 Achieving a balanced mix of uses
Policy BC9 Tall buildings and contextual considerations for building heights

E) DRAFT Islington Local Plan

1. PLAN01 Site appraisal, design principle and process

2. Area Spatial Strategies
Policy SP1 Bunhill & Clerkenwell

4. Inclusive Economy
Policy B1 Delivering a range of affordable business floorspace
Policy B2 New business floorspace
Policy B4 Affordable workspace
Policy B5 Jobs and training opportunities
Policy R8 Location and Concentration of uses

5. Green Infrastructure
Policy G4 Biodiversity, landscape design and trees
Policy G5 Green roofs and vertical greening

6. Sustainable Design
Policy S1 Delivering Sustainable Design
Policy S2 Sustainable Design and Construction
Policy S3 Sustainable Design Standards
Policy S4 Minimising greenhouse gas emissions
Policy S5 Energy Infrastructure
Policy S6 Managing heat risk
Policy S7 Improving Air Quality
Policy S8 Flood Risk Management
Policy S9 Integrated Water Management and Sustainable Drainage
Policy S10 Circular Economy and Adaptive Design

7. Public Realm and Transport
Policy T1 Enhancing the public realm and sustainable transport
Policy T2 Sustainable Transport Choices
Policy T3 Car-free development
Policy T4 Public realm
Policy T5 Delivery, servicing and construction

8. Design and Heritage
Policy DH1 Fostering innovation while protecting heritage
Policy DH2 Heritage assets
Policy DH3 Building heights
Policy DH4 Basement development
Policy DH5 Agent-of-change, noise and vibration

F) DRAFT Bunhill and Clerkenwell Area Action Plan

2. Area wide policies
Policy BC1 Prioritising office use

3. Area Spatial Strategies
Policy BC3 City Fringe Opportunity

Designations

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

- Central Activities Zone ('CAZ');
- Bunhill & Clerkenwell Core Strategy Key Area;
- Site allocation BC9
- Article 4 Direction B1c to C3 (CAZ);
- Article 4 Direction A1-A2 (Rest of Borough);

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan
Basement Development (2016)
Environmental Design
Planning Obligations and S106 (2016)
Urban Design Guide (2017)

London Plan
Accessible London (2014)
Character and Context SPG
Culture & the night time economy (2017)
Sustainable Design & Construction (2014)
Use of planning obligations in the funding of Crossrail,
and the Mayoral Community Infrastructure Levy (2013)
Fire Safety draft LPG