

PLANNING COMMITTEE REPORT
 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING COMMITTEE		AGENDA ITEM
Date:	27 th November 2023	NON-EXEMPT

Application number	P2023/1719/FUL
Application type	Full Planning Application
Ward	Caledonian Ward
Listed building	N/A
Conservation area	N/A
Development Plan Context	Vale Royal / Brewery Road Locally Significant Industrial Sites Article 4 Direction Office to Residential Article 4 Direction B1c to C3 Local Cycle Routes Strategic Cycle Routes Site Allocation 4 Brandon Road
Licensing Implications	None
Site Address	4 Brandon Road, London N7 9AA
Proposal	The demolition of the existing building and redevelopment of the site to provide a five storey building plus basement and set-back roof-level plant, involving light industrial floorspace (Use Class E(g)(iii)) at ground and first floor levels and flexible Lab / R&D / light industrial space (Use Class E(g)(ii-iii)) on the upper levels along with waste storage, cycle parking, associated plant room, landscaping / public realm and other associated works.

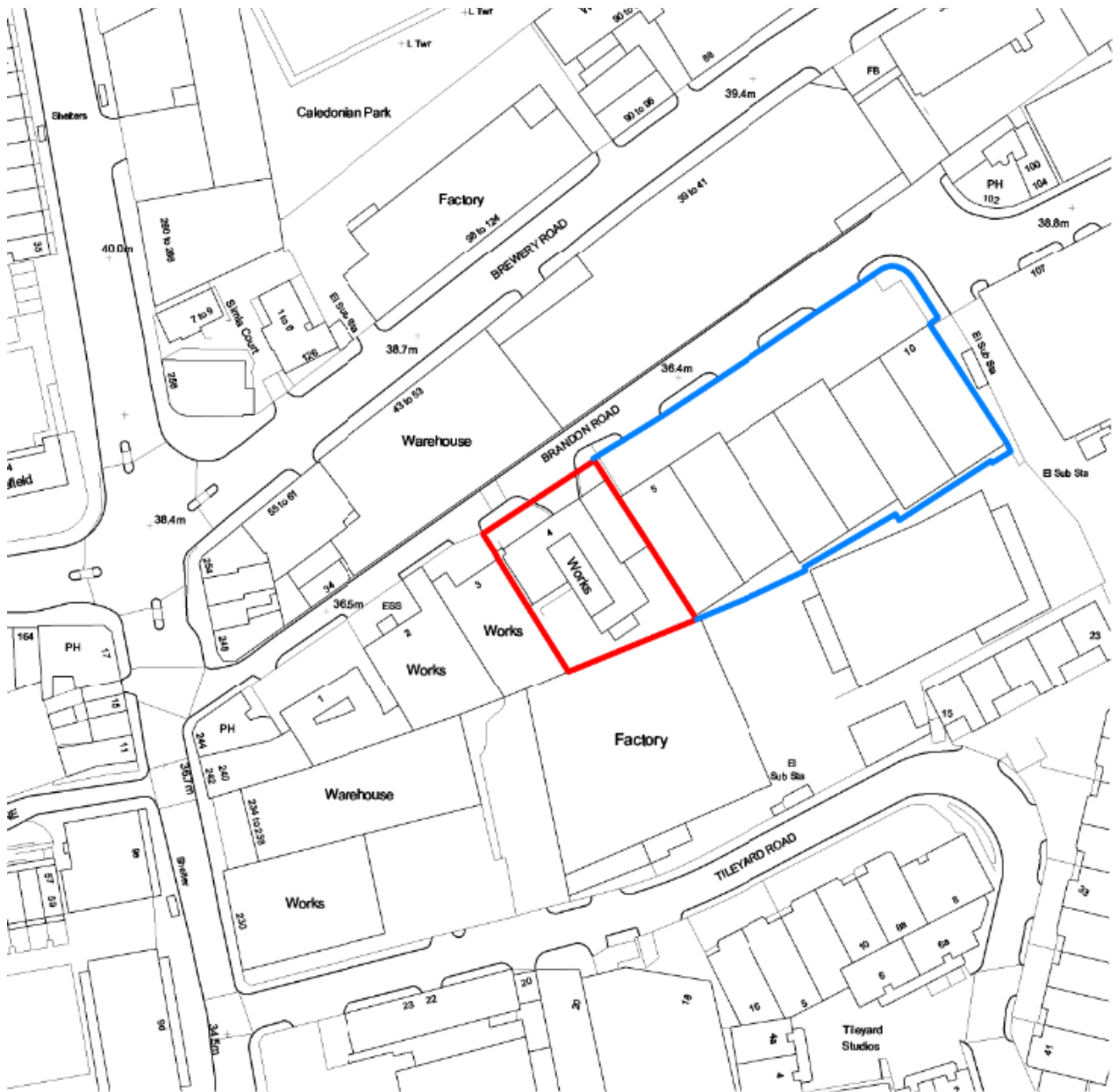
Case Officer	Stefan Sanctuary
Applicant	Kadans Science Partner
Agent	Gerald Eve

1. RECOMMENDATION

The Committee is asked to resolve to GRANT planning permission:

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

2. SITE PLAN (site outlined in red)



Site Plan – Application Site outlined in red – Site Ownership in Blue

3. PHOTOS OF SITE/STREET



Image 3.1: Aerial View



Image 3.2: Birds-Eye View - looking south



Image 3.3: View of building's front / street elevation looking west along Brandon Road



Image 3.4: Looking east from the junction with York Way showing front elevation



Image 3.5: View looking west from Brandon Road / Blundell Street with neighbouring site under construction



Image 3.6: View looking west along Brandon Road with neighbouring site completed

4. SUMMARY

- 4.1 This planning application seeks planning permission for the demolition of the existing building and redevelopment of the site to provide a five storey building plus basement and set-back roof level plant, involving light industrial floorspace (Use Class E(g)(iii)) at ground and first floor levels totalling 1,827sqm (GIA) and flexible Lab / R&D / light industrial space (Use Class E(g)(ii-iii)) on the upper levels totalling 2,967sqm (GIA) along with waste storage, cycle parking, associated plant room, landscaping / public realm and other associated works.
- 4.2 The site consists of a rectangular-shaped plot with a 5-storey building, which was historically used as cabling specialist, but more recently used as a site office in association with the construction of the neighbouring site at 5-10 Brandon Road. The site is located on the south side of Brandon Road within the Vale Royal/ Brewery Road Locally Significant Industrial Site (LSIS), which comprises predominantly light industrial and warehouse / storage uses interspersed with commercial and cultural uses, mainly focused around Tileyard Studios.
- 4.3 In land use terms, the proposal is considered to meet the aspirations of adopted Local Plan Policies, in particular Policies SP3, B2, B3, B4 and B5 as well as London Plan Policies GG5, E1, E6 and E7, which support the protection and intensification of the industrial area as outlined in the main body of the report. It is also considered that the proposed development would deliver suitable employment and training benefits in accordance with the relevant policy framework and that the proposal would provide the range of spaces and uses required to support the economic function of the industrial area.
- 4.4 The proposal is considered to have multiple benefits, including a well-considered design with a more active frontage and better relationship with the street, an improved public realm, landscaping and urban greening, employment and training benefits and an overall uplift in industrial floorspace which would be secured by condition in the event of planning permission being granted.
- 4.5 There are some discrepancies with planning policy, notably the proposal's failure to meet specific energy and sustainability targets including the non-compliant operational energy and consequent carbon emissions reductions, which fail to meet policy expectations. However, it is considered that sufficient justification has been provided that the energy intensive use proposed may render the targets unachievable in this instance, subject to further details being provided by condition, and that non-compliance with policy here is, on balance, outweighed by the benefits outlined above and in the main body of this report. The planning application is also considered to comply with relevant standards and requirements relating to transport, inclusive design, safety and security.
- 4.6 On balance, the application is considered to be in accordance with the Development Plan and is, therefore, recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

5. SITE AND SURROUNDINGS

- 5.1 The site is located on the south side of Brandon Road within the Vale Royal/ Brewery Road Locally Significant Industrial Site (LSIS). The LSIS comprises predominantly light industrial and warehouse / storage uses interspersed with commercial & cultural uses, mainly focused around Tileyard Studios.
- 5.2 The LSIS is the largest designated employment site in the Borough. Because of its central location, it has evolved in part to support and service the adjacent CAZ, as evidenced by the cluster of live event and music orientated businesses as well as catering operations located there. It also contains a significant amount of light industrial uses and services including machine hire, cleaning equipment hire, and commercial vehicle repair that support the wider London economy.
- 5.3 The subject site contains a five-storey brick building, which was previously occupied by VDC, a company trading as a cable specialists, producing and distributing cables; although it has most recently been used as a site office by the contractors for the construction of the neighbouring site

at 5-10 Brandon Road. The primary façade of the building and its pedestrian and vehicular access front onto Brandon Road. It is bounded to its flanks by adjacent properties on Brandon Road, No.3 Brandon Road, a low-rise pitched-roof warehouse building on one side, and a construction site implementing permission (P2022/1090/S73) for a 5-storey commercial building at 5-10 Brandon Road on the other, with a rear facing onto the back of properties facing Tileyard Road. The ground floor of the existing building is vehicle-focused with a poor street interface. The sole pedestrian access to the building is stepped and limits the accessibility of the building.

- 5.4 The LSIS is generally low-rise with predominantly 3-4 storeys in height with some lower-rise buildings although newer buildings are generally higher ranging from five to six storeys. Examples include the neighbouring 5-10 Brandon Road, currently under construction by the applicant, Kadans, as well as the two large new buildings also currently under construction on York Way. The highest building in the LSIS, at approximately 30m, is the former Fitzpatrick building. It occupies the primary position within the LSIS urban structure, fronting onto York Way and located directly opposite a tall residential building on the Camden side of York Way.
- 5.5 Though the LSIS is currently undergoing rapid transformative change with an intensification and diversification of uses and built form, the area is to remain industrial in operation and nature and relatively low-rise in townscape character. Several buildings in the immediate vicinity are relatively attractive warehouse style buildings or public houses. However, there are no immediately adjacent designated heritage assets such as listed buildings and/or conservation areas.
- 5.6 As well as being in the Vale Royal and Brewery Road LSIS (and thus subject to Policy SP3 of the Islington Local Plan), the site is also subject to Site Allocation VR6, which identifies the site as being suitable for the retention and intensification for industrial uses to contribute toward the delivery of the strategic priorities for the Spatial Strategy area.
- 5.7 The site is considered to have a poor/moderate level of accessibility to public transport with a PTAL of 2, although this jumps to a level of 4 elsewhere in the LSIS, for example on Brandon or Brewery Road, within 50m of the application site. The site is within walking distance to Caledonian Road & Barnsbury London Overground station. There are also a number of bus routes in the immediate area running along York Way and Agar Grove, as well as local cycle routes.

6. PROPOSAL (IN DETAIL)

- 6.1 The proposal involves the demolition of the existing building and redevelopment of the site to provide a five storey building plus basement and set-back roof level plant, involving light industrial floorspace (Use Class E(g)(iii)) at ground and first floor levels totalling 1,827sqm (GIA) and flexible Lab / R&D / light industrial space (Use Class E(g)(ii-iii)) on the upper levels totalling 2,967sqm (GIA) along with refuse / recycling storage, cycle parking, associated plant room, landscaping and public realm as well as other associated works. The proposed development would provide a gross internal area (GIA) of up to 4,794sqm, which is an uplift of 2,508sqm.
- 6.2 The proposal is set back from the street, leaving a more generous pavement edge and a landscaped area to the front of the building as well as a delivery and servicing bay and accessible parking bay. The main entrance leads to a reception area at ground floor level providing access to the main stair / lift core, bathroom and toilet facilities and 601sqm (NIA) of light industrial floorspace. There is also a proposed secondary entrance on the eastern boundary (or on the left when looking at the property), which leads to a secondary staircase and goods lift with access to the upper floors and basement. The basement has a slightly reduced footprint compared to the rest and includes a bike store, refuse storage, shower and end-of-trip facilities, ancillary staff rooms as well as plant room.



Fig. 6.1: Proposed Ground Floor Plan

6.3 At first floor level, the building is set in from the rear and incorporates 574sqm (NIA) of light industrial floorspace, accessible bathroom facilities and two lift/stair cores including a goods lift. The next two floors include 625sqm (NIA) of flexible light industrial / R&D floorspace each alongside the lift / stair cores, accessible bathroom and ancillary facilities including a cleaner’s store. The top floor is further set back from the street and involves further flexible light industrial / R&D floorspace alongside ancillary services and a small roof terrace to the front. At roof level, the proposal involves plant room including air handling units, extract flues, a generator and lift overruns.



Fig. 6.2: Proposed Elevations

6.4 The building is proposed to a height of 21.5m to the parapet of the top floor. This level is deeply recessed from the street frontage as well as being set in from the top floors of the adjacent 5 – 10 Brandon Road to the east. A further 3.5m allowance has been made to accommodate a screen to the roof top plant. This and the plant are set back still further from the street edge. The screen rises to a height of just under 25m. A small element rises above the screen accommodating the goods lift overrun, which takes the building to 26.3m in height. To accommodate laboratory space, the use necessitates the erection of a pair of ventilation flues which rise still further beyond the lift overrun as shown on the elevation above. None of the proposed building or associated structures would exceed 30m in height.

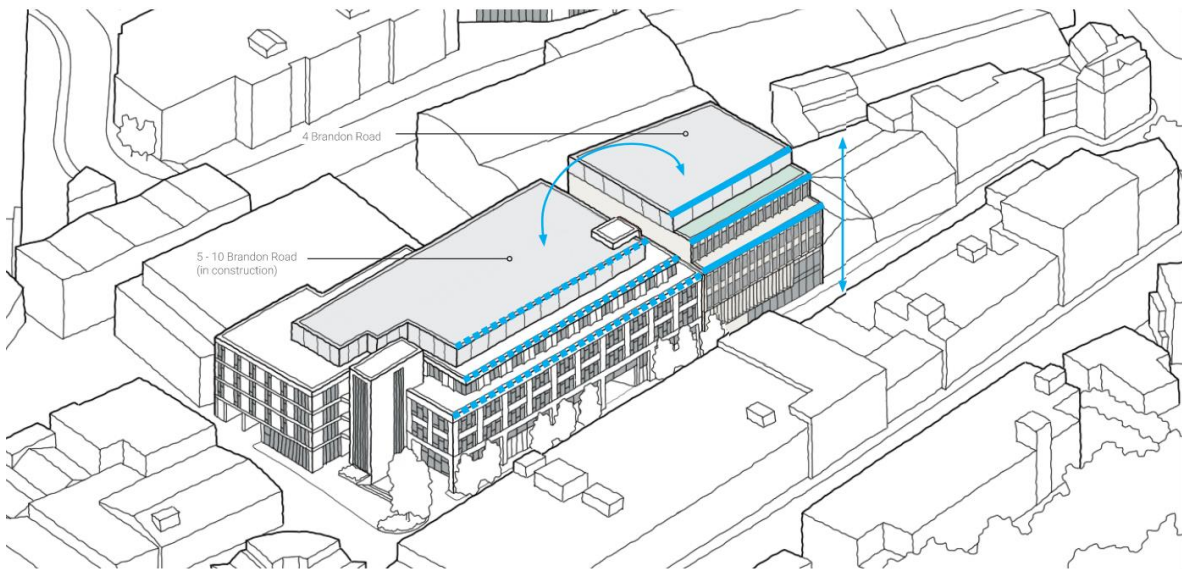


Fig 6.3: Building Height strategy and comparison

6.5 Though the building contains the same number of floors as its neighbour at 5-10 Brandon Road, because it has been designed to accommodate R&D and laboratory floorspace to upper floors, with its more significant plant room requirements, and industrial uses to ground and first floors which require higher floor-to-ceiling heights to work effectively, it is marginally taller. The proposed height, mass, design and appearance will be considered in depth in the Design & Appearance section of the report.

7. RELEVANT HISTORY:

Application Site – 4 Brandon Road

- 7.1 880135: A planning application for the erection of rear extension and additional floor to main front block and rear extension. Enclosure of existing fire escapes and re-facing of front facades was **refused** and dismissed at appeal on the 14th March 1989.
- 7.2 881146: A planning application for the erection of rear extensions and additional storey alterations to the front facade and rear fire escape staircase and alterations to the ground floor to provide additional business floorspace and car parking was **refused** on the 6th December 1988.
- 7.3 890518: A planning application for the erection of extensions at rear ground lower/upper first and third floor levels an additional fifth floor extension alterations to servicing parking and access facilities and re-facing the front façade was **approved** on the 11th September 1989. This permission was not implemented.
- 7.4 930672: A planning application for a single storey enclosure of part of existing yard to form 256sq.m. of B1 floorspace involving the loss of six car parking spaces and construction of new façade was **approved** on the 23rd June 1993.
- 7.5 P002138: A planning application for a new roof to enclose existing external storage area / loading bay and alterations to front forecourt to provide car parking for visitors and new vehicular access was **approved** on the 4th December 2000. It is not clear whether this permission was ever implemented.
- 7.6 P2022/3751/COL: A Certificate of Lawfulness (existing) was submitted in relation to the use of no. 4 Brandon Road. It was concluded that, at that time (15th March 2023), the building was used as Use Class E(g)(iii) for industrial processes.

8. CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 261 adjoining and nearby properties on York Way, Brandon Road, Tileyard Road, Agar Grove, Brewery Road and Blundell Street on the 25th June 2023.
- 8.2 A site notice and press notice were displayed on 29th June 2023. The public consultation of the application, therefore, expired on 23/07/2023; however, it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.3 At the time of the writing of this report no objection letters had been received from the public with regard to the application, but the Committee will be updated if any objections or comments are received from members of the public in the interim.

External Consultees

- 8.4 A number of external statutory and non-statutory consultations were carried out. The following is a summary of the responses received:
- 8.5 **Health & Safety Executive:** No objections received.
- 8.6 **Thames Water:** No objections to the proposal subject to conditions and informatives on Water Infrastructure, Impact Piling and Surface Water Drainage (*see condition 6 and informatives 5 and 6*).
- 8.7 **Camden Council:** The Council, as a neighbouring planning authority, has considered the request for observations and hereby raises no objection. The nearest LB Camden Conservation Area is the Camden Square Conservation Area and there are no other heritage assets in close proximity. The site is approximately 110m from the LB of Camden boundary. Given the separation distance between the application site and LB Camden it is not considered that there would be any noticeable impacts on the townscape and heritage assets in Camden. Neither is it considered that there would be any noticeable impacts on the amenity or living conditions of any LB Camden residents or occupiers. Similarly, it is not considered that there would be any adverse effects on the biodiversity, transport or air quality conditions in Camden.
- 8.8 **Islington Swifts:** In summary, the ecological report recommends integrated bird boxes for sparrows and swifts, but the planning statement just states "bird boxes" and is unclear what is specified and where. We request that the ecological report recommendations are implemented.
- 8.9 In particular, this development is in an area where swifts (on the RSPB red list due to rapidly declining numbers) are currently nesting and will potentially nest (recorded on the national RSPB swifts survey database).
- 8.10 Swift bricks are a universal nest brick for small bird species including sparrows. We therefore request that a significant number of integrated swift nest box bricks, reflecting the relatively large size of this development in this location, are installed near roof level (*condition 23*) which would provide an aesthetically acceptable and zero maintenance way to provide a long-term resource to protect this species and improve the local biodiversity, in line with Islington Council's guidance on this issue (Biodiversity Action Plan, and new Local Plan).
- 8.11 *Officer comment: This is secured by condition 23.*
- 8.12 **Design out Crime Officer (Metropolitan Police):** Due to the wider crime statistics, it is recommended to incorporate crime prevention measures and police-preferred, tested and certified physical security products into a new-build or major refurbishment project. This can be achieved through the adoption and compliance with the Secured by Design (SBD) accreditation process. This process is free of charge throughout and the services of a police design out crime officer

(DOCO) to assist the applicant to achieve SBD accreditation for this scheme is both free and impartial.

- 8.13 A positive meeting was held between the Police and the applicants at which various recommendations were made as a part of Secured by Design guidance. There is brief reference to some of the safety and security measures that the applicant has designed into the project such as an “active street frontage” (Page 25 of the Design and Access Statement) and lighting (Page 26 & Page 66 of the Design and Access Statement). It is expected that other security measures will be of a sensitive nature and not appropriate to be published upon the public planning portal.
- 8.14 Page 30 of the applicant’s design and access statement (DAS) refers to the internal parts of the building “maintaining level access and security throughout”. This is very positive, as it is possible that this building will include multiple different tenants, and without sufficient forms of access control to help to separate this, it could allow tenants from one floor into another, potentially compromising the security and potential safety of its occupants and any valuable/sensitive assets. This would form a part of Secured by Design guidance and consultation, should this become a condition of any planning approval.
- 8.15 Page 63 of the DAS makes brief reference to a specialist gas store at the front of the site. It is positive that this store does not provide direct access to persons into other parts of the site, but it is essential that this store has the recommended security measures to help to protect against attack/theft, whilst also maintaining the relevant fire safety and any other special measures required. It is recommended that the minimum level of security for this store is a door-set tested and certificated to LPS 1175 Issue 8:C5 (SR3) or STS 202 BR3, as this has potentially hazardous products in a store that abuts the public realm.
- 8.16 A number of other safety and security measures are discussed in the DAS, such as security lighting, CCTV surveillance cameras and security doors among other things and it is expected that these would form part of a condition requirement and the Secured by Design accreditation in the event of planning permission being granted. The above recommendations help to form a part of Secured by Design guidance and these proven crime prevention methods can help to protect a site and its occupants from crime and disorder. Advice, guidance and the SBD process can be provided to the applicant free of charge.
- 8.17 Due to levels of crime within the borough and to help enhance community safety through the implementation of proven crime prevention products and measures (via SBD compliance), it is respectfully requested that any approval of this application contains a relevant planning condition ‘whereby the development must achieve SBD accreditation, prior to occupation’ (condition 16).
- 8.18 **UK Power Network:** no comments received.

Internal Consultees

- 8.19 **Planning Policy:** Of the 4,794sqm of floorspace proposed by the applicant, 1,827sqm would be for light industrial (E(g)(iii)) use and should be secured as such through a planning condition if permitted, with the remaining floorspace provided as ‘flexible’ research and development / light industrial (E(g)) use. This is presented as being a significant intensification in the industrial use of the site, as the existing building is currently wholly in office (E(g)(i)) use.
- 8.20 It is accepted that, based on the certificate of lawfulness approved in March 2023, the site’s existing use sits within the broad ‘E’ use class. However, given that it is being used as a site office for the contractors working on the adjacent development, it is unclear how much of the building the current tenant requires or is actually using as offices. It is known that until earlier this year the 2,286sqm building was solely occupied for light industrial use, and if submitted then the proposals for 1,827sqm of light industrial floorspace would have represented a reduction in the industrial use of the site.

- 8.21 Any loss of industrial use would also be contrary to emerging policy SP3 Part A which details that the council's principal objective for the LSIS is to retain and intensify industrial uses (uses E(g)(iii), B2 and B8). Policy SP3 Part C does allow for the co-location of office and research and development uses with industrial uses in the LSIS where there would be an intensification of industrial use on the site, and it can be demonstrated that the industrial function of the LSIS would remain.
- 8.22 Planning Policy is concerned that proposals such as this could cumulatively erode the industrial function of the LSIS and lead to its eventual loss. Planning Policy would encourage the applicant to reconsider the land use and seek to re-provide and intensify the industrial floorspace within the scheme, as part of a mix which would include office and research and development uses within the proposal.

Affordable workspace

- 8.23 As set out above, SDMP Policy B4 Part B requires proposals involving 3,000 sqm or more net additional office and/or research and development floorspace in the LSIS to incorporate 10% affordable workspace to be leased to the council at a peppercorn rent for a period of 20 years. The development includes 2,967sqm of office and/or research & development floorspace, which is only an uplift of approximately 700sqm on the existing uses. As such, there is no specific affordable workspace requirement in this case,
- 8.24 As set out in the supporting text to Policy B4, a key objective of the Local Plan employment policies is the encouragement of the SME economy, through nurturing space that is appropriate to its diverse needs, including affordable workspace. The applicant's planning statement makes clear their commitment to supporting start-ups and SMEs and delivering social value to ensure residents and surrounding communities benefit from their developments. The delivery of affordable workspace at the site, in collaboration with the council's Inclusive Economy team, would help to achieve this.
- 8.25 *Conclusion:* As set out above, Planning Policy is concerned that the proposals undermine the policy priority for the LSIS, which is to retain and intensify its industrial use, though it is accepted that the proposal is not necessarily contrary to policy.
- 8.26 *Officer comments:* As the existing building is in Class E use and occupied as an office the proposal does constitute an uplift in industrial floorspace. Though there is no requirement for affordable workspace, the applicant has sought to include additional employment and training benefits and these have been included in the section 106 agreement (see Appendix 1).
- 8.27 **Design & Conservation:** This is a thoughtfully designed scheme of good architectural properties and a beneficial configuration on the site that creates a more generous and rational response to the public realm.
- 8.28 The building is proposed to a height of 21.5m to the parapet of the top floor. This level is deeply recessed from the street frontage as well as being set in from the top floors of the adjacent 5 – 10 Brandon Road to the east. To accommodate lab enabled floorspace, the use necessitates the erection of a pair of ventilation flues which rise still further. However, their dimensions, relative to the scale of the building and indeed the surrounding built form, is such that they will not adversely impact on the appearance of either the building or the streetscape
- 8.29 To accommodate lab enabled floorspace, the use necessitates the erection of a pair of ventilation flues which rise still further. However, their dimensions, relative to the scale of the building and indeed the surrounding built form, is such that they will not adversely impact on the appearance of either the building or the streetscape. The elevational treatment to the recessed upper floors is screened with finely designed balustrading that gives a lightness to these floors and an urban elegance as a result of their design.

8.30 The repositioning of the building on the site will also create a more unified building line to what is currently a messy and ad hoc configuration to this part of the street. This characteristic further demonstrates a development with a good contextual fit.

8.31 There are no design objections as a result.

8.32 **Inclusive Design Officer:** Detailed D&A submission appreciated. Inclusive transport options noted and welcome. A few matters re public realm circulation, lighting, and internal layouts to be addressed:

Public realm

- Public realm improvements – details re surfacing requested (high slip resistance crucial). Tonal contrast requested between the pavement and the vehicle parking/drop off.
- Pavement widths requested – planting in place noted, minimum 1.8m of unobstructed pedestrian space is required at all times as per the Inclusive Landscape Design SPD. Confirmation needed that the 2m width mentioned in the D&A statement p.65 is unobstructed space (that no planters, cycle storage/parked cycles will obstruct this pedestrian zone).
- Lighting strategy – seems that bollards will obstruct the pedestrian space. This is strongly opposed as will make it difficult to navigate the space for blind and partially sighted residents, as well as people wheeling, walking a bike or a pram. Could the revised lighting strategy provide low level light installed on the on-street planters (with light directed below horizontal) as well as shielded lamps (limiting glare and reflections on the glass façade) installed on the first-floor elevation.
- Details re public realm planters' design required – tonal contrast with the environment requested. What will be their height? Trip hazards to be avoided.

Officer comments: the points raised have been addressed, subject to further details required by conditions 24 and 27.

Transport

- Accessible drop off noted and appreciated. Dimensions required – compliance with Inclusive Design SPD required re dropped kerbs and transfer space.
- Access to cycle storage – goods lift noted with dimensions suitable to accommodate adapted cycles/more than 1 standard cycle.
- Cycle provision noted, numbers compliant with Appendix 4. of the new Local Plan – accessible cycling requested to be clearly marked.
- Basement cycle storage – the room is deemed sufficient to fit more Sheffield stands vs. two tier storage – Sheffield stands are a more inclusive option that is also preferred by non-disabled users.
- End of trip facilities – details re showers and lockers requested.

Officer comments: the points raised have been addressed, subject to further details required by conditions (19 and 24).

Entrance/Egress

- Audio-video system required for the reception area.
- Glass façade – details re manifestation and signage requested to be included in a planning condition.

- Rest/seating space, furniture with knee recess, and hearing loop system required at reception.

Officer comments: the points raised have been addressed, subject to further details required by condition (19).

Circulation

- Corridor widths requested.
- Two lifts noted and appreciated. Are they evacuation lifts?
- Circulation space in front of the lifts requested to be confirmed.
- Are there steps between the two lift lobbies and the light industrial space?
- Roof plan not showing lifts/stairs – how will the photovoltaic panels be maintained?

Officer comments: The above comments have now been addressed with amended plans submitted and suitable justification provided.

- 8.33 **Energy:** The Energy Strategy Addendum shows an improved reduction of Regulated emissions against a Part L 2021 baseline of 27.8%, however, it still does not achieve the 35% reduction required in the London Plan. Planning Officers will need to make a decision whether this is acceptable.
- 8.34 The Energy Strategy Addendum shows an improved reduction of Total (regulated and unregulated) emissions against a Part L 2013 baseline of 19.11%, however, this still does not meet the requirement to achieve a 27% reduction in Islington Policy. Planning Officers will need to make a decision whether this is acceptable.
- 8.35 *Officer comment: A number of other points were raised in relation to the applicant's energy strategy. These have largely been addressed, with a number of outstanding matters captured by condition as detailed within Appendix 2 and discussed in the energy and sustainability section below.*
- 8.36 **Highways:** No objection in principle to the proposal subject to a section 38 agreement for a narrow strip of land to be adopted and converted to public footway and a section 278 agreement to make alterations to the existing public highway in order to form a loading bay for the purposes of delivery and servicing.
- 8.37 **Public Protection:** The application is for redevelopment of the site for a new 5-storey flexible building with Lab / R&D / light industrial space. There is proposed to be a significant amount of plant serving the development with ASHPs, AHUs, extracts and condensers and a standby generator serving the development. It is advised that the standard plant noise is controlled by way of condition (*condition 9*).
- 8.38 It is also advised that the plant is checked upon installation and regularly checked, maintained and serviced to ensure noise levels do not rise or acoustic character such as tonality, intermittency, impulsivity or other acoustic character develop.
- 8.39 The standby plant should also be conditioned (*condition 7*) with details subject to a management code. 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.

- 8.40 The submission includes a draft construction management plan. At this stage a principal contractor hasn't been appointed and it is advised that a final complete CMP is required by way of condition or S106 obligation.
- 8.41 The development is all electric with ASHPs and no combustion sources. There is a reference to fume cupboards and extracts and a statement that "it is likely that the laboratory space will be for low risk user." The details about the fume extracts, filtration and potential impacts are not known. Permission should be subject to a condition on air quality (*condition 8*).
- 8.42 **Building Control:** A number of points were raised to the submitted Fire Safety Strategy. These have now been addressed in a revised document.
- 8.43 **Sustainability comments:** A number of sustainability comments were raised in response to the application.
- 8.44 A Sustainable Design and Construction Statement has not been submitted to demonstrate a holistic and integrated approach to sustainable design. The applicant does not demonstrate they have attempted to reach BREEAM New Construction Outstanding. The applicant fails to achieve emerging Local Plan and London Plan policy compliant on-site carbon emission reductions or adequately address emerging Local Plan and London Plan requirements relating to whole life-cycle carbon. The application fails to achieve the policy requirement of an UGF of 0.3 - this must be improved upon. More evidence is requested to demonstrate green roofs and vertical greening has been maximised.
- 8.45 Further information is requested relating to energy infrastructure and managing heat risk, an Adaptive Design Strategy to illustrate circular economy approach in more detail, a Landscape Design Strategy with more detail relating to habitats, biodiversity. There are some inconsistencies on the SUDS strategy that require clarification, plus the modelling for storm attenuation must factor in 40% for Climate Change.
- 8.46 *Officer comment: The points raised have now largely been addressed with further detail required by condition in relation to BREEAM certification, energy, SUDS, green roofs, ecology and biodiversity (conditions 17, 22, 24, 26, 28 and 31).*

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

National Guidance

- 9.1 Islington Council (Planning Committee), in determining the planning application has the main following statutory duties to perform:
- To have regard to the provisions of the development plan, so far as material to the application and to any other material considerations (Section 70 Town & Country Planning Act 1990);
 - To determine the application in accordance with the development plan unless other material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act 2004) (Note: that the relevant Development Plan is the London Plan and Islington's Local Plan, including adopted Supplementary Planning Guidance.)
 - As the development is within or adjacent to a conservation area(s), the Council has a statutory duty in that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the area (s72(1)).
- 9.2 National Planning Policy Framework 2023 (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 2023 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.

Development Plan

- 9.9 The Development Plan is comprised of the London Plan 2021, the Islington Local Plan (2023) (Strategic and Development Management Policies, the Bunhill and Clerkenwell Area Action Plan (2023) and the Site Allocation Schedule (2023). The policies of the Development Plan that are considered relevant to this application are listed at Appendix 2 to this report.

Designations

- 9.10 The site has the following designations under the London Plan 2021 and Local Plan (2023):
- Vale Royal / Brewery Road Locally Significant Industrial Sites
 - Article 4 Direction Office to Residential
 - Article 4 Direction B1c to C3
 - Local Cycle Routes
 - Strategic Cycle Routes
 - Site Allocation 4 Brandon Road

Supplementary Planning Guidance (SPG) / Document (SPD)

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

10. ASSESSMENT

10.1 The main issues arising from this proposal relate to:

- Land Use
- Design, Conservation and Heritage
- Accessibility and Inclusive Design
- Neighbouring Amenity
- Energy and Sustainability
- Highways and Transport
- Safety & Security
- Fire Safety
- Planning Obligations and CIL
- Planning Balance Assessment

LAND USE

10.2 The proposal involves the demolition of the existing building and its replacement with a new 5-storey (plus basement) building incorporating 1,827sqm (GIA) of light industrial floorspace (Use Class E(g)(iii)) at ground and first floor levels and flexible Lab / R&D / light industrial space (Use Class E(g)(ii-iii)) on the upper levels totalling 2,967sqm (GIA) along with waste storage, cycle parking, associated plant room, landscaping / public realm and other associated works. The proposed development would provide a gross internal area (GIA) of up to approximately 4,794sqm, which is an uplift of 2,508sqm compared with the existing building.

10.3 The existing building has historically been used by VDC, a cable specialist that produces and distributes cables, mainly for the music industry. The use is considered to fall within Use Class Eg(iii), in other words light industrial processes. In November 2022, a Certificate of Existing Use was submitted by the applicant (Reference P2022/3751/COL) to demonstrate that the existing use of the site would fall within a Class E Use. It was determined by the Local Planning Authority, that sufficient evidence had been submitted to demonstrate that the building, taken as a single planning unit, would fall within Use Class E (G)(iii) 'any industrial process, being a use, which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit'. As such, although the building was in industrial use, it could also be used as any other use or function falling within Class E, without the need for planning permission for the change between the sub-categories of Use Class E(g). In the meantime, VDC had vacated the building and the construction company overseeing the construction of the neighbouring site at 5-10 Brandon Road had occupied the building as a site office. Evidence was produced that the building was being used as a site office, a site visit confirmed this to be the case and a licence agreement was produced for the building to be used as an office by Morgan Sindall, the contractors responsible for the construction of the neighbouring site referred to above.

Planning Policy Context

10.4 London Plan Policy GG5 states that to conserve and enhance London's global economic competitiveness and ensure that economic success is shared amongst all Londoners, those involved in planning and development must among other things: (i) promote the strength and potential of the wider city region, (ii) seek to ensure that London's economy diversifies and that the benefits of economic success are shared more equitably across London, (iii) plan for sufficient employment and industrial space in the right locations to support economic development and

regeneration and (iv) ensure that London continues to provide leadership in innovation, research, policy and ideas, supporting its role as an international incubator and centre for learning.

- 10.5 The above background and site history is of particular relevance given the policy context which applies to the Locally Significant Industrial Site. While London Plan Policy E1 supports the retention, renewal and reprovision of viable office floorspace across London, the policy also supports the release of surplus office floorspace to other appropriate uses. Of greater relevance is the London Plan Policy E6, which states that in their Development Plans, boroughs should designate and define detailed boundaries and policies for Locally Significant Industrial Sites (LSIS) in policies maps justified by evidence in local employment land reviews. Boroughs are also encouraged to make clear the range of industrial and related uses that are acceptable in an LSIS including, where appropriate, hybrid or flexible B1c/B2/B8 (B1c now having been replaced by Eg(ii)) suitable for SMEs and distinguish these from local employment areas that can accommodate a wider range of business uses. London Plan Policy E7 reinforces this by confirming that Development Plans and development proposals should be proactive and encourage the intensification of business uses in Use Classes B1c, B2 and B8 occupying all categories of industrial land through the introduction of small units, development of multi-storey schemes, the addition of basements and more efficient use of land through higher plot ratios having regard to operational yard space requirements.
- 10.6 In line with the relevant London Plan Policy requirements outlined above, Local Plan Policy SP3 for the Vale Royal / Brewery Road Locally Significant Industrial Site (LSIS) clearly identifies the boundaries and policy requirements of the LSIS, stating that the Vale Royal/Brewery Road LSIS will be retained and strengthened as the borough's most significant industrial location. The policy goes on to make clear that the principal objective in this area is to retain industrial land and intensify light industrial, B2 general industry and B8 storage and distribution uses, including Sui Generis uses akin to these industrial uses. Furthermore, it is confirmed that light industrial use, which is now part of Class E, continues to be sought in the LSIS and that for proposals involving light industrial floorspace, the Council will use conditions to limit Class E for this specific purpose (consistent with Policy B2: New business floorspace, Part C) and to protect the primary industrial function of the LSIS. To ensure an adequate supply of industrial land and floorspace in Islington industrial uses in the area will be protected in accordance with Policy B3. The encroachment of some non-industrial uses could jeopardise the long term sustainability, economic function and future economic growth of the LSIS as an industrial area and will not be allowed.
- 10.7 Part (C) of Local Plan Policy SP3, which is of particular relevance to this planning application, states that proposals for the co-location of industrial use with office and/or research development use will be permitted, where there would be an intensification of industrial use on the site (either through new floorspace or the redevelopment/modernisation of existing floorspace) and it can be demonstrated that the continued industrial function of the LSIS would remain.
- 10.8 Further Local Plan Policies of relevance to the proposal are Policy B2 and B3. Policy B2 states that the overriding priority land uses in the LSIS are industrial uses (light industrial, B2 general industrial, B8 storage and distribution and Sui Generis uses which are akin to industrial uses). The policy states that the retention and intensification of industrial uses will be required as part of any proposal within a LSIS and goes on to repeat the policy requirements and objectives outlined above in Policy SP3.
- 10.9 Part G of Policy B2 requires that all development proposals involving non-industrial business floorspace (including affordable workspace provided in line with policy B4) have regard to the following:
- (i) Business floorspace must allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and provide a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs. Full separation of business and residential floorspace is required where business floorspace forms part of a mixed use residential development.

- (ii) Provision of a good level of amenity for occupiers of the business floorspace, including adequate levels of daylight and sunlight; and access to communal/ancillary facilities including meeting rooms.
- (iii) The development of new business floorspace must incorporate the highest inclusive design standards achievable in context, and meet the travel and transport needs of those for whom public transport remains inaccessible.
- (iv) Applicants must clearly demonstrate how the design of proposals individually and cumulatively contribute to providing the range of spaces required to support the primary function/sector of the particular area in which it is located,

10.10 Finally, the Site Allocation VR6 for the site supports the co-location of office and/or research and development use where there is an intensification of industrial use on the site and it can be demonstrated that the continued industrial function of the LSIS would remain. Repeating the requirements of the above-mentioned policies, proposals should be in line with Strategic and Development Management Policies B2-B4 and SP3.

Land Use Assessment

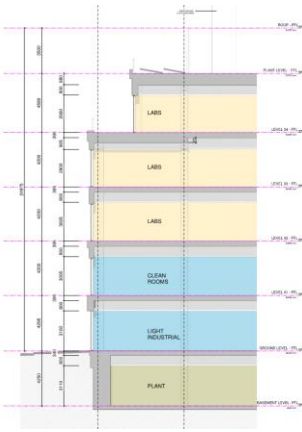
- 10.11 In line with the above policy objectives to retain and intensify industrial uses in the LSIS, the planning application involves 1,827sqm (GIA) of light industrial floorspace. This is considered to be a significant uplift in industrial floorspace given that the existing building is currently occupied as an office as explained above. The proposal includes the co-location of industrial use with office and/or research development, which is also permitted by policy, where there would be an intensification of industrial use on the site. The 2,962sqm of proposed R&D/light industrial floorspace (Use Class Eg(ii)/(iii)) on the upper floors is identified as flexible floorspace, i.e. could be used for light industrial or research and development purposes, but the applicant is a life science operator and has made it clear on plans and in the submitted documentation that the upper three floors would be occupied as labs and write-up space, i.e. as R&D floorspace.
- 10.12 Alongside the requirement for developments to require an intensification in industrial uses in the LSIS, a key policy objective as outlined in Policy SP3 and B2 as well Site Allocation VR6 is for the industrial function of the area to remain. Notwithstanding the uplift in industrial floorspace brought about by this proposal when compared to the current use of the site as a Class Eg(i) office, it is clear that the proposal includes less industrial floorspace relative to what the site has historically been used for and that the majority of proposed floorspace is not in industrial use. This is somewhat challenging and stands in contrast to the key policy objective for the LSIS, which is for the continued industrial function of the area to remain and for proposals that undermine the long term sustainability, economic function and future economic growth of the LSIS as an industrial area to be refused.
- 10.13 In other words, while the proposal involves a significant uplift in industrial floorspace (1,827sqm of light industrial) when compared to the existing uses on site, this is only due to the applicant having used the privileges afforded to them by Class E, which has allowed them to convert the building into an office from its original light industrial use prior to lodging this planning application. Given that there were no conditions controlling the lawful uses on site, the applicant has been issued a Certificate of Existing use for the site confirming that the floorspace on site falls within a Class E use and evidence has since been provided of the building's subsequent existing use as an office, there is no way of preventing or controlling this change. However, this does have wider implications for the LSIS that need to be considered.
- 10.14 In the event of light industrial sites falling within Class E in the LSIS using their Class E rights to convert their floorspace to office uses prior to redeveloping their sites, as has been done here, then simply increasing or intensifying industrial floorspace on site across a single floor of buildings would not serve to protect the long-term sustainability and economic function of the LSIS as an industrial area. As such, the absolute quantum in industrial floorspace on site becomes more relevant than the relative increase or the simple intensification of industrial floorspace.

- 10.15 To get an understanding of what quantum of industrial floorspace is sufficient in order to ensure that the long-term viability and functionality of the industrial area is maintained and protected, firstly requires an understanding of the existing townscape and nature of uses as well as the long-term direction of travel of the area. In this regard, the Vale Royal / Brewery Road Locally Significant Height Study (commissioned by LBI to eventually inform a potential SPD on the LSIS), which provides a thorough analysis of existing building heights and typologies in the LSIS in order to guide and determine appropriate future building heights and design parameters for the area, is particularly useful.
- 10.16 The LSIS height study determines that the vast majority of the buildings in the study area are between two and four commercial storeys, with an average of three storeys in height. The study also projects that the low-rise nature of the LSIS would remain and suggests appropriate building heights going forward of between 4-5 storeys in height. Although the original wording of the now adopted Local Plan Policy SP3 (informed by the LSIS heights study), which included restrictive wording requiring all new developments to be predominantly industrial in use and buildings to not be above 5 storeys in height, has been removed or amended, it is nevertheless correct that new buildings must still respond appropriately to local contextual building heights and be compatible to their surroundings and the character of the area. As such, the LSIS is highly likely to remain of low-rise townscape character. Within this townscape context, in which existing buildings are predominantly low-rise and industrial and in which buildings are likely to remain relatively low-rise (though with new uses being introduced), it is considered that a requirement of two floors of industrial floorspace would be an appropriate prerequisite for new developments coming forward in order to protect the long-term sustainability and economic function of the industrial area.



Fig 10.1: Proposed Ground Floor Proposed First Floor

- 10.17 Given this policy context, the proposed two floors of light industrial floorspace (totalling 1,827sqm) across ground and first floor levels, with the majority of ancillary facilities and service functions such as plant room, switch room, communications room and refuse store located at basement or roof level allowing the majority of the ground floor to accommodate useable industrial floorspace, is considered appropriate. It is also a key consideration, that the industrial floorspace is not an after-thought and is integral to the overall scheme, which ensures appropriate floor-to-ceiling heights (3.9m, or 3.1m in height once space for services is accommodated), a conveniently-located loading bay and dedicated service / goods lift. The section and table below provide an appreciation of the overall mix of uses and heights and spaces involved:



FLOOR	FFL-CL	FFL-FFL
Basement	3110mm	4250mm
Ground Floor	3100mm	4295mm
First Floor	3005mm	4200mm
Second Floor	3005mm	4200mm
Third Floor	2900mm	4200mm
Fourth Floor	2900mm	4580mm
Plant	3500mm	3500mm

Fig. 10.2: Section and floor-to-ceiling dimensions

10.18 It is considered that the industrial space has been designed to work cohesively within the scheme as a whole, whilst also still providing the functionality of a standalone industrial space. The applicants have confirmed that the space has been designed for end tenant adaptability with multiple access points with internal entrances to the industrial space from both the main reception and goods core, as well as a dedicated street entrance. The dedicated street entrance is configured as an enlarged double door which will provide direct access from the street-side loading bay for larger deliveries. The applicants have also confirmed that the space would be delivered to shell and core, which would provide a blank canvas for incoming occupiers offering maximum flexibility and that the industrial space plays a key and complimentary role to the rest of the building.

10.19 With regard to the remaining floorspace on the upper floors, this is proposed to be flexible light industrial / R&D floorspace, which is supported in the LSIS where there would be an intensification of industrial floorspace on site. For the floorspace involving research and development uses Part G of Policy B2, as outlined above, needs to be met. It can be confirmed that the relevant floorspace would allow for future flexibility for a range of occupiers, including future subdivision and/or amalgamation, and provides a range of unit types and sizes, including a significant proportion of small units, particularly for SMEs. The following indicative floorplans have been provided to demonstrate how the upper floors could be used:

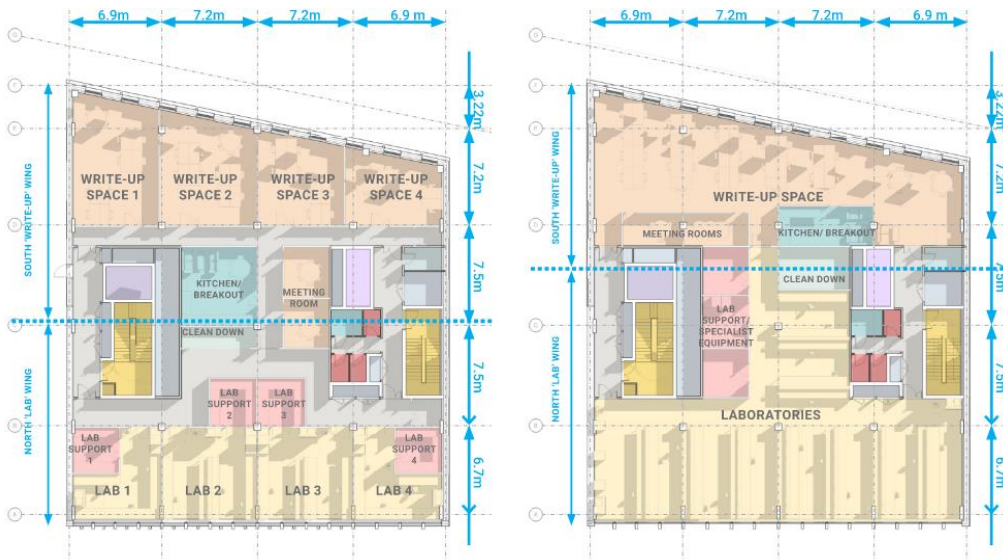


Fig 10.3: Multiple-tenant fit-out

Single-tenant fit out

10.20 While the inclusive design criteria, level of amenity and quality of accommodation will be discussed in the following relevant sections of this report, it is considered that the design of the proposal and the flexibility integral to it, demonstrates how the development would contribute to providing the

range of spaces required to support the primary function / sector of the particular area in which it is located, i.e. the Locally Significant Industrial Site.

Employment & Training

- 10.21 The proposal technically only involves an uplift of 681sqm (from the existing 2,286sqm to the proposed 2,967sqm) of office and/or R&D floorspace. As such, the requirement for the provision of affordable workspace as set out in Policy B4, which states that within the Vale Royal/Brewery Road Locally Significant Industrial Site (LSIS) and other LSISs, major development proposals involving 3,000sqm or more net additional office and/or research and development and/or a Sui Generis use akin to office/research and development floorspace must incorporate 10% affordable workspace (as a proportion of proposed office and/or research and development), is not triggered. However, the applicant, Kadans, has put together a schedule of employment and training initiatives that they seek to implement within the LSIS in the context of development at 4 Brandon Road.
- 10.22 The initiatives and programmes involve working with LBI and local trade organisations to create a local supplier directory for use by incoming tenants, attending local career events to encourage target groups into innovation and science, regular liaison with the Council's Inclusive Economy team and the LIFT programme with a view to promoting wider Council objectives as well as providing support for SMEs. These initiatives have been welcomed by the Council's Inclusive Economy Team as coherent and positive, though not outstanding and not yet specific enough, particularly around gender and minority groups, in order to deliver any major impacts to local residents.
- 10.23 However, it is considered that these would constitute suitable benefits if they were to be formalised into commitments and tied to specific Council objectives. As such, it is recommended that the application be subject to a section 106 obligation requiring the submission of an agreed Employment & Training Strategy outlining how the proposed development would support local businesses, encourage target groups into innovation, science and technology, provide employment and training opportunities for local people, collaborate with LBI's Inclusive Economy Team and the LIFT programme and support SMEs with the aim of delivering on wider Council employment and training objectives. This is considered to provide a commitment to delivering suitable initiatives and programmes within a flexible framework which allows the Council and applicant to agree the specifics of initiatives and programmes.

Class E restrictions

- 10.24 The Town and Country Planning (Use Classes) Regulations were amended on 1st September 2020. The amended Use Class regulations omit the former Use Class B1 and introduces a new Use Class E, which encompasses office and retail uses, together with many other town centre uses. The application proposes the introduction of additional commercial floorspace, including light industrial, office and retail. The assessment of the proposal is based on the provision of a mix of light industrial and flexible R&D / light industrial floorspace.
- 10.25 It is considered necessary to set a minimum quantum of light industrial floorspace (of 1,827sqm) in order to meet the objectives of the LSIS (as set out in Policy SP3) and this is set out in condition (12). At the same time, it is considered pertinent to avoid an unfettered Class E permission for the rest of the floorspace and to maintain the floorspace within appropriate Class E(g) category, as per condition 12.

Summary

- 10.26 The proposal is considered to meet the aspirations of adopted Local Plan Policies, in particular Policies SP3, B2, B3, B4 and B5 as well as London Plan Policies GG5, E1, E6 and E7, which support the protection and intensification of the industrial area as outlined above. It is also considered that the proposed development would deliver suitable employment and training benefits in accordance with the above policy framework and that the proposal would provide the range of spaces and uses required to support the economic function of the industrial area.

DESIGN, CONSERVATION AND HERITAGE

Policy context

- 10.27 Paragraph 126 of the NPPF 2023 highlights that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.
- 10.28 Paragraph 132 states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.

London Plan

- 10.29 Policy D3 of the London Plan states that development must make the best use of land by following a design-led approach that optimises the capacity of sites, to ensure that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth. It further states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.
- 10.30 In terms of design and heritage considerations, London Plan policy D3, part D states that development proposals should:
- enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
 - respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character;
 - be of high quality, with architecture that pays attention to detail, and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

- 10.31 Policy D4 stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.

Local Plan

- 10.32 The national and regional policies are supported locally by Islington Local Plan Policy PLAN1, which states that all forms of development are required to be of a high quality and make a positive contribution to local character, legibility and distinctiveness, based upon an up-to-date understanding and evaluation of the defining characteristics of an area. Furthermore, the policy requires for all new developments to be contextual, connected, inclusive and sustainable in order to ensure that the wider objectives of the Local Plan are realised.

- 10.33 Local Plan Policy SP3 established that the LSIS is currently inward facing and that, where possible, development should avoid blank frontages and create active frontages towards open spaces, such as Market Road Gardens and the sport pitches on Market Road. The creation of active frontages may also be appropriate along York Way and Caledonian Road, where consistent with the land use policies set out above. Of greater relevance is Policy DH1, which supports innovative approaches to development, contextual design of buildings at an appropriate scale and height in consideration of site specifics as well as a human scale and massing.
- 10.34 Finally, the Islington's Urban Design Guide SPD (UDG) sets out the principles of high quality design (Contextual, Connected, Sustainable and Inclusive) and the detailed design guidance such as urban structure, the streetscape, services and facilities, and shopfront design.

Existing Site and Context

- 10.35 The site is located on the south side of Brandon Road within the Vale Royal/ Brewery Road Locally Significant Industrial Site (LSIS). This sits within the broader Kings Cross Knowledge Quarter. The LSIS comprises predominantly light industrial uses (Class E (g)(iii)), interspersed with commercial and cultural uses, mainly focused around the Tileyard Studios area.
- 10.36 The LSIS is the largest designated employment site in the Borough. Because of its central location, it has evolved in part to support and service the adjacent CAZ, as evidenced by the cluster of live event and music orientated businesses as well as catering operations located there. It also contains a significant amount of light industrial uses and services including machine hire, cleaning equipment hire, and commercial vehicle repair that support the wider economy.
- 10.37 Several buildings in the immediate vicinity are relatively attractive warehouse style buildings or public houses. However, there are no immediately adjacent designated heritage assets including listed buildings and conservation areas
- 10.38 The primary façade of the building and its pedestrian and vehicle access points front onto Brandon Road. It is bounded to its flanks by adjacent properties on Brandon Road with a rear backing onto the rear of properties facing Tileyard Road. The ground floor of the existing building is vehicle-focused with a poor street interface. The sole pedestrian access to the building is stepped and limits the accessibility of the building.
- 10.39 The general storey height ambient in the LSIS is broadly three to four storeys although newer buildings are generally substantially higher ranging from five and six storeys, up to 23m high. Examples include the neighbouring 5-10 Brandon Road, currently under construction by Kadans, and the two large new builds also currently on site to York Way. The highest building in the LSIS, at approximately 30m, is the former Fitzpatrick building. It occupies the primary position within the LSIS urban structure, fronting onto York Way and located directly opposite a tall residential building.
- 10.40 The existing 1950s building is 5 storeys (plus a basement) making it one of the taller buildings in the LSIS. However, it has some considerable design failings which are presented as reasons for the need for redevelopment as opposed to retention. These include low floor to ceiling heights of 2.7m, though when combined with a 0.7m service zone, this reduces the floor to ceiling height to approximately 2m.
- 10.41 The performance and layout of the current structure is not considered suitably flexible to future proof it, with the service cores in particular resulting in inefficient circulation and a reduction of useable space. The building does not comply with contemporary accessibility standards or requirements and the interface with the street at ground floor is particularly poor.
- 10.42 The LSIS is currently undergoing rapid transformative change with an intensification and diversification of uses and built form.

Assessment of proposals

Height, bulk and mass

10.43 The building is proposed to a height of 21.5m to the parapet of the top floor. This level is deeply recessed from the street frontage (by over 3m) as well as being set in from the top floors of the adjacent 5 – 10 Brandon Road to the east. A further 3.5m allowance has been made to accommodate a screen to the roof-top plant. This and the plant are set back still further from the street edge. The screen rises to a height of just under 25m. A small module rises above the screen accommodating the goods lift overrun, which takes the building to 26.3m in height. Given its central position on the roof, its impact on the public realm will be negligible.



Fig. 10.4: Front Elevation with Heights shown

10.44 To accommodate lab enabled floorspace, the use necessitates the erection of a pair of ventilation flues which rise still further, which takes the overall height of the building to 29.6m. However, their dimensions, relative to the scale of the building and indeed the surrounding built form, is such that they will not adversely impact on the appearance of either the building or the streetscape. Although the flues would not be visible from street-level in front of the site, they would be visible from further along Brandon Road to the east and west. Notwithstanding this, it is considered that presence of flues or chimney on a building in the industrial area does not constitute an incongruous feature.



Fig. 10.5: View of Proposal from junction of Blundell Street / Brandon Road

10.45 While it contains the same number of floors as its neighbour, because it has been designed to accommodate lab-enabled space to upper floors, with its more significant plant requirements and industrial uses to ground and first floors, which require higher floor to ceiling heights to

work effectively, it is marginally taller. However the careful configuration of the mass in relation to the street edge, and the degree of setback of the upper floors, result in the building's height and mass sitting comfortably with its newly developed neighbour to its east.



Fig. 10.6: Townscape Elevation

10.46 In summary, the height of the proposal is considered to have been suitably addressed and is acceptable within this intensifying LSIS context.

Elevational treatment

10.47 The front elevation is considered to be smart, crisp and modern. It is based on a grid that is then reconstructed in a variety of ways across the façade. The ground floor is sufficiently active and 'open' with the double height entrance lobby in particular creating a welcome and generous response to the street.



Fig. 10.7 Proposed Street Elevation

10.48 The elevational treatment to the recessed upper floors is screened with finely designed balustrading that is considered to give a lightness to these floors and an urban elegance as a result of their design. The rear façade faces south and backs onto the rear of (currently) low rise industrial buildings. It arranged on the same grid-like basis as the front façade but with an increase in solid to void due to its aspect. Vertical and horizontal precast concrete fins animate the façade as do the projecting solar shading brise-soleil fitted above the windows.



Fig 10.8: Proposed Front and Rear Elevation

- 10.49 The west façade (and indeed east façade) will not have any windows given the likelihood of redevelopment coming forward in the future to the site to the west, and in response to the development nearing completion on the eastern edge of the site. They will be rendered flank walls, also set within a grid like pattern.
- 10.50 The elevational treatment of the building is considered to be beneficial to the streetscape and of a high quality of design that will help provide an architectural benchmark within the LSIS going forward.

Urban form and fit

- 10.51 The proposal will positively impact on the quality of the streetscape, improving both the legibility and usability of the broader public realm. It will create a more active ground floor interface, particularly enhanced by the generous double height entrance lobby, which creates a safer and more interesting streetscape. A generous 7m pavement area to the front of the building is to be created of which 2m is being proposed for adoption.
- 10.52 The repositioning of the building on the site will also create a more unified building line to what is currently a messy and ad-hoc configuration to this part of the street. This characteristic is considered to further demonstrate a development with a good contextual fit.

Materials

- 10.53 The materials palette is considered acceptable and appropriate for the context, the proposed uses of the building, and architectural language.



Fig. 10.9: Proposed Materials

The materials proposed include fluted glass to the plant screen; powder coated metal balustrading to the recessed upper floors; precast polished concrete cladding; curtain wall glazing with powder coated aluminium frame; precast concrete fins; architectural metal work aluminium screens with horizontal fins (part ground floor frontage) as well as render. Notwithstanding this, the materials would be subject to a suitably worded planning condition (*condition 3*) in order to ensure that the materials are of a high quality.

Conclusion

- 10.54 The proposal is considered to be a thoughtfully designed scheme of good architectural properties and a beneficial configuration on the site that creates a more generous and rational response to the public realm, in accordance with London Plan Policy D3 and D4 as well as Local Plan Policy PLAN1, SP3, DH1 and Islington's Urban Design Guide.

INCLUSIVE DESIGN

- 10.55 Policy GG1 of the London Plan 2021 requires that development must support and promote the creation of a London where all Londoners, including children and young people, older people, disabled people, and people with young children, as well as people with other protected characteristics, can move around with ease and enjoy the opportunities the city provides. Further, it supports and promotes the creation of an inclusive London where all Londoners can share in its prosperity, culture and community, minimising the barriers, challenges and inequalities they face.
- 10.56 The Inclusive Design principles are set out within policy D5 of the London Plan which states that development proposals should achieve the highest standards of accessible and inclusive design. They should:
1. be designed taking into account London's diverse population;
 2. provide high quality people focused spaces that are designed to facilitate social interaction and inclusion;
 3. be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment;
 4. be able to be entered, used and exited safely, easily and with dignity for all; and
 5. be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.
- 10.57 At a local level, Islington's Local Plan Policy PLAN1 requires new developments to be adaptable, functional and resilient, and able to respond to the spatial, social and economic needs of the borough's increasingly diverse communities and their different and evolving demands. This includes sustaining and reinforcing a variety and mix of uses in line with any relevant land use priorities of the Local Plan. Islington's Inclusive Design SPD provides further details and specifics.
- 10.58 The assessment of the inclusive design and access aspects of the proposal is broken down in three main areas for ease of reference and consideration: (i) public realm; (ii) transportation and movement, and (iii) internal layout. Every area has different criteria and distinct characteristics and requirements, thus for ease of reference and greater coherence, they will be broken down as such.

Public realm improvements

- 10.59 While the area of "public realm" at the front of the site is moderate in size, this does require some scrutiny, particularly as the existing situation is quite poor with regards to access and inclusive design. The existing building presents itself at ground floor level with a dead frontage onto a car

parking area characterised by uneven tarmac, which is accessed via an existing crossover, but also informally directly over the pavement as shown on the image below. This is not considered to be a welcoming or inclusive environment for pedestrians visiting or passing by the site.



Fig. 10.10: Front of existing Site

10.60 By contrast, the proposal involves an unbroken and contained pedestrian route across the site and into the building, which is unimpeded by vehicular movements or crossovers. Details of surfacing and tonal contrast have been provided and it can be confirmed that the proposed York stone paving and asphalt for the loading and accessible parking are considered appropriate, subject to further details to be provided by condition (24) in the event of planning permission being granted.



Fig 10.11: Proposed Ground Floor

10.61 Though space has been provided for landscape features and short-term cycle parking, it can be confirmed that an unobstructed 2m width pedestrian zone has been provided in line with Islington's Inclusive Design SPD. The site plan below shows the pedestrian route provided across the neighbouring site of 5-10 Brandon Road and the application site, 4 Brandon Road.



Fig. 10.12: Proposed Front of Site showing pedestrian route

10.62 In terms of the lighting strategy, low-level lighting set into planters are proposed as well as wall-mounted light on the elevation. The lights mounted on the elevation at first floor level will be designed and specified to limit glare. The existing street light position would be relocated to avoid obstruction for pedestrians, and this would be secured through the section 278 highways agreement. There are still some outstanding questions around the landscaping at the front of the site, in particular with regards to the height, shape and tonal contrast of the proposed planters. A darker shade of colour for the planters would be supported, but the specific details of this would be agreed by condition (*condition 24*) in the event of planning permission being granted.

Transport

10.63 The proposal includes an accessible drop-off parking bay at the front of the site, which is welcomed. Further details of the bay would be required through the section 278 agreement in the event of planning permission being granted to ensure that the dimensions and transfer space comply with inclusive design guidance. A financial contribution of £6,000 for the provision of accessible parking bays or accessible transport improvements in the vicinity of the site would be secured through the section 106 agreement.

10.64 In terms of access to the cycle storage, the goods lift is noted with dimensions suitable to accommodate adapted cycles and / or more than 1 standard cycle. Demand analysis has been undertaken which shows that this provides sufficient access to the basement for those arriving at the site during peak hours. The design intent is for the goods lift to provide access to the basement alongside the cycle stair, which also provides resilience should the lift be out of service for any reason.

10.65 There is sufficient space for cycle storage in the basement to fit a significant number Sheffield stands vs. two tier storage. They should be installed as a priority, with other storage options only installed when spatial constraints pose an issue. Though Sheffield cycle stands have now been maximized in the basement, it is considered that further details of cycle storage would be required by condition (21) as the design develops.

10.66 Details of accessible cycle parking has been provided and the locations shown and quantum provided are supported as they would provide suitable accessibility and legibility. The accessible storage, and a respective number of lockers (opening mechanism located no higher than 1100mm), should be marked accordingly and further details of this as well as details of other cycle parking features would be required by condition (*condition 19*). Accessible visitor cycle parking provision has now also been provided and shown on annotated ground floor plans, with further details to be submitted by condition (24) in the event planning permission being granted.

Entrance / Internal Arrangement

- 10.67 The proposed main entrance provides legible and inclusive access to the building and an audio / video access control system to enter the building from reception has been confirmed. Rest/ seating space has been provided with further detail required by condition (19).
- 10.68 The proposed corridor widths and circulation space provided internally conforms with required minimum standards within Islington Inclusive Design SPD. Accessible bathroom facilities with required turning circles have been provided on each floor, as have evacuation lifts.
- 10.69 Overall, the proposed development is welcomed in terms of accessible design subject to appropriate planning conditions as referenced above and detailed in Appendix 1. In conclusion, the proposed development would comply with the relevant policies in delivering an inclusive environment that is safe, convenient and inclusive for all future users.

NEIGHBOURING AMENITY

- 10.70 Paragraph 127 of the National Planning Policy Framework states that planning decisions should ensure that developments would have a high standard of amenity for existing and future users. All new developments are subject to an assessment of their impact on neighbouring amenity in terms of loss of daylight, sunlight, privacy, outlook and an increased sense of enclosure. A development's likely impact in terms of air quality, vibration, dust, safety, security, noise and disturbance is also assessed.
- 10.71 Part D of policy D3 of the London Plan 2021 states that development proposals should deliver appropriate outlook, privacy and amenity, the design of the development should also help prevent or mitigate the impacts of noise and poor air quality.
- 10.72 PLAN 1 of the new Local Plan requires for all new developments to be contextual, sustainable, connected and inclusive and for impacts on neighbouring amenity to be appropriately mitigated with consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, daylight, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

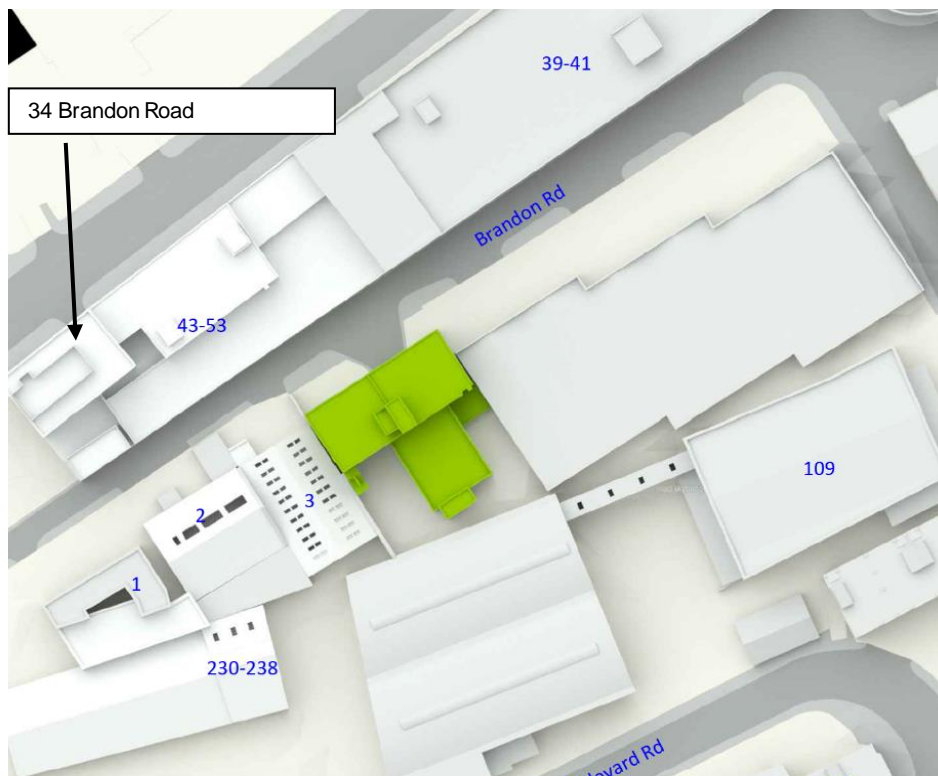


Fig. 10.13 Axonometric View of Residential Property in close proximity to the proposed development

10.73 The vast majority of neighbouring properties are in commercial use as is to be expected in the LSIS but there is one property, No 34 Brandon Road, in the vicinity of the site on Brandon Road, which is partly in residential use.

Daylight, Sunlight and Overshadowing

10.74 To assess the sunlight and daylight impact of new development on existing buildings, Building Research Establishment (BRE) criteria is adopted. In accordance with both local and national policies, consideration has to be given to the context of the site, the more efficient and effective use of valuable urban land and the degree of material impact on neighbours.

10.75 The starting point must be an assessment against the BRE guidelines and from there a real understanding of impacts can be gained. Knowing very clearly what the actual impacts are in the first instance is consistent with the judgement made in 'Rainbird vs Tower Hamlets [2018]'. Once the transgressions against the BRE guidelines are highlighted, consideration of other matters can take place.

10.76 The 'Effective Use of Land' section in the Government's Planning Practice Guidance (PPG), confirms that consideration is to be given to whether a proposed development would have an unreasonable impact on the daylight and sunlight levels enjoyed by neighbouring occupiers, setting out that all development should maintain acceptable living standards, although what will be appropriate will depend to some extent on the local context. The Guidance cites city centre locations where tall modern buildings predominate as an area where lower daylight levels at some windows may be appropriate if new development is to be in keeping with the general form of its surroundings.

BRE Guidance: Daylight to existing buildings

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

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

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

10.79 At paragraph 2.2.8 the BRE Guidelines state: "*Where room layouts are known, the impact on the daylighting distribution in the existing building can be found by plotting the 'no sky line' in each of the main rooms. For houses this would include living rooms, dining rooms and kitchens. Bedrooms should also be analysed although they are less important... The no sky line divides points on the working plane which can and cannot see the sky... Areas beyond the no sky line, since they receive no direct daylight, usually look dark and gloomy compared with the rest of the room, however bright it is outside*".

10.80 Paragraph 2.2.11 states: "*Existing windows with balconies above them typically receive less daylight. Because the balcony cuts out light from the top part of the sky, even a modest obstruction may result in a large relative impact on the VSC, and on the area receiving direct skylight.*" The paragraph goes on to recommend the testing of VSC with and without the balconies in place to test if it the development or the balcony itself causing the most significant impact.

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

BRE Guidance: Sunlight to existing buildings

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

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

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

10.84 The BRE Guidelines state at paragraph 3.16 in relation to orientation:

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

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

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

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

BRE Guidance: Overshadowing

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

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

carried out, it is recommended that the centre of the area should receive at least two hours of sunlight on 21 March.”

Assessment

- 10.89 The applicant has submitted a Daylight and Sunlight Technical Note prepared by Anstey Horne dated June 2023. The report and appendices consider the impacts of the proposed development on the residential neighbours in accordance with the 2022 Building Research Establishment (BRE) guidelines.
- 10.90 The layout of the residential property identified above have been found in order to ensure that the assessment carried out is accurate; where the usage of the rooms are unknown, the assessment would be based on the worst case scenario and assumes that the room is habitable (i.e. a living or bedroom) and requires a greater degree of daylight/sunlight than for example bedrooms.

Impacts to Daylight

- 10.91 The results show some very minor reductions in daylight to the three windows assessed which face onto Brandon Road, with retained levels of VSC of 0.96 or 0.97 as a proportion of existing levels, i.e. up to 4% losses of daylight. This is considered to be well within the 0.8 (or 20%) stipulated within the BRE guidelines. As this is the closest and most-affected residential property in the vicinity of the site, it can be concluded that the development would not give rise to any undue loss of daylight to neighbouring residential occupiers.

Impacts to Sunlight

- 10.92 In terms of sunlight impacts, the development is located due east of the nearest residential property of 34 Brandon Road and thus it is not considered that the development would result in an undue loss of sunlight to any neighbouring residential properties.

Daylight and Sunlight Summary

- 10.93 It is noted in the BRE Guidelines and London Plan policies that a level of flexibility is required when assessing daylight and sunlight, with a consideration of the site context and circumstances. In this case, while the proposed development increases the height and bulk of the building on site, there is a relatively large distance between it and the closest residential neighbours. As such, given the limited transgressions from the BRE Guidelines as a result of the proposed development, it is considered that the proposal would be acceptable in regard to daylight and sunlight considerations.

Privacy

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

10.96 The proposed development includes no windows that are within 18m of other windows serving habitable accommodation. Moreover, the only residential property on Brandon Road is located over a highway and thus privacy impacts strictly speaking do not apply. In any case, it is considered that the proposal would give rise to any overlooking concerns or result in an undue loss of privacy.

General Noise & Disturbance

10.97 Policy PLAN 1 states development should not have an adverse impact on amenity in respect to noise and disturbance. Although the existing site and uses on site are not subject to any planning restrictions and control in relation to noise and disturbance and the area is industrial in nature, it is still pertinent to control potential noise and disturbance from the future of the proposed building in the event of planning permission being granted.

10.98 The Council's Environmental Pollution (EPPP) team have been consulted on the proposal and have confirmed that because the application is for a new 5 storey flexible building with Lab / R&D / light industrial space which includes a significant amount of plant serving the development with ASHPs, AHUs, extracts and condensers and a standby generator serving. As such, it is advised that the standard plant noise is controlled by way of condition (9). It is also advised that the plant is checked upon installation and regularly checked, maintained and serviced to ensure noise levels do not rise or acoustic character such as tonality, intermittency, impulsivity or other acoustic character develop. The standby generator would also need to be appropriately conditioned to ensure the operation of the generator does not impact on residential amenity (*condition 7*).

10.99 The submission includes a draft construction management plan. At this stage a principal contractor does not appear to have been appointed and it is advised that a final complete CMP is required by way of condition (*condition 4*).

Light Pollution

10.100 The proposal could give rise to light pollution from the proposed uses and in particular from the lighting scheme which forms part of the landscaping and public realm. To address this, conditions (*11 and 27*) are recommended for details of measures to adequately mitigate light pollution affecting neighbouring residential properties as well as local ecology.

10.101 It is considered that these condition would ensure the extent of light from the development spilling onto neighbouring sites or affecting ecology would be reduced and would help minimise any impact on neighbouring properties, and address any light pollution concerns.

Construction Impacts

10.102 The construction works proposed under this application would unavoidably cause some degree of noise and disruption which would affect neighbouring residents.

10.103 The Public Protection Officer recommended that a Construction Management Plan be submitted (*condition 4*) to and approved by the Council prior to the commencement of development. The plan shall include details including methods of demolition, quiet periods and noise mitigation, in order to ensure that the construction impacts are adequately mitigated in the interests of neighbouring residential amenity. It is worth noting that outside planning control there are further controls applicable to construction, including Environmental Health legislation and regulations that would further protect the amenities of neighbouring occupiers during the construction period.

10.104 The transportation and highways impact during the construction stage is further discussed in the Highways and Transport section below.

Air Quality Impacts

10.105 The London Plan Policy SI1 sets out requirements for developments to be air quality neutral. The purpose of the London Plan's requirement that development proposals be 'air quality neutral' is to prevent the gradual deterioration of air quality throughout Greater London. An air quality

assessment has been carried out to demonstrate that the building and transport related emissions associated with the Proposed Development are both below the relevant benchmarks. The proposed development complies with the requirement that all new developments in London should be at least air quality neutral, subject to a relevant

10.106 The development is all electric with ASHPs and no combustion sources. There is a reference to fume cupboards and extracts and a statement that “it is likely that the laboratory space will be for low risk use.” The details about the fume extracts, filtration and potential impacts are not known. An additional condition (8) is advised for when an occupier is confirmed and those details can be approved in the event of planning permission being granted.

Neighbouring Amenity Summary

10.107 Subject to the conditions set out in this report, it is considered that the proposed development would not give rise to unacceptable impacts on neighbouring residential amenity in terms of daylight, sunlight, privacy, overlooking, outlook or sense of enclosure, dust, noise, light pollution and air quality.

LANDSCAPING, PUBLIC REALM AND BIODIVERSITY

Policy Context

10.108 Policy G1 states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London’s wider green infrastructure network. Policy G5 further states that major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. Moreover, Policy G6 of the London Plan states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain and that this should be informed by the best available ecological information and addressed from the start of the development process.

10.109 Local Plan Policy G1 ‘Green Infrastructure’ states that green infrastructure is an integral part of what makes the borough sustainable, healthy, welcoming and attractive. It is extremely important in terms of addressing the Local Plan vision and objectives. Moreover, major developments are required to conduct an Urban Greening Factor (UGF) assessment in accordance with the methodology in the London Plan. Schemes must achieve an UGF score of 0.4 for developments that are predominately residential, and a target score of 0.3 for predominately commercial development.

10.110 Finally, Policy G4 requires for all new developments to protect, enhance and contribute to the landscape, biodiversity value and growing conditions of the development site and surrounding area and for a landscape design strategy to be submitted which maximises green infrastructure, biodiversity and sustainable drainage. This must consider landscape design holistically from the outset of the design process and demonstrate an integrated approach to hard and soft landscaping design, achieve a functional, attractive and inclusive design and maximise biodiversity benefits.

Site Context

10.111 The site is approximately 0.11 hectares in size and is largely covered by hard surfacing and built form. As discussed previously, there is a tarmacked area of hardstanding at the front of the site, which is used for the purpose of parking vehicles, and there is an area at the back of the existing building, which has historically been used for storage and waste disposal. A biodiversity assessment has been submitted with the application which confirms that the site is of no or negligible biodiversity value. The nearest SINC is at Copenhagen Junction, which is some 200m away from the site but the application site is not considered to play a role in preserving biodiversity or enhance nature conservation there.

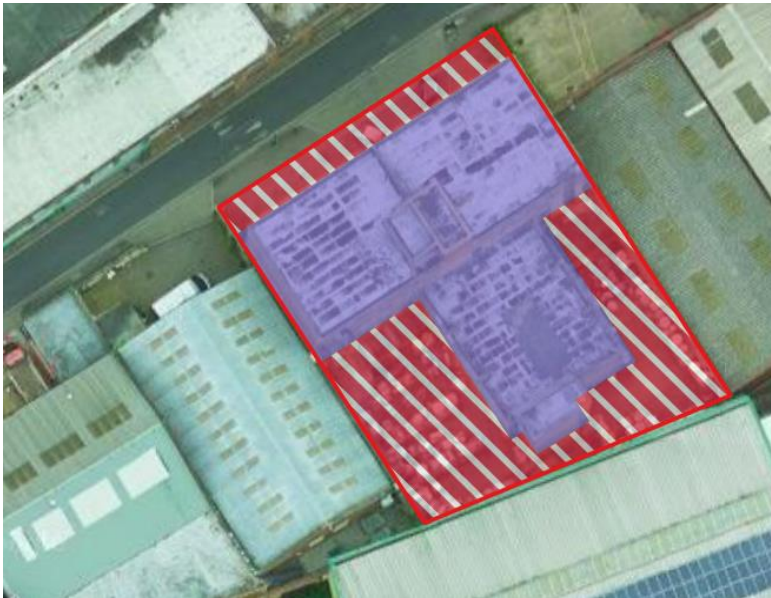


Fig. 10.14: Developed Land and Sealed Surface

Assessment of Proposal

10.112 The proposal involves the redevelopment of the site to provide a new building with a larger footprint. Despite the increase in building footprint, the application proposes to increase landscaping features and enhance biodiversity across the site. As discussed previously, the removal of the tarmacked car parking area at the front of the site provides an opportunity for new landscaping features, such as plants and shrubs in raised planters alongside permeable paving. The building is stepped at various levels and this allows for further landscape features and urban greening to be incorporated into the proposed building.

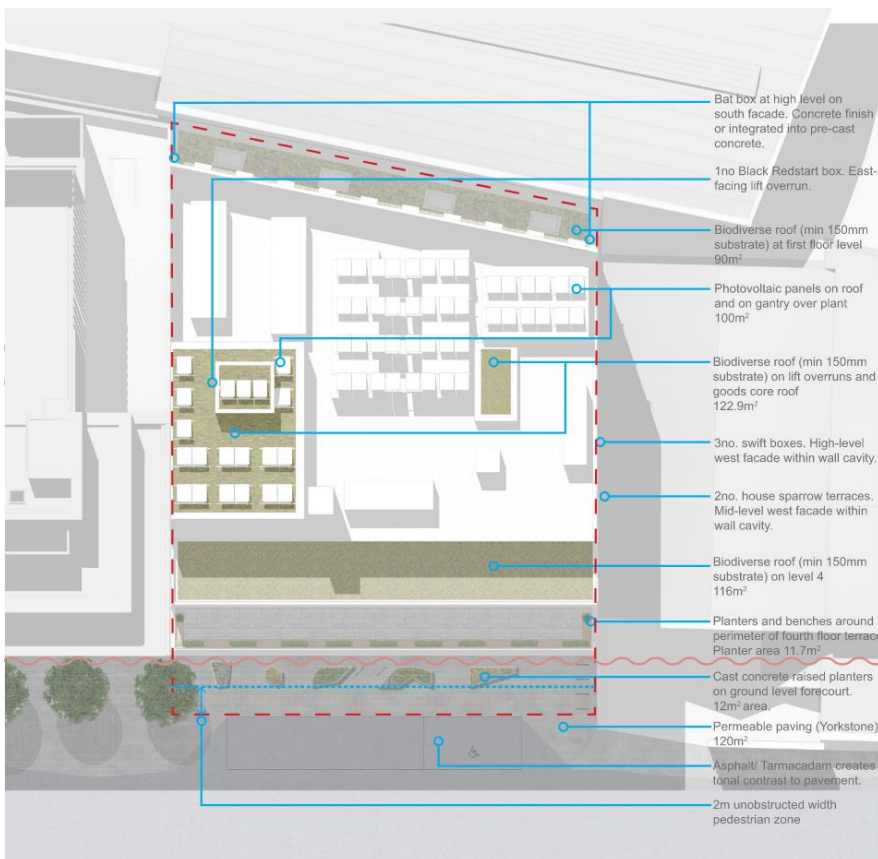


Fig. 10.15: Proposed Landscape Interventions

- 10.113 As well as the ground floor landscape interventions which have been integrated into the public realm and the approach to the building as shown above, the upper levels incorporate the following additional measures. At first floor of the proposed building, to the rear of the site, a significant area of biodiverse roof is proposed to enhance urban greening and biodiversity. Moreover, planters are proposed on the 4th floor terrace providing additional biodiversity and amenity enhancements, details of which would be required by condition (24) in the event of planning permission being granted. The proposal also includes biodiverse green roofs at 5th and roof levels in all available spaces with a minimum substrate depth of 150mm alongside appropriately located bird and bat boxes.
- 10.114 Insufficient detail had been provided to demonstrate that the provision of green roofs was being maximised. Further detail has now been forthcoming and the proposed green roofs are considered acceptable subject to further details being provided with regard to substrate depths, wildflower mix and the use of blue roofs (*condition 14*) in the event of planning permission being granted.
- 10.115 The applicant has submitted a Biodiversity Impact Assessment that reports a net increase of 100% in biodiversity value. This is welcomed but the applicant could go further to maximise biodiversity benefits. A planting schedule should also be provided with further details required as part of conditions 24 and 32 in the event of planning permission being granted. Species chosen for planting must maximise biodiversity benefits, be beneficial to wildlife and complement the existing habitat, including planting for pollinators and planting of different heights.
- 10.116 The proposal must utilise opportunities to attract new species to a site, including the incorporation of artificial nest boxes/bricks within developments to provide nesting and roosting opportunities for birds, including species under threat such as swifts, house martins, swallows and house sparrows, and where appropriate, bats. Appropriate numbers and placement of boxes need to be provided, with advice from a suitably qualified ecologist. Integrated bird and bat boxes are preferable. Details can be confirmed through condition (*condition 23*).
- 10.117 The proposal is considered to provide a coherent balance between amenity spaces for those working at the building in the future and genuine biodiversity enhancements. The proposal would achieve a Urban Greening Factor (UGF) of 0.27, which is short of the required minimum of 0.3 for commercial buildings. While the applicants argue they have maximised the amount of urban greening and significantly enhanced biodiversity from the existing situation, it is considered that further enhancements in UGF should be explored with further details required prior to works commencing on site (*condition 24 and 32*) in the event of planning permission being granted. Furthermore, it is recommended that a financial contribution of £6,000 (secured through section 106 agreement) for the planting of trees off-site is required in order to make up for the UGF shortfall.
- 10.118 In summary, the proposed public realm and landscaping proposal, including landscaping at roof level and soft and hard landscaping at ground level provide for significant aesthetic and biodiversity enhancements in line with adopted planning policy. It is considered that the proposal would significantly enhance biodiversity on the site through the provision of green roofs and other soft landscape interventions, such as green roofs, shrubs and planters. Further detail of landscaping including ecological enhancements and biodiversity improvements would be required by condition in the event of planning permission being granted (*conditions 24 and 32*).

ENERGY AND SUSTAINABILITY

- 10.119 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 148, under section 14. 'Meeting the challenge of climate change, flooding and coastal change', highlights that the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the

conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.

10.120 The NPPF para 153 states that in determining planning applications, LPAs should expect new development to comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable; and take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.

10.121 London Plan policy GG6 seeks to make London a more efficient and resilient city, in which development must seek to improve energy efficiency and support the move towards a low carbon circular economy, contributing towards London becoming a zero carbon city by 2050. Proposals must ensure that buildings are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards like flooding and heatwaves, while mitigating and avoiding contributing to the urban heat island effect.

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

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

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

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

10.125 Policy SI 4 (Managing Heat Risk) of the London Plan requires for development proposals to minimise adverse impacts on the urban heat island through design, layout, orientation, materials and the incorporation of green infrastructure.; The submitted energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems.

10.126 At a local level, Local Plan Policy S1 'Delivering Sustainable Design' states that the Council will promote zero carbon development, with the aim that all buildings in Islington will be net zero carbon by 2050. To ensure that Islington is on the right trajectory to achieve this target, sustainable design must be considered holistically from the start of the design process and all development proposals are required to demonstrate how they comply with all relevant sustainable design standards and policies. Moreover, developments must maximise energy efficiency and minimise on-site greenhouse gas emissions in accordance with the following energy hierarchy:

- be lean: use less energy and manage demand during operation. Energy demand (both annual and peak) must be minimised as far as possible through consideration of building fabric energy

efficiency as an integral part of the design, with a focus on building form and passive design in addition to specification.

- be clean: supply energy efficiently and cleanly, and utilise local energy resources (such as heat networks and secondary heat).
- be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site.
- be seen: monitor, verify and report on energy performance.

10.127 In accordance with Local Plan Policy S2, all development proposals are required to submit a Sustainable Design and Construction Statement, which must demonstrate that the proposal meets all relevant sustainable design policies. The Sustainable Design and Construction Statement (SDCS) must show how sustainable design has been considered holistically from the start of the design process and is integrated throughout the construction and operation of the development; and must include an Energy Strategy, an Adaptive Design Strategy, a Landscape Design Strategy, an Integrated Water Management and Sustainable Design Strategy as well as details of operational sustainability and air quality in line with policy expectations outlined in Local Plan Policies S7 – S10.

10.128 Local Plan Policy S3 requires all major developments to achieve BREEAM rating of 'Excellent' with reasonable endeavours used to achieve 'Outstanding'. Moreover, Policy S4 requires all new major developments to achieve a carbon emissions reduction of at least 27% beyond a Part L (2013) compliant building, with at least 15% achieved through energy efficiency measures (be lean). Furthermore, Local Plan Policy S5 requires all major developments to have a communal low-temperature heating system, selected in accordance with the following heating hierarchy:

1. connect to local existing or planned heat networks (subject to parts F and G below).
2. use zero-emission or local secondary heat sources (in conjunction with heat pump, if required).
3. use low-emission CHP (only where there is a case for CHP to enable the delivery of an area-wide heat network).
4. use ultra-low NOx gas boilers.

10.129 Finally, Policy S6 requires for all new developments to demonstrate, as part of the SDCS, how the proposed design will reduce the potential for overheating and reliance on air conditioning systems, and maximise the incorporation of passive design measures

10.130 The applicant has submitted a revised Sustainability and Energy Statement (Revision 7) (equivalent to an SDCS) with relevant Appendices prepared by Hoare Lea addressing the policy context above. The applicant has submitted several revisions in order to address the LPA's specific comments on energy, carbon reduction and sustainability (including Energy Strategy Addendum and Sustainability Addendum), and whether the submission meets the expectations and requirements of planning policy is summarised below.

Carbon Emissions

10.131 As outlined above, the London Plan 2021 (SI 2 Part C) sets out a minimum CO2 reduction target, for regulated emissions only, of 35% against Building Regulation Part L 2013. Part L 2021 of national building regulations took effect on 15 June 2022 and the London Plan team has carried out a rebasing exercise to update the carbon reduction targets set out in Policy SI2. The GLA Energy Assessment Guidance and Carbon Emissions Reporting Spreadsheet have been updated accordingly to require an on-site carbon reduction of at least 35 per cent beyond Part L 2021. This is equivalent to a 55% reduction over Part L 2013.

10.132 The Energy Strategy Addendum shows that a design review has been carried out following the original submission. Lighting efficiency has been improved in the Life Sciences area, toilet ventilation and cooling SEER have been improved and an additional 50m² of PVs have been added. Appendix A also includes a roof diagram showing that there is no further scope for increasing the size of the PV array. The revised Energy Strategy showed the proposed development to be achieving a 27.8% improvement in regulated emissions over the Part L 2021 baseline compared to the 23.9% achieved previously. A further revised Energy Strategy has now been submitted showing the development achieving a 32.5% reduction in regulated emissions through further energy efficiency measures and further optimisation of the Air-Source Heat Pumps and Solar PVs to be used. Though these improvements are welcomed, it is considered that the latest revisions have been submitted too late on to be fully scrutinised prior to Planning Committee and that these and further improvements would be captured as part of a submission to discharge condition 28 in the event of planning permission being granted.

10.133 Alternative modelling has been carried out, which classifies the lab/light ventilation requirements as unregulated energy which allows the reduction in regulated emissions to be recorded as 36.1%. In other words, if you take the significant ventilation requirements of a lab use out of the equation and incorporate the standard ventilation that you would have for an office scheme, then the London Plan target would be met. Although this seems contrary to the definition of regulated emissions as being emissions from fixed building services and fittings including internal lighting and ventilation, it does clarify that development would meet the carbon emissions target if the proposed use were a straightforward office development with more limited ventilation requirements.

10.134 In terms of total emissions, as required by Local Plan Policy S4, the Energy Strategy Addendum shows an improved reduction of Total (regulated and unregulated) emissions against a Part L 2013 baseline of 19.11%. Though this is an improvement on the original submission, this still does not meet the requirement to achieve a 27% reduction in Islington Policy.

10.135 In conclusion, the Energy Strategy Addendum shows an improved reduction of regulated emissions and total emissions against Part L 2021 and Part L 2013 baseline respectively, this still does not achieve the % reduction required in the London Plan or the Local Plan. It is considered that permission should be subject to a condition requiring further modelling to be carried out once more is known about the occupiers and mix of uses within the flexible R&D / light industrial floorspace with a view to delivering further carbon emission reduction improvements (*condition 28*).

Zero Carbon Policy

10.136 As noted earlier, policy SI 2 of the London Plan stipulates development proposals to aim to be zero carbon, this is supported by Islington Local Plan Policy S4, which states that development will need to promote zero carbon development by minimising on-site carbon dioxide emissions, promoting decentralised energy networks and by requiring development to offset all remaining CO₂ emissions associated with the building through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock.

10.137 Carbon offsetting payments will be calculated based on the remaining regulated carbon emissions using a nationally recognised non-traded price of £95/tonne (over 30 years equivalent to £2,850/tonne), as set out in Policy SI 2 of the London Plan. The Sustainability and Energy Statement includes a correctly calculated sum of £75,240 for the remaining 26.4 tonnes of emissions. This would need to be recalculated when further savings are identified to meet London Plan and Islington carbon reduction targets.

BE LEAN- Reduce Energy Demand

10.138 As mentioned above, Policy S4 requires for all developments to reduce energy demand through energy efficiency measures in the first instance, in accordance with the energy hierarchy. Major non-residential developments are required to achieve 15 per cent reductions out of the overall reduction target through energy efficiency measures in order to reduce energy demand.

10.139 The proposed U-values for the development are: External Walls=0.11; Roof= 0.11; Windows= 1.2, Floor= 0.11. An air permeability of 2.5m³/hr/m² is specified. The U-values for the fabric elements meet and exceed the recommendations of Islington's Environmental Design SPD.

10.140 The revised Energy and Sustainability Strategy shows the proposed development achieving a 15.9% reduction in Regulated Emissions through be-lean (efficiency) measures over a Part L baseline meeting the requirement in the London Plan and Local Plan for non-domestic buildings to achieve a 15% reduction at this stage. A further revision has been made to the Energy and Sustainability Strategy which shows a be-lean (energy efficiency) improvement of 18%, however the latest revisions have been submitted too late on to be fully scrutinised prior to Planning Committee and that these and further improvements would be captured as part of a submission to discharge condition 28 in the event of planning permission being granted.

BE CLEAN- Low Carbon Energy Supply

10.141 London Plan Policy S13D states:

Major development proposals within Heat Network Priority Areas (covers all of Islington) should have a communal low-temperature heating system and that the heat source for the communal heating system should be selected in accordance with the following heating hierarchy:

a) connect to local existing or planned heat networks

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

c) use low-emission combined heat and power (CHP) (only where there is a case for CHP to enable the delivery of an area-wide heat network, meet the development's electricity demand and provide demand response to the local electricity network)

d) use ultra-low NO_x gas boilers

10.142 This is supported by Local Plan Policy S5, which also requires for applications to investigate the feasibility of a heat network connection (including a Shared Heat Network) and for developments to be designed to be able to connect to a future heat network if planned to be within 500m in the next 3 years.

10.143 The Sustainability and Energy Statement correctly states that the proposed development is not within 500m of an existing DEN. There are also no planned DEN's within 500m and therefore a feasibility assessment of connection is not required.

10.144 The Sustainability and Energy Statement states that the applicant is currently undertaking an investigation into the possibility of forming a Shared Network with neighbouring buildings / developments but no details had been given. The Energy Strategy Addendum now includes a letter that has been shared with neighbouring buildings investigating opportunities to form a Shared Heating Network. Finally, it can be confirmed that Air Source Heat Pumps (ASHP) have been proposed to provide heating for the development and that this is in line with the required low-carbon energy hierarchy.

CHP/CCHP or Alternative Low Carbon On Site Plant

10.145 In accordance with the London Plan hierarchy, where connection to district heating or cooling networks are not viable, on-site low carbon heating plant should be proposed and CHP/CCHP prioritised (this may also form the basis of the alternative strategy, where the primary strategy is for connection to a district heating or cooling network if found viable through further investigation).

10.146 The Council's Environmental Design Guide (page 12) states "Combined Heat and Power (CHP) should be incorporated wherever technically feasible and viable. Large schemes of 50 units or more, or 10,000sqm floorspace or more, should provide detailed evidence in the form of an hourly

heating profile (and details of electrical baseload) where the applicant considers that CHP is not viable; simpler evidence will be accepted on smaller schemes.”

10.147 The Sustainability and Energy Statement states that heating and cooling will be provided by ASHP, which is considered acceptable in accordance with the above heating hierarchy. It is not currently feasible or proposed to connect to a DEN, which is supported with the proviso that the proposed development is futureproofed for connection to a future DEN (*condition 34*).

BE GREEN- Renewable Energy Supply

10.148 The energy hierarchy London Plan SI2 A states that major developments should look to ‘maximise opportunities for renewable energy by producing, storing and using renewable energy on-site’ at the ‘Be Green’ stage.

10.149 The Council’s Environmental Design SPD (page 12) states “use of renewable energy should be maximised to enable achievement of relevant CO2 reduction targets”.

10.150 A suitable range of renewable technologies have been investigated and a rejected for valid reasons. As well as the ASHP, a 150m² Solar PV array has been suggested. This is supported although the applicant could consider expanding this to work towards the London Plan and Islington carbon reduction targets that they are not currently meeting. As such, this is supported, subject to the submission of further details under conditions 22 and 28.

10.151 The above investigations and discussions are accepted by the Council’s Energy Officer.

Overheating and Cooling

10.152 As stipulated above, all developments must demonstrate how the proposed design will reduce the potential for overheating and reliance on air conditioning systems, and maximise the incorporation of passive design measures in accordance with the required cooling hierarchy.

10.153 The submission includes information on how the development has been designed to reduce potential for overheating in accordance with the cooling hierarchy. Glazing ratio, low g-value glazing, external shading and strategic location of uses with higher internal gains has been considered. No passive ventilation has been provided due to air quality and noise issues.

10.154 The Thermal modelling has been provided using TM49 DSYs with the results compared against the criteria of CIBSE TM52. This shows almost all areas failing without the inclusion of active cooling and therefore justifies the inclusion of active cooling in the proposed development. As such, active cooling is described as a final action to mitigate overheating. However, further details should be provided (*condition 28*) of how the design will reduce the reliance on air conditioning and active ventilation systems in accordance with the cooling hierarchy specified in Policy S6 Part B.

BREEAM- Sustainable Design Standards

10.155 Local Plan Policy S3 requires for major developments to meet a BREEAM rating of Excellent and make reasonable endeavours to achieve Outstanding.

10.156 The Council’s Environmental Design Guide states “*Schemes are required to demonstrate that they will achieve the required level of the BREEAM via a pre-assessment as part of any application and subsequently via certification*”.

10.157 The Sustainability and Energy Statement includes a BREEAM pre-Assessment as Appendix A. This shows the proposed development achieving a score of 77.04% meeting the Islington Policy requirement to achieve an ‘Excellent’ rating. It is considered that further details would be required by *condition 17* in the event of planning permission being granted to ensure that reasonable endeavours have been used to achieve a rating of ‘Outstanding’ how under the BREEAM New Construction 2018 scheme and to ensure that particular credits required by Policy S3 have been achieved.

Draft Green Performance Plan

- 10.158 A draft Green Performance Plan is a requirement of Local Plan Policy S2 and the Environmental Design SPD (8.0.12 – 8.0.18), which states “applications for major developments are required to include a Green Performance Plan (GPP) detailing measurable outputs for the occupied building, particularly for energy consumption, CO2 emissions and water use, and should set out arrangements for monitoring the progress of the plan over the first years of occupancy.” The council’s Environmental Design SPD provides detailed guidance and a contents check-list for a Green Performance Plan.
- 10.159 A draft Green Performance Plan has been submitted as part of the application submission. Local Plan Policy S3 Part E requires specific scores for BREEAM. Part (iv) requires all credits on Water consumption, or a minimum of 3 credits where rainwater/greywater recycling is demonstrated not to be feasible. The Shell and Core BREEAM assessment in Appendix A shows only 3 of 5 credits are achieved, even though rainwater/greywater harvesting is proposed. This could be improved upon and further details will be required by condition (17) as well as in the section 106 agreement.
- 10.160 Measurable targets have been included for carbon emissions, water usage and energy with final version required through the section 106 agreement (Appendix 1).

Circular Economy and Adaptive Design

- 10.161 Policy SI 7 of the London Plan 2021 states that resource conservation, waste reduction, increases in material reuse and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible.
- 10.162 Policy S10 of the Islington Local Plan states that all developments must adopt a circular economy approach to building design and construction in order to keep products and materials in use for as long as possible to minimise construction waste.
- 10.163 The application makes mentions of the circular economy but does not include an adaptive design strategy within the SDCS. The revised Sustainability Strategy Addendum now provides more detail on reusable materials, low-carbon materials, recycled content as well as a justification for not retaining the existing building, which is considered acceptable in this instance.
- 10.164 The circular economy and adaptive design details provided in the revised Sustainability and Energy Strategy and Sustainability Strategy Addendum should be secured by condition (*condition 31*) in the event of planning permission being granted.

Sustainable Drainage and Flood Risk

- 10.165 Policy SI 5 states that in order to minimise the use of mains water, water supplies and resources should be protected and conserved in a sustainable manner. Commercial development proposals should achieve at least the BREEAM excellent standard for the ‘Wat 01’ water category or equivalent, and incorporate measures such as smart metering, water saving and recycling measures, including retrofitting, to help to achieve lower water consumption rates and to maximise future-proofing.
- 10.166 The proposal lays out an integrated approach to water management, detailing drainage strategy, water efficiency and water quality in line with the London Drainage Hierarchy. A Surface Water Drainage Pro Forma has been submitted. Proposed storage attenuation only accommodates up to and including 1 in 100 yrs plus climate change of 25%. An attenuation tank with an approximate total storage of 70m³ is proposed. Porous paving is also proposed, however the FRA states conflicting figures of both 20m³ and 48m³. The proposed development also contains a 70m² green roof at the level 1 terrace and there is provision for a green roof of 31m² on the main roof. Further details on this (*condition 26*) will be required by condition – this is particularly important considering the site is in close proximity to a high risk of surface water flooding area.

10.167 The development will also bring forward rainwater harvesting, however further details are required to understand how this would work in practice and how water would be collected. Further details of how the water would be linked to the green roof is also required and these details would need to be submitted (*conditions 14 and 26*) in the event of planning permission being granted.

Whole Life-Cycle Carbon

10.168 Whole life-cycle carbon emissions have been calculated in line with RICS Whole Life Carbon Guidance within a Whole Life Carbon Report. It is noted that the proposed meets the baseline GLA benchmark. It is also noted that the target is to meet LETI C benchmark, an embodied carbon target of 970 kgCO₂e/m. The Whole Life Carbon report consists of measurements relating to the One Click LCA Assessment results in line with RICS. The report is considered to adequately demonstrate how requirements in line with GLA WLC guidance have been upheld and a planning condition (35) is recommended to ensure this is achieved in the event of planning permission being granted.

Conclusion

10.169 A number of energy and sustainability matters are still unresolved and although some justification for non-compliance has been provided, further details will be required by condition (*conditions 14, 17, 22, 24, 28, 31-34 and 35*).

HIGHWAYS AND TRANSPORT

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

10.171 Policy T4 of the London Plan 2021 states that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. Transport Statement should be submitted with development proposals to ensure that impacts on the capacity of the transport network are fully assessed. Furthermore, part C of this policy states that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

10.172 Local Plan Policy T1 states that a coherent and inclusive public realm, in conjunction with effective transport, are key elements of ensuring delivery of the Local Plan objectives. 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. Moreover, 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 and must include accessible parking provision.

10.173 Local Plan Policy T2 requires for all new developments in the borough to be designed to incentivise walking by delivering high quality public realm improvements that are secure, safe, legible, inclusive and create permeable environments. Policy T4 requires for all developments to engage positively with the public realm. Finally, Policy T5 requires for Delivery and Servicing Plans to be submitted which demonstrate how safe, clean and efficient deliveries and servicing have been facilitated and any potential impacts are to be mitigated. Delivery and Servicing Plans will need to include sufficient information detailing the delivery and servicing needs of developments, including demonstration that all likely adverse impacts have been thoroughly assessed and mitigated/prevented.

- 10.174 The site has a moderate access to public transport and the Public Transport Accessibility Level for the site is 2, though it is on the cusp of PTAL 4. There are a number of bus routes within walking distance of the site on York Way, Camden Park Road and Caledonian Road. Caledonian Road London Underground station as well as Caledonian Road & Barnsbury station are within a short walk of the site and Kings Cross & St Pancras stations are a 5-minute bicycle ride away.
- 10.175 The site also benefits from good pedestrian accessibility to surrounding retail and restaurant uses, particularly on Caledonian Road, which is a short walk away. The footways along Brandon Road are in part considered to be substandard. A useable pavement is only provided on the south side, i.e. the side that the application site is located but this is also in part very narrow and interrupted by crossovers and vehicular access routes. The neighbouring development site at 5-10 Brandon Road is in the process of creating more useable footway and this site has the potential to extend this pedestrian route to create longer stretch of useable footway.
- 10.176 There is a local cycle route running along York Way adjacent in close proximity to the site, though apart from some cycle for hire and bike racks further along on York Way, there is limited cycle parking infrastructure such as cycle racks or stands in the area.
- 10.177 The application proposes to deliver approximately 4,794sqm of commercial floorspace (of which 1,827sqm is light industrial floorspace and 2,967sqm is flexible R&D / light industrial floorspace) in a new building on a redeveloped site, which is an uplift of 2,508sqm of commercial floorspace. The transport impacts, requirements and proposed transport provision for the quantum and type of uses proposed are considered below.

Transport / Traffic Impacts

- 10.178 The trip generation associated with the proposed development has been calculated and provided in the Transport Assessment. The increase in daily trips to and from the site has been calculated as being 349 in total with the vast majority of those coming to and from the site doing so by public transport, on foot and / or bicycle. There would be a negligible amount of car trips to the site due to the car-free nature of development in the borough, though there would be larger delivery and servicing vehicles which is discussed in a subsequent section. It is considered that the trips associated with the proposed uses would be suitably and successfully accommodated within the transport network.

Vehicle Parking

- 10.179 No vehicle parking is proposed on-site, apart from the disabled parking bay at the front of the site, which is considered acceptable and in accordance with Local Plan Policy T3 , which requires for all new developments to be car free.
- 10.180 While the site only benefits from a moderate PTAL level, it is not considered that this would deter those traveling to the site from using sustainable modes of transport. The site is in close proximity to the crossroads of multiple thoroughfares within a relatively central part of London and is located within a CPZ restricting car parking during office hours.
- 10.181 In regard to disabled parking, one wheelchair-accessible parking bay is proposed at the front of the site alongside the loading bay, however, it is anticipated that the need for disabled parking provision would increase beyond this provision as a result of the development. In accordance with Local Plan Policy T3 and the guidance with the Planning Obligation SPD, a financial contribution of £6,000 is required to secure additional on-street blue badge parking bays, or alternative accessibility improvements to be agreed by the Council's highway officers. The financial contribution is to be secured by the S106 legal agreement.

Cycling

- 10.182 In terms of cycling, Policy T5 of the London Plan states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. It should also secure appropriate levels of cycle parking which should be fit for purpose, secure and

well located. Islington Local Plan Policy T2 requires major developments to provide cycle parking in accordance with the minimum standards set out in Appendix 4 and end-of-trip facilities for cyclists in accordance with best practice. End-of-trip facilities are required to be provided at a level proportionate to the size of the development and the required level of cycle parking.

- 10.183 A total of 70 cycle parking spaces are proposed in the basement, including suitable and appropriate accessible cycle provision, in order to cater for the needs of staff working at the building. A total of 10 No. visitor cycle parking spaces are proposed at the front of the site, including space for accessible cycles, in accordance with London Plan and Islington Planning Policies. The basement level also includes the required end-of-trip facilities such as shower facilities and lockers.
- 10.184 Further details of cycle parking including details of how the spaces provided are safe, secure, accessible and convenient would need to be provided in the event of planning permission being granted (*condition 21*).
- 10.185 Overall, the proposal would provide an acceptable level of cycle facilities, subject to further details being provided by condition, to support the development and to encourage use of alternative transport modes, which complies with the objectives of LP Policy T5, and Local Plan Policy T2.

Pedestrian

- 10.186 The proposal also includes improvements to the pedestrian experience and public realm, including improvements to movement across the site and access to the site as discussed above in the Inclusive Design section of this report. Local Plan Policy T4 encourages developments to create more welcoming environments for pedestrians through the creation of natural surveillance and an environment that is legible and logical to cyclists and those on foot.
- 10.187 It is considered that the creation of this new area of public realm with the resultant improvements to the pedestrian environment is a considerable benefit to the scheme in accordance with Local Plan Policy T2.

Servicing, Delivery and Waste Management

- 10.188 Local Plan Policy T5 (Delivery, Servicing and Construction) states that for commercial developments, delivery/servicing vehicles should be provided off-street wherever feasible, particularly for commercial developments over 200sqm GEA. The policy also requires for developments to make optimal use of development sites, demonstrate that servicing and delivery vehicles can enter and exit the site in forward gear and submit sufficient information detailing the delivery and servicing needs of developments, including demonstration that all likely adverse impacts have been thoroughly assessed and mitigated/prevented. Delivery and servicing bays provided should be strictly controlled, clearly signed and only used for the specific agreed purpose.
- 10.189 The application included various options involving delivery and servicing on site which have demonstrated that on-site servicing and delivery would remove the majority of the ground floor. This is not considered to be an optimal use of the site. Instead, the application proposes to make alterations to the highway in order to create an on-street servicing / delivery bay which would cater for the servicing needs of the development.
- 10.190 The application submission predicts that a worst-case scenario for the commercial building would result in approximately 14 one-way servicing and delivery trips, with the majority of these being by light goods vehicles. It is considered that these would be safely accommodated in the proposed on-street loading bay, though in the event of planning permission being granted further detail would be required by condition (15) in order to provide more accurate estimates of deliveries and servicing requirements once specifics are known about the occupiers of the building. Whilst the physical detail of the proposed loading bay would be agreed in a subsequent section 278 agreement in the event of planning permission being granted, the principle of the loading bay which has been agreed with the Council's Highways Team and the plan below shows how LGVs would enter and exit the loading bay.

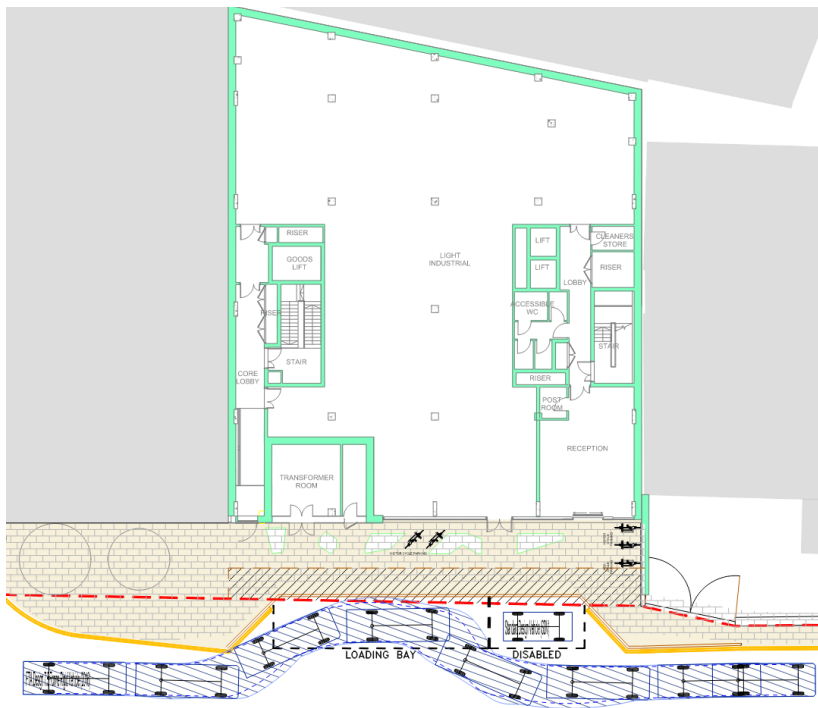


Fig. 10.16 Proposed Servicing / Delivery Bay

- 10.191 In terms of refuse and recycling, officers have had regard to the Council's refuse and recycling storage requirements, and it can be concluded that the proposed provision and arrangements are considered acceptable for the proposed commercial uses. The refuse store is located at basement level and will be accessible via the service entrance and goods lift. A temporary holding area will be located within the footway for refuse pick-up on the day.
- 10.192 It is recommended that final details of servicing, delivery and refuse storage would need to be submitted to and agreed in writing by the Council prior to the occupation of the development and this would be secured by condition (*condition 15*).

Construction Impacts

- 10.193 The proposed construction works would inevitably have some impact on the local area during the construction period. A draft Construction Management Plan has been submitted with the planning application – this demonstrates that construction is technically feasible and that consideration has been had for the impacts of the construction process on neighbouring occupiers from the outset. A final version would need to be submitted and agreed by the Council prior to any construction work commencing on site; this is echoed by the Council's Public Protection Team who also recommended submission of a final version of a CMP outlining in detail how any impacts would be mitigated (*condition 4*).
- 10.194 A full Construction Management Plan and Construction Logistics Plan should outline measures for the routing, accommodation, loading and unloading of construction vehicles during the entirety of the construction phase. A construction programme should also be provided within the CMP once a contractor has been appointed. This will set out indicative timescales for each phase of construction. This is secured by condition upon approval, to ensure that the proposal would make all reasonable efforts to avoid unacceptable impacts to neighbouring amenity, the wider environment, or the safe and efficient operation of the highway network.
- 10.195 The Council's Highways Team has recommended that the applicant would need to cover any cost to repair any damages to the public footway/carriageway caused by the development. This would be secured under section 106 agreement with a figure confirmed. In the interest of protecting neighbouring residential amenity during the construction phase of the development (having regard to impacts such as noise and dust) the applicant is also required to comply with the Council's code

of construction practice. Compliance would need to be secured as part of a section 106 agreement together with a payment of £9,588 towards monitoring. This payment is considered an acceptable level of contribution having regard to the scale of the development, the proximity of other properties, and likely duration of the construction project.

Highways Summary

10.196 Overall, it is considered that the application would have adequate provision for servicing, waste storage, accessibility, cycling, collections and deliveries, subject to further details and provisions to be secured by conditions and legal agreement. The proposal would then be acceptable and would comply with policies T5 and T6 of the London Plan 2021 and Local Plan Policies T1, T2, T3, T4 and T5.

SAFETY AND SECURITY

10.197 London Plan Policy D11 requires for new developments to create a safe and secure environment, whereas Local Plan Policies B2 and PLAN1 support new development proposals that are safe, legible and logical. The surrounding area is mainly commercial / industrial in character with a residential community to the east of the site towards Caledonian Road as well as on the other side of York Way, in the London Borough of Camden. Due to the wider crime statistics, the Metropolitan Police's Design out Crime Office (DOCO) has recommended to incorporate crime prevention measures and police-preferred, tested and certified physical security products into any new-build or major refurbishment project here.

10.198 Various recommendations have been made by the DOCO as a part of Secured by Design guidance and these would be secured by condition (16) and incorporated into the design of the proposal in the event of planning permission being granted. There is reference to some of the safety and security measures that have been designed into the project such as an "active street frontage" and "well-considered lighting" and it is expected that other security measures will be of a sensitive nature and not necessarily fleshed out and expressed within the planning application documentation.

10.199 The submission's reference to the internal parts of the building "maintaining level access and security throughout" is considered very positive, as it is possible that this building will include multiple different tenants, and without sufficient forms of access control to help to separate this, it could allow tenants from one floor into another, potentially compromising the security and potential safety of its occupants and any valuable/sensitive assets. This would form a part of Secured by Design guidance and consultation (*condition 16*) in the event of planning permission being granted.

10.200 The submitted Design & Access Statement (DAS) makes reference to a specialist gas store at the front of the site. It is positive that this store does not provide direct access to persons into other parts of the site, but it is essential that this store has the recommended security measures to help to protect against attack/theft, whilst also maintaining the relevant fire safety and any other special measures required. It is recommended that the minimum level of security for this store is a door-set tested and certificated to appropriate standards, as this has potentially hazardous products in a store that abuts the public realm.

10.201 A number of other safety and security measures are discussed in the DAS, such as security lighting, CCTV surveillance cameras and security doors among other things and it is expected that these would form part of a condition (16) requirement and the Secured by Design accreditation in the event of planning permission being granted. The DOCO has confirmed that the above recommendations help to form a part of Secured by Design guidance and these proven crime prevention methods can help to protect a site and its occupants from crime and disorder.

10.202 Due to levels of crime within the borough and to help enhance community safety through the implementation of proven crime prevention products and measures (via SBD compliance), it is recommended that any approval of this application contains a relevant planning condition to ensure that the development achieves SBD accreditation, prior to occupation (*condition 16*).

FIRE SAFETY

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

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

10.205 The Fire Statement submitted with the application, has been prepared by Hoare Lea dated September 2023, and a suitably qualified Chartered Engineer has been involved in the document. In response to queries from the Council's Building Control Officer relating to the requirements of the London Plan policy D12b), a revised document has been submitted. An assessment against the criteria of London Plan Policy D12 is provided below:

London Plan policy D12(b) requires the following detail	Response:
1. The building's construction: methods, products and materials used, including manufacturers' details	Materials include a non-combustible concrete structure which will be suitable from a fire safety point of view.
2. The means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach	<p>Travel distances have been assessed under the guidance contained within BS 9999 based on the risk profile of the various areas (the office/lab areas, the light industrial areas, the plant rooms and chemical storerooms). The number of staircases and routes to the stairs required have been determined based on travel distance limitations.</p> <p>Means of escape capacity calculations have been undertaken in accordance with BS 9999 for the proposed storey exits and stair widths, they indicate the maximum capacity that is possible in the building</p>
3. Features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans	<p>A sprinkler system designed in accordance with BS EN 12845:2015 will be provided only at basement level, to supplement the basement mechanical smoke ventilation system. Only one of the two stairs serving the upper floors will continue down to basement level.</p> <p>Each member forming part of the structural frame or any other beam or column in the building will be provided with 60 minutes fire resistance. In addition, all floors will be constructed as compartment floors achieving</p>

	the same fire resistance as the elements of structure to restrict external fire spread.
4. Access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these	<p>Fire Service access into the building is provided via one of the two means of escape stairs shafts serving the building.</p> <p>To ensure all areas of the building will be within 45m from a fire main outlet, on a route suitable for laying hose, dry fire main outlets are proposed at each floor in the east stair.</p>
5. How provision will be made within the curtilage of the site to enable fire appliances to gain access to the building	<p>Fire tender vehicle access will be provided within 18m of the dry riser inlet, and within sight of dry rising main inlet points. The access route will meet all requirements for firefighting tender access.</p> <p>Access to the building is provided from Brandon Road to the front of the building.</p> <p>Where hydrants are not located within 90m to the entry point of the building, private hydrants will be provided within the site to facilitate this.</p>
6. Ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.	Any future changes to the building will be undertaken within the context of contemporary fire safety regulation and legislation.

10.206 The submitted information is specific and relevant to the proposal and the fire statement references compliance with BS9999. It is noted that the author of the submitted Fire Statement is a qualified person with expertise in fire safety and engineered solutions, and as such, the applicant has considered the fire safety of the development as part of the overall scheme. A condition is recommended (*condition 13*) requiring the measures outlined in the Fire Statement to be adhered to in the event of planning permission being granted.

PLANNING OBLIGATIONS AND CIL

10.207 There is a requirement that planning obligations under Section 106 must meet 3 statutory tests, i.e. that they are (i) necessary to make the development acceptable in planning terms, (ii) directly related to the development, and (iii) fairly and reasonably related in scale and kind to the development. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's and Islington's Community Infrastructure Levy (CIL) would be chargeable on the proposed development on grant of planning permission. This is calculated in accordance with the Mayor's adopted Community Infrastructure Levy Charging Schedule 2019 and the Islington adopted Community Infrastructure Levy Charging Schedule 2014.

10.208 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development and if specific off-site measures are required to make the development acceptable these should be secured through a S106 agreement.

10.209 Policy ST1 (Infrastructure Planning and Smarter City Approach) of the Local Plan states the Council will identify and deliver the infrastructure required to support development growth over the plan

period and enable effective delivery of the Local Plan objectives. Further details of planning obligations are set out in the relevant sections of this report, and as a full list in Appendix 1.

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

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway (total to be confirmed by LBI Highway).
- Section 278 (highways) agreement to be agreed and secured prior to commencement;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- The submission of an agreed Employment & Training Strategy;
- Carbon offsetting contribution of £75,240;
- Future connection safeguarded / secured (Energy network) (as covered within the application submission);
- Code of construction monitoring fee £9,588;
- 3 x construction placements or employment/training contribution of £15,000.
- Employment and training contribution of £20,184 for local residents;
- Accessible transport contribution £6,000;
- A contribution towards off-site tree planting;
- Submission of draft Green Performance Plan;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;
- Associated legal fees.

SUMMARY AND PLANNING BALANCE ASSESSMENT

10.211 Paragraph 47 of the NPPF dictates that *"Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise"*.

10.212 In land use terms, the proposal is considered to meet the aspirations of adopted Local Plan Policies, in particular Policies SP3, B2, B3, B4 and B5 as well as London Plan Policies GG5, E1, E6 and E7, which support the protection and intensification of the industrial area as outlined in the main body of the report. It is also considered that the proposed development would deliver suitable employment and training benefits in accordance with the relevant policy framework and that the proposal would provide the range of spaces and uses required to support the economic function of the industrial area.

10.213 The proposal is considered to have multiple benefits, including a well-considered design with a more active frontage and better relationship with the street, an improved public realm, landscaping and urban greening, employment and training benefits and an overall uplift in industrial floorspace which would be secured by condition in the event of planning permission being granted.

- 10.214 There are some discrepancies with planning policy, notably the proposal's failure to meet specific energy and sustainability targets including the non-compliant operational energy and consequent carbon emissions reductions which fail to meet policy expectations. However, it is considered that sufficient justification has been provided that the energy intensive use proposed may render the targets unachievable in this instance (subject to further detail required by condition as detailed in the report) and that non-compliance with policy here is, on balance, outweighed by the benefits outlined above and in the main body of this report. The planning application is also considered to comply with relevant standards and requirements relating to transport, inclusive design, safety and security.
- 10.215 On balance, the application is considered to be in accordance with the Development Plan and is, therefore, recommended for approval subject to appropriate conditions and planning obligations set out in Appendix 1 of this report.

11. CONCLUSION

- 11.1 It is recommended that planning permission is granted subject to conditions and s106 legal agreement heads of terms as set out in Appendix 1 – **RECOMMENDATIONS** and subject to any direction by the Mayor of London.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

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

- A bond/deposit to cover costs of repairs to the footway and for repairs to the highway (total to be confirmed by LBI Highway). This ensures funds are available for the repair and reinstatement of the footways and highways adjoining the development (paid for by the developer). The bond must be paid before commencement of works. Any reinstatement works will be carried out by LBI Highways (and the cost met by the developer or from the bond). Conditions surveys may be required. If this bond/ deposit exceeds the cost of the works as finally determined, the balance will be refunded to the developer. Conversely, where the deposit is insufficient to meet costs then the developer will be required to pay the amount of the shortfall to the Council;
- Section 278 agreement to make changes to the highways network, principally to deliver a loading bay and accessible parking bay at the front of the site;
- Compliance with the Council's Code of Local Procurement;
- Compliance with Code of Employment and Training;
- The submission of an agreed Employment & Training Strategy outlining how the proposed development would: support local businesses, encourage target groups into innovation, science and technology, provide employment and training opportunities for local people, collaborate with LBI's Inclusive Economy Team and the LIFT programme and support SMEs with the aim of delivering on wider Council employment and training objectives;
- Carbon offsetting contribution of £75,240;
- Feasibility and connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future-proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
- Compliance with Islington's Code of Practice for Construction Sites and monitoring costs of £9,588 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
- Facilitation, during the construction phase of the development, of the following number of work placements: 3. Each placement must last a minimum of 26 weeks. The London Borough of Islington's approved provider/s to recruit for and monitor placements, with the developer/contractor to pay wages. Within the construction sector there is excellent best practice of providing an incremental wage increase as the operative gains experience and improves productivity. The contractor is expected to pay the going rate for an operative, and industry research indicates that this is invariably above or well above the national minimum wage and even the London Living Wage (£10.55 as at 15/04/19). If these placements are not provided, LBI will request a fee of: £15,000

- Employment and training contribution of £11,669 to improve the prospects of local people accessing new jobs created in the proposed development;
- The provision of 3 accessible parking bays or a contribution of £6,000 towards accessible transport measures;
- A contribution of £6,000 towards off-site tree planting;
- Submission of draft Green Performance Plan;
- Submission of draft Travel Plan and approval of final Travel Plan within 6 months of first occupation;
- The Council's legal fees in preparing the S106 and officer's fees for the monitoring and implementation of the S106 agreement.

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

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

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:

	<p>Existing Plans: BRN-DMA-XX-ZZ-D-A-010001 Rev P2; 020001 Rev P1; 020002 Rev P1; 020003 Rev P1; 020004 Rev P1; 020005 Rev P1; 020006 Rev P1; 030001 Rev P1; 030002 Rev P1; 030003 Rev P1; 030004 Rev P1.</p> <p>Proposed Plans: BRN-DMA-XX-B1-D-A-029001 Rev P3; 029002 Rev P1; 029003 Rev P1; 029004 Rev P1; 029005 Rev P1; 029006 Rev P1; 029007 Rev P1; 029008 Rev P1.</p> <p>Proposed Elevations: BRN-DMA-XX-EE-D-A-039000 Rev P2; 039001 Rev P1; 039002 Rev P1; 039003 Rev P1. Front Elevations with Levels by DMA;</p> <p>Proposed Sections: BRN-DMA-XX-AA-D-A-049001 Rev P1; 049002 Rev P1;</p> <p>Cover Letter by Gerald Eve dated June 2023;</p> <p>Planning Statement by Gerald Eve dated June 2023;</p> <p>Revised Design & Access Statement (Rev P2) dated 11th September 2023;</p> <p>Sustainability & Energy Statement by Hoare Lea (Rev 06) dated September 2023;</p> <p>Sustainability Strategy Addendum Note by Hoare Lea (with associated Appendices);</p> <p>Energy Strategy Addendum Note by Hoare Lea (with associated Appendices);</p> <p>Whole Life Carbon Report (Rev 03) by Hoare Lea;</p> <p>Flood Risk Assessment and Drainage Strategy by HDR (Rev P4) dated October 2023;</p> <p>Updated Fire Safety Statement (Rev 02) by Hoare Lea;</p> <p>Urban Greening Factor Assessment Revision FV03 by Greengage;</p> <p>Air Quality Assessment and Air Quality Neutral Assessment, dated June 2023, Revision 02;</p> <p>Basement Structural Method Statement by HDR dated May 2023, Revision P02;</p> <p>Biodiversity Impact Assessment by Greengage dated June 2023 (Revision FV02);</p> <p>Construction Management Plan pro forma v1 dated June 2023;</p> <p>Transport Statement by Steer dated June 2023;</p> <p>Delivery & Servicing Plan by Steer dated June 2023;</p> <p>Proposed Loading Bay Layout (Ref.24113102-STR-HGN-100-DR-D-00103) (Rev P1);</p> <p>Proposed Ground Floor Layout (Ref. 24113102-STR-HGN-100-DR-D-00101) Rev P1);</p> <p>Framework Travel Plan dated June 2023 by Steer;</p> <p>Kadans Science Partner Statement dated October 2023 by Kadans;</p> <p>Geo-Environmental Desk Study by HDR dated May 2023;</p> <p>Daylight & Sunlight Report by Anstey Horne dated June 2023;</p> <p>Draft Green Performance Plan by Hoare Lea Revision 02;</p> <p>Health Impact Assessment dated June 2023 by Gerald Eve;</p> <p>Noise Impact Assessment (Rev 02) by Hoare Lea dated May 2023;</p> <p>Preliminary Ecological Appraisal (Rev FV02) by Greengage dated June 2023;</p> <p>Statement of Community Involvement by Connect;</p> <p>Townscape and Visual Impact Assessment (including Views) by Harrison Stevens;</p> <p>Ventilation Extraction Statement (Rev 02) by Hoare Lea dated May 2023;</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	<p>Materials (Details)</p>
	<p>CONDITION: Notwithstanding the approved drawings, details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure work commencing on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Curtain wall glazing with powder coated aluminium frame and any other glazing to be used; b) Architectural metal work aluminium screens with horizontal fins (part ground floor frontage); c) Fluted Glass to plant screen and any other relevant roof materials to be used; d) Powder coated metal balustrading to recessed upper floors; e) Precast polished concrete cladding and precast concrete fins; f) Any render to be used; g) Green Procurement Plan; and h) Details of all other external facing materials to be used.

	<p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Demolition, Construction and Environmental Management Plan (Details & Compliance)
	<p>CONDITION: Notwithstanding the details submitted with the application, a Demolition, Construction and Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.</p> <p>The submission shall assess the impacts during the demolition and construction phase of the development on surrounding streets along with nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The CMP must refer to the new LBI Code of Practice for Construction Sites.</p> <p>The development shall be carried out strictly in accordance with the approved documents throughout the construction period.</p> <p>REASON: This condition is pre-commencement in the interests of residential amenity, highway safety, railway infrastructure and the free flow of traffic on streets, and to mitigate the impacts of the development.</p>
5	Plumbing (No pipes to outside of building)
	<p>CONDITION: Notwithstanding the plans hereby approved, no plumbing, down pipes, rainwater pipes or foul pipes other than those shown on the approved plans shall be located to the external elevations of buildings hereby approved without obtaining express planning consent unless submitted to and approved in writing by the local planning authority as part of discharging this condition.</p> <p>REASON: The Local Planning Authority considers that such plumbing and pipes would potentially detract from the appearance of the building and undermine the current assessment of the application.</p>
6	Impact Piling (Compliance)
	<p>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 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.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure.</p>
7	Standby Plant (Details and Compliance)
	<p>CONDITION: Prior to occupation of the development hereby approved, a written code for the management of noise from emergency plant and equipment shall be submitted and approved in writing by the Local Planning Authority.</p> <p>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.</p>

	<p>REASON: To ensure that the operation of the generator does not impact on residential amenity.</p>
8	<p>Air Quality (Details and Compliance)</p> <p>CONDITION: Prior to the occupation of the development hereby approved, a report assessing the air quality, odours and fume impacts from the laboratory use within the development, shall be submitted and approved in writing by the Local Planning Authority.</p> <p>The report shall include dispersion modelling and defined potential pollutants, assessment criteria, receptor positions, details of the modelling software chosen, emissions and stack parameters, building parameters, meteorological data, method used to calculate background and predicted concentrations and all other relevant assumptions and information.</p> <p>The location and grid reference of maximum pollution concentrations shall be identified, with distance from the stack. A full discussion of any potential breaches of the assessment criteria shall be provided, along with details of any mitigation and a discussion of model sensitivity.</p> <p>REASON: in the interests of protecting residential amenity.</p>
9	<p>Plant Noise (Compliance)</p> <p>CONDITION: The design and installation of new items of fixed plant shall be such that when operating the cumulative noise level $L_{Aeq Tr}$ arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB(A) below the background noise level $L_{AF90 Tbg}$. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014+A1:2019.</p> <p>REASON: To ensure the protection of neighbouring amenity in respect to noise and vibration.</p>
10	<p>Post-Installation Report (Details)</p> <p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced and competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 9. The report shall include site measurements of the plant in-situ.</p> <p>The report shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of the development and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>The report shall also include details of how the plant is checked upon installation and regularly checked, maintained and serviced thereafter to ensure noise levels do not rise or acoustic character such as tonality, intermittency, impulsivity or other acoustic character develop.</p> <p>REASON: To ensure the protection of neighbouring amenity in terms of noise and vibration.</p>
11	<p>Internal Lighting (Details)</p> <p>CONDITION: Details of measures to adequately mitigate light pollution affecting neighbouring residential properties and character/appearance of the area shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved and subsequently implemented prior to first occupation of the development. These measures might include:</p> <ul style="list-style-type: none"> - Automated roller blinds; - Lighting strategies that reduce the output of luminaires closer to the façades; - Light fittings controlled through the use of sensors. <p>The approved mitigation measures shall be implemented strictly in accordance with the approved details and shall be permanently maintained thereafter.</p>

	<p>REASON: In the interests of the residential amenities of the occupants of adjacent residential dwellings.</p>
12	<p>Class E Restrictions (Compliance)</p> <p>CONDITION: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or the provisions of any Order revoking and re-enacting that Order, no change of use of the approved E(g)(ii) and E(g)(iii) floorspace to any other use within Class E of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order) or any other uses within any other use Class (such as under Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015, shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>The development shall incorporate a minimum of 1,827sqm (GIA) of Class E(g)(iii) floorspace and no change therefrom shall take place unless agreed in writing by the Local Planning Authority.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can control the use of the building to these specific uses only, in order to protect the supply of light industrial floorspace and to retain control over the change of use of the building in the future.</p>
13	<p>Fire Safety Strategy (Details/Compliance)</p> <p>CONDITION: The details and measures set out in the updated Fire Safety Statement prepared by Hoare Lea shall be implemented in accordance with the approved document, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Should any subsequent change(s) be required to secure compliance with the submitted Fire Safety Strategy, a revised Fire Statement would need to be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the Fire Safety Strategy under this condition and shall be maintained as such thereafter.</p> <p>REASON: To ensure that the development incorporates the necessary fire safety measures in accordance with the Mayor's London Plan Policy D12.</p>
14	<p>Green Roof (Details)</p> <p>CONDITION: Notwithstanding the plans hereby approved, a biodiversity (green/brown roofs) strategy demonstrating how green/brown roofs have been reasonably maximised across the site shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant works commencing on site.</p> <p>The biodiversity (green/brown roofs) strategy shall also include the following details:</p> <ul style="list-style-type: none"> a) substrate base depth (of between 80-150mm); b) how green roofs have been maximised; c) planted/seeded with an agreed 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). d) maintenance plan <p>The biodiversity (green/brown) roofs shall not be used as an amenity or sitting out space of any kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency. The biodiversity roofs shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>

15	Delivery & Servicing (Details)
	<p>CONDITION: Details of an updated Delivery & Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority prior to practical completion of the development hereby approved.</p> <p>The development shall be carried out and operated strictly in accordance with the details and waste management strategy so approved.</p> <p>REASON: To ensure delivery and servicing is carried out in a responsible manner which does not prejudice highways and pedestrian safety.</p>
16	Secured by Design (Details and Compliance)
	<p>CONDITION: Prior to the occupation of the development hereby approved, evidence of the development achieving Secured by Design accreditation shall be submitted to and approved by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details set out in the accreditation and shall be maintained as such thereafter.</p> <p>REASON: In the interests of safety and security.</p>
17	BREEAM (Details)
	<p>CONDITION: The development shall achieve a BREEAM New Construction rating (2018) of no less than 'Excellent' and shall use reasonable endeavours to achieve a rating of 'Outstanding'.</p> <p>A final Certificate shall be issued to the Local Planning Authority within 6 months of the occupation of development certifying that the highest feasible BREEAM (or any such equivalent national measure of sustainable building which replaces that scheme) rating has been achieved for this development unless the Local Planning Authority agrees in writing to an extension of the period by which a Certificate is issued. The details submitted shall include how under the BREEAM New Construction 2018 scheme, reasonable endeavours have been used to achieve two credits under the exemplary level criteria and all 4 credits for Energy modelling and reporting in the Ene 01 category.</p> <p>REASON: To ensure that the development achieves the highest feasible BREEAM rating level to ensure that the development contributes to mitigating and adapting to climate change and to meeting targets to reduce carbon dioxide emissions.</p>
18	Restriction of PD Rights- Class E to residential (Compliance)
	<p>CONDITION: Notwithstanding the provisions of Schedule 2, Part 3, Class MA the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modifications), no change of use from Class E (commercial, business and service) to a use falling within Class C3 (dwellinghouses) shall take place without obtaining the express planning permission from the Local Planning Authority.</p> <p>REASON: For the avoidance of doubt and to ensure that the Local Planning Authority can restrict the use of the building to this specific use only, in order to protect the supply of office and commercial floorspace in this location. Loss of commercial floorspace within this location will have potential negative impacts on the borough's economy.</p>
19	Inclusive Design (Compliance and Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, further details regarding the building approach as well as horizontal and vertical circulation shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development. These plans shall include evidence of the following design details:</p>

	<ul style="list-style-type: none"> (i) All principal entrances to the development are operated with manual opening power of 30N or less (ii) All doors leading to the cycle storage facility are automated, operated by a push button located conveniently for users leading their bikes in or out of the building (iii) Audio-video entry phones linked to the reception desk will be provided at all entrances to the building. (iv) Details of all lifts and stairs introduced, dimensions of the lift cars, emergency intercoms provided for evacuation lifts, dimensions of landings, rising and goings, stair nosing providing slip-resistant finishes, and details of any handrails provided. <p>The development shall be implemented strictly according with such plans submitted.</p> <p>REASON: To ensure the development is of an inclusive design in accordance with Local Plan Strategic Policy PLAN1 and Inclusive Design in Islington SPD.</p>
20	<p>No Obscure Glazing or Vinyl Graphics (Compliance)</p> <p>CONDITION: No obscure films/glazing or vinyl graphics shall be applied on the front elevations to the commercial floorspace unless otherwise agreed by the Local Planning Authority.</p> <p>REASON: To ensure that the approved elevation would provide clear views onto the street from inside, and to ensure the building would provide an active frontage and natural surveillance to the area.</p>
21	<p>Cycle Parking (Details and Compliance)</p> <p>CONDITION: Notwithstanding the plans hereby approved, details of bicycle storage areas, including cycle parking product specification, which shall be secure and accessible and account for no less than 70No. long-stay bicycle spaces and no less than 10No. short-term cycle parking spaces shall be submitted and approved in writing by the Local Planning Authority prior to superstructure works commencing on site</p> <p>The approved cycle storage shall be provided prior to the first occupation of the development hereby approved, shall be maintained as such thereafter and no change therefrom shall take place unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: To ensure adequate and suitable bicycle parking is available and easily accessible on site and to promote sustainable modes of transport.</p>
22	<p>Solar PVs (Details and Compliance)</p> <p>CONDITION: Prior to the commencement of superstructure works on site, details of the proposed Solar Photovoltaic Panels at the site shall be submitted to and approved in writing by the Local Planning Authority. These details shall include but not be limited to:</p> <ul style="list-style-type: none"> a) Location; b) Area of panels; c) Design (including elevation plans); and d) How the design of the PVs would not adversely affect the provisions of green roofs on site. <p>The solar photovoltaic panels as approved shall be installed prior to the first occupation of the development and retained as such permanently thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development and to secure high quality design in the resultant development.</p>
23	<p>Bird & Bat Boxes (Details)</p>

	<p>CONDITION: Notwithstanding the approved plans, prior to commencement of superstructure works, details of bird and bat boxes, including swift boxes, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The details approved shall be installed prior to the first occupation of the building, and shall be maintained as such thereafter.</p> <p>REASON: To ensure the development provides the maximum possible provision towards creation of habitats and valuable areas for biodiversity.</p>
24	Landscaping (Details and Compliance)
	<p>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 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:</p> <ul style="list-style-type: none"> (i) Details of all street furniture provided, including cycle storage, ensuring sufficient tonal contrast (at least 30 LRV point difference between the furniture and the paving/flooring materials), tapping rails where appropriate, as well as seating providing both arm and back rest in line with the Inclusive Landscape Design SPD. Street furniture proposed shall not contribute to pavement clutter. (ii) All soft landscaping features, including plants and shrubs, specifications for operations associated with plant establishment and maintenance that are compliant with best practise as well as plant species and how biodiversity has been maximised; (iii) Types and dimensions of all boundary treatments; (iv) A plan showing gradients and step free access suitable for wheelchair users to the entrances of the buildings; (v) Details as to how the landscaping design and materials would result in maximum passive on-site sustainable urban drainage (SUDS), including details of rainwater recycling; (vi) Details of balustrades, floor finishes and thresholds provided in line with Approved Documents K and M of Building Regulations, and access doors operated with manual opening power of 30N or less. (vii) Details of a safe accessible vehicular drop-off point provided, separated from the footway with a raised kerb, introducing a tonal contrast of at least 30 LRV points between its surface and the footway, and providing sufficient wheelchair transfer space, dropped kerb and tactile marking on the footway, in line with the Inclusive Design SPD. <p>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.</p> <p>REASON: To ensure that development safeguards and enhances the character and amenity of the area, to provide ecological, environmental and bio-diversity benefits and to ensure the development is of an inclusive design.</p>
25	Lifts (Compliance)
	<p>CONDITION: All lifts hereby approved shall be installed and operational prior to the first occupation of the floorspace hereby approved. The lifts should be maintained throughout the lifetime of the development.</p>

	<p>REASON: To ensure that inclusive and accessible routes are provided throughout the floorspace at all floors and also accessible routes through the site are provided to ensure no one is excluded from full use and enjoyment of the site.</p>
26	<p>SUDS (Compliance and Details)</p> <p>CONDITION: Details of a drainage strategy for a sustainable urban drainage system shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site.</p> <p>The details shall be based on an assessment of the potential for disposing of surface water by means of appropriate sustainable drainage systems in accordance with the drainage hierarchy and be designed to maximise water quality, amenity and biodiversity benefits.</p> <p>The submitted details shall include the scheme's peak runoff rate and storage volume and how the scheme will aim to achieve a greenfield run off rate. The details shall include:</p> <ul style="list-style-type: none"> - An accurate submission of the London Surface Water Drainage Proforma - Details of the rainwater harvesting system including specification of the system including sections; where the system will be accommodate on plan; how the attenuated water will be used; a maintenance plan for the system; <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom unless otherwise specified in writing by the Local Planning Authority.</p> <p>REASON: The details and designs will ensure the surface water drainage strategy is managed and maintained in an integrated and sustainable manner in accordance with Islington's SDMP Policy S9 (2023) and London Plan Policy SI 13 Par B (2021).</p>
27	<p>Lighting and CCTV (Details and Compliance)</p> <p>CONDITON: Details of any general / security lighting and CCTV measures shall be submitted to and approved in writing by the Local Planning Authority prior to the superstructure works commencing on site.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures as well as CCTV 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.</p> <p>REASON: To ensure that any resulting general or security lighting is appropriately located, designed to not adversely impact neighbouring residential amenity, ensures safety and security, does not adversely affect biodiversity and is appropriate to the overall design of the building.</p>
28	<p>Energy Strategy (Compliance and Details)</p> <p>CONDITION: Notwithstanding the details hereby approved, an updated Energy Statement must be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) prior to commencement stage; and b) prior to occupation stage. <p>The updated Energy Statement must include:</p> <ul style="list-style-type: none"> (i) a robust justification of the proposal's strategic approach to energy;

	<ul style="list-style-type: none"> (ii) a methodical structure to reflect each stage of the energy hierarchy framework, providing both a narrative and an assessment of regulated and unregulated carbon emissions savings at each stage; (iii) how the proposal has gone as far as possible to reduce regulated and unregulated on-site emissions based on the final quantum/proportions of write-up and laboratory floorspace; (iv) how energy consumption of specialist laboratory equipment has been included within modelling, plus measures taken to minimise their energy consumption; (v) how further regulated and unregulated carbon reductions have been achieved, beyond those originally stated at application stage; (vi) how the proposed design will reduce the reliance on air conditioning and active ventilation systems in accordance with the cooling hierarchy specified in Policy S6 Part B and if demonstrated robustly that meeting the cooling hierarchy requirements is not feasible, the use of heat recovery systems (both ventilation and water) must be explored and implemented to the strongest extent in order to achieve greater carbon reductions; (vii) how innovative energy saving measures to minimise carbon emissions have been adopted; <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom unless otherwise specified in writing by the Local Planning Authority.</p> <p>REASON: The revised and updated details and designs will ensure that regulated and unregulated carbon emissions associated with the proposed development are minimised to the greatest extent possible, in accordance with the requirements of Islington's Strategic and Development Management Policy S4 and is in accordance the requirements of Strategic and Development Management Policy S6 in relation to the cooling hierarchy.</p>
29	<p>Roof-Level Structures (Details and Compliance)</p>
	<p>CONDITION: Details of any roof-level structures (including lift over-runs, flues/extracts, plant, photovoltaic panels and window cleaning apparatus) shall be submitted to and approved in writing by the Local Planning Authority prior to the relevant part of the development commencing. The details shall include a justification for the height and size of the roof-level structures, their location, height above roof level, specifications and cladding.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority. No roof-level structures shall be installed other than those approved.</p> <p>REASON: In the interests of good design and also to ensure that the Local Planning Authority may be satisfied that any roof-level structures do not have a harmful impact on the surrounding area.</p>
30	<p>Basement Excavation (Compliance)</p>
	<p>CONDITION: The development shall be constructed in accordance with the approved Structural Method Statement (SMS) Report dated 30th May 2023, unless otherwise agreed in writing.</p> <p>The certifying professional that endorsed the Structural Method Statement (or a suitably qualified Chartered Civil Engineer (MICE) or a Chartered Structural Engineer (MIStruct.E) with relevant experience shall be appointed to inspect, approve and monitor the critical elements of both permanent and temporary basement construction works throughout their duration to ensure compliance with Council's Basement Development SPD.</p> <p>REASON: To ensure that structural stability has been evaluated by a suitably qualified and experienced professional.</p>

<p>31</p>	<p>Adaptive Design (Compliance)</p> <p>CONDITION: The adaptive design and circular economy details and measures specified within the submitted Sustainability & Energy Strategy and Sustainability Strategy Addendum shall be implemented in accordance with the approved documents, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
<p>32</p>	<p>UGF and Biodiversity measures (Compliance and Details)</p> <p>CONDITION: Notwithstanding the details approved, prior to commencement or works hereby approved, an updated landscape strategy must be submitted to demonstrate how the proposal uses reasonable endeavours to deliver a policy compliant level of 0.3 Urban Greening Factor (UGF). Details must include:</p> <ul style="list-style-type: none"> a) Quantum and location of green infrastructure across the site; b) Calculation utilising the London Plan UGF methodology demonstrating that all options have been explored <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom unless otherwise specified in writing by the Local Planning Authority</p> <p>REASON: The details and designs will ensure the proposal delivers the appropriate provision for new development, in line with Islington's SDMP (2023) Policy G1 Part E and London Plan Policy G5 Part B (2021).</p>
<p>33</p>	<p>Signage (Details and Compliance)</p> <p>CONDITION: Details of all external and wayfinding signage for the development, providing high tonal contrast of at least 30 LRV point difference, shall be submitted and approved in writing by the Local Planning Authority prior to the occupation of the development hereby approved.</p> <p>The agreed details shall be installed prior to the occupation of the development and shall be maintained as such thereafter unless otherwise agreed in writing.</p> <p>REASON: In the interests of visual amenity and to ensure that the entrance approach is clearly legible, welcoming and inviting.'</p>
<p>34</p>	<p>Future-proofed connection (Details and Compliance)</p> <p>CONDITION: Prior to works commencing on site, further details on future-proofing of the development for connection to a DHN shall be submitted for approval to the Local Planning Authority.</p> <p>The details shall be approved prior to commencement of works and no changes to details so approved shall take place unless agreed as such in writing by the LPA.</p> <p>REASON: In the interests of securing sustainable development.</p>
<p>35</p>	<p>Whole Life-Cycle Carbon (Compliance)</p> <p>CONDITION: The carbon reduction measures identified in the submitted Whole Life Carbon Report by Hoare Lea (dated June 2023), including achieving the LETI C benchmark, shall be fully implemented unless otherwise agreed in writing by the Local Planning Authority.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>

List of Informatives:

1	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	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.
3	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 .
4	Community Infrastructure Levy (CIL)
	<p>Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Islington Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL).</p> <p>The Council will issue a CIL Liability Notice stating the CIL amount that will be payable on the commencement of the development. Failure to pay CIL liabilities when due will result in the Council imposing surcharges and late payment interest.</p> <p>Further information and all CIL forms are available on the Planning Portal at www.planningportal.gov.uk/cil, and the Islington Council website at www.islington.gov.uk/cil. CIL guidance is available on the GOV.UK website at www.gov.uk/guidance/community-infrastructure-levy.</p>
5	Thames Water (1)
	<p>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.</p> <p>The developer should take account of this minimum pressure in the design of the development</p>
6	Thames Water (2)

	<p>A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.</p>
7	Definition of Superstructure and Practical Completion
	<p>A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
8	Alterations to the highway
	<p>Alterations to road markings or parking layouts to be agreed with Islington Council Highways Service. Costs for the alterations of traffic management orders (TMO's) to be borne by developer. 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.</p>
9	Diesel Generator Management Code
	<p>The Management code shall include measures to address the following matters:</p> <ol style="list-style-type: none"> 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 Saturdays. 2. The duration of the testing shall be minimized, 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."

APPENDIX 2: RELEVANT POLICIES

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

1. National Guidance

The National Planning Policy Framework 2023 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 2023
- National Planning Practice Guidance (on-line and regularly updated)

2. Development Plan

The Development Plan is comprised of the London Plan 2021, the Islington Local Plan (2023), the Bunhill and Clerkenwell Area Action Plan (2023) and the Site Allocation Schedule (2023). The following policies of the Development Plan are considered relevant to this application:

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

- Policy GG1 – Building strong and inclusive communities
- Policy GG2 - Making the best use of land
- Policy GG5 – Growing a good economy
- Policy SD10 – Strategic and local regeneration
- Policy D1 - London's form, character and capacity for growth
- Policy D3 – Optimising site capacity through design-led approach
- Policy D4 - Delivering good design
- Policy D5 - Inclusive design
- Policy D8 – Public realm
- Policy D12 – Fire Safety
- Policy D14 – Noise
- Policy E1 - Offices
- Policy E2 - Providing suitable business space
- Policy E7 – Industrial intensification, co-location and substitution
- Policy G1 – Green infrastructure
- Policy G5 – Urban greening
- Policy G6 – Biodiversity and access to nature
- Policy SI 2- Minimising greenhouse gas emission
- Policy SI 4 – Managing heat risk
- Policy SI 5 – Water infrastructure
- Policy SI 12 – Flood risk management
- Policy SI 13 – Sustainable drainage
- 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 T7 – Deliveries, servicing and construction

B) The Local Plan 2023 – Strategic and Development Management Policies

- Policy PLAN1 – Site appraisal, design principles and process
- Policy SP3 – Vale Royal / Brewery Road LSIS

- Policy B1 – Delivering business floorspace
- Policy B2 – New business floorspace
- Policy B4 – Affordable workspace
- Policy B5 – Jobs and training opportunities
- Policy G4 – Biodiversity, landscaping design and trees
- Policy G5 – Green roofs and vertical planting
- Policy S1 – Delivering sustainable design
- Policy S2 – Sustainable Design and Construction
- Policy S3 – Sustainable Design Standards
- Policy S4 – Minimising greenhouse emissions
- Policy S5 – Energy Infrastructure
- Policy S6 – Managing heat risk
- Policy S7 – Improving Air Quality
- Policy S8 – Flood Risk Assessment
- Policy S9 – Integrated Water Management and SUDS
- Policy S10 - Adaptive Design
- Policy T1 – Enhancing 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

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

London Plan

- Accessible London (2016)
- Character and Context (2014)
- Sustainable Design and Construction (2014)
- Planning for Equality and Diversity in London (2007)
- Optimising Capacity: A design-led approach (2023)
- Industry and Logistics LPG

Islington SPG/SPD

- Urban Design Guide (2017)
- Basement Development (2016)
- Environmental Design (2012)
- Inclusive Design SPD (2014)
- Planning Obligations (2016)