

PLANNING COMMITTEE REPORT

 Development Management Service
 Planning and Development Division
 Community Wealth Building Department

PLANNING SUB COMMITTEE B		
Date:	5 March 2024	NON-EXEMPT

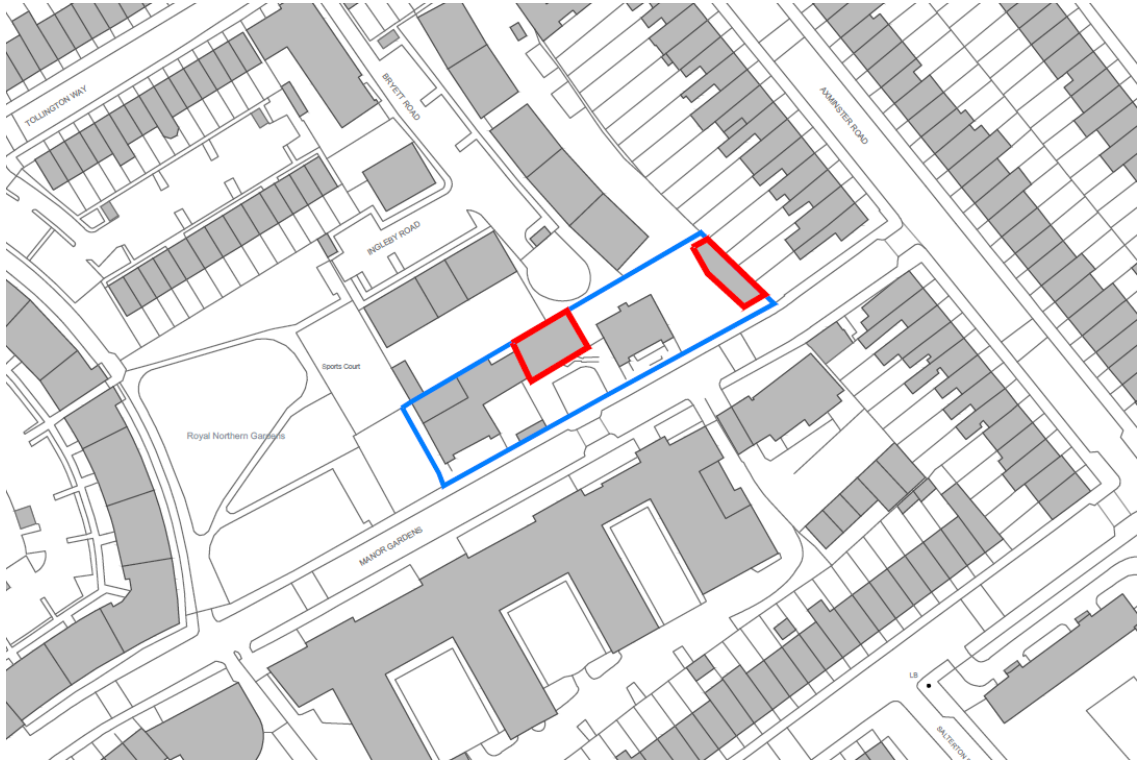
Application number	P2023/3458/FUL
Application type	Full Planning Application
Ward	Tollington
Listed building	Grade II (No. 7 Manor Gardens only)
Conservation area	N/A
Development Plan Context	iListed Buildings (GRADE II) 170914 iSINCs 170914 - Sites of Importance for Nature Conservation iLP SINC 241023 – Royal Northern Hospital iTree Preservation Order 191219 iArticle 4 Direction - Flexible Use iCycle Routes (Local) 170914
Licensing Implications	None
Site Address	Manor Gardens Centre, 6-9 Manor Gardens, London, N7 6LA
Proposal	Refurbishment of the existing ground floor hall within no.7 Manor Gardens to create an Access Islington Hub and refurbishments to Dame Geraldine Hall to create ancillary office space with formalisation of Class E Use for both areas (Listed Building Ref: P2023/2598/LBC already approved)

Case Officer	Marc Davis
Applicant	Ms Alice Lodge
Agent	Mr Freddie Wiltshire – Public Works Group

1. RECOMMENDATION

The Committee is asked to resolve to **GRANT** planning permission subject to the conditions set out in Appendix 1.

2. SITE PLAN (WHOLE SITE OUTLINED IN BLUE, RELEVANT BUILDINGS IN RED)



3. PHOTOS OF SITE/STREET

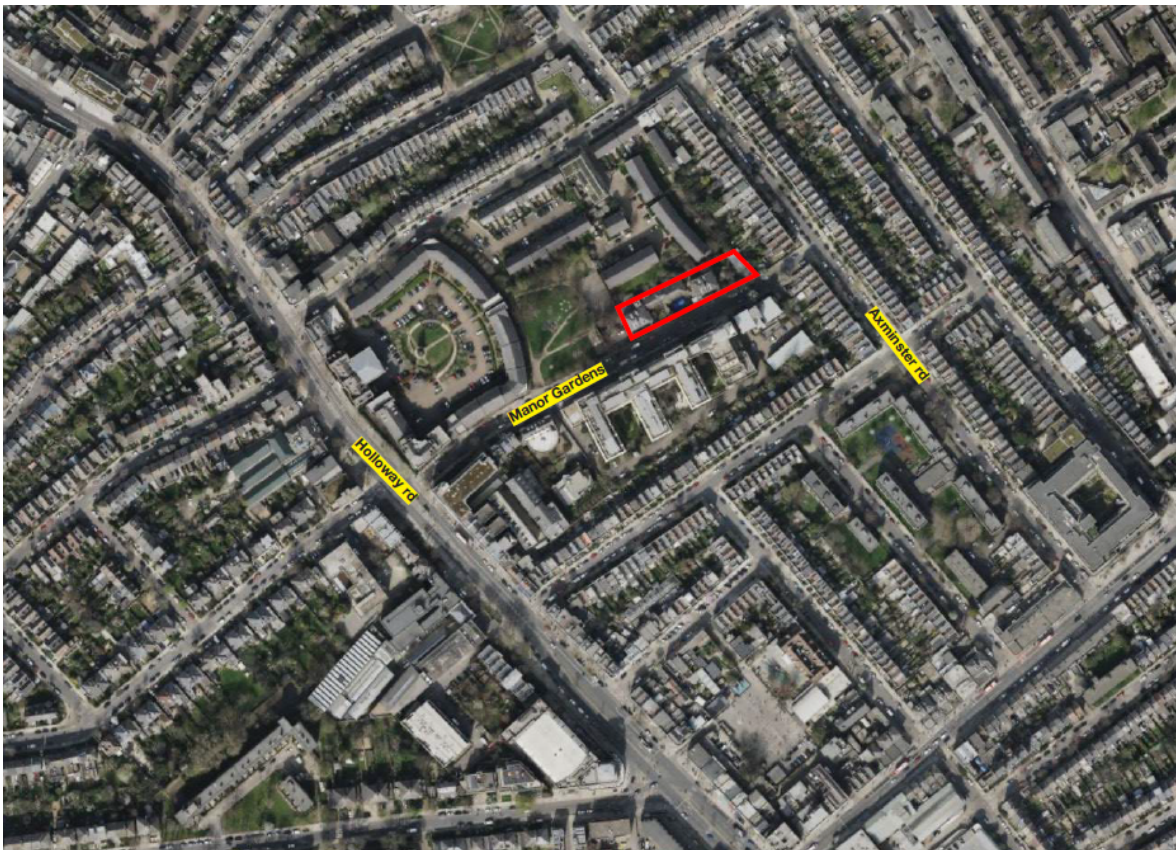


Image 1: Wider context aerial view of the site



Image 2: Aerial view facing north (relevant buildings identified via arrow)



Image 3: Front elevation of No. 6-9 Manor Gardens (containing No. 7 at ground floor)



Image 4: Internals of No. 7 (ground floor) – previously used as a nursery



Image 5: Front elevation of Dame Geraldine Hall



Image 6: Internals of Dame Geraldine Hall (right hand side meeting space/kitchenette)



Image 7: Internals of Dame Geraldine Hall (left hand side office space/kitchenette)

4. SUMMARY

- 4.1 The application seeks planning permission for refurbishment of the existing ground floor hall within no.7 Manor Gardens and to the space within Dame Geraldine Hall to create an Access Islington Hub with ancillary office space, formalising the Use Class E for both areas.
- 4.2 The space at 7 Manor Gardens was last used as nursery (Use Class E(f)) ceasing use in mid-2023. The proposal would bring the vacant space back into use as an 'Access Islington Hub' which falls under the Use Class E(c)(iii), continuing to provide a service to the community. Dame Geraldine Hall, which is located to the east of the site, would be used as ancillary office space to the Access Islington Hub. The current application seeks to regularise the proposed use.
- 4.3 No. 7 Manor Gardens forms part of a Grade II Statutory listing, with all internal works already having been approved under a separate listed building application (Ref: P2023/2598/LBC). Dame Geraldine Hall does not form part of the listing (it is not a listed building) and did not form part of the approved LBC application, however, the works to this building would be internal only, designed as ancillary office space to facilitate the principal change of use at No. 7.
- 4.4 It is considered that the change of use is acceptable, given both uses falling within the Use Class E and that the facility would continue to serve the Islington Community. The accompanying internal alterations to No. 7 which facilitate the change of use have already been assessed and approved under the separate LBC application (Ref: P2023/2598/LBC). No new works are being proposed from those already approved.
- 4.5 The proposal is considered to be acceptable from an amenity perspective and conditions have been recommended to ensure the use is restricted within Class E(c) to retain the community use, as well as a condition on the general hours of use. A Sustainable Design and Construction Statement (SDCS) has been submitted which demonstrates that the proposal would be in line with the Council's sustainability policies.
- 4.6 For the above reasons, it is considered that the proposal acceptable and it is therefore recommended that the application be approved subject to conditions.

5. SITE AND SURROUNDINGS

- 5.1 The property is a Grade II statutory listed building located on the north-western side of Manor Gardens which provides health and community facilities. Whilst No. 7 is Grade II statutory listed, the Dame Geraldine Hall building does not fall under the listing. The site is also not within a conservation area. The buildings comprise early 19th Century three storey over basement and later two/three storey connecting block.
- 5.2 The areas of the site which are subject to this application are the ground floor of the three storeys over basement building (No. 6-9 Manor Gardens) positioned centrally within the site, and the single storey building (Dame Geraldine Hall) located to the far east of the site.

6. PROPOSAL (IN DETAIL)

- 6.1 Planning permission is sought for refurbishment of the existing ground floor hall within no.7 Manor Gardens and to the space within Dame Geraldine Hall to create an Access Islington Hub with ancillary office space, formalising the Use Class E for both areas.
- 6.2 The intent of the proposals is to introduce an 'Access Islington Hub' to the main vacant space at 7 Manor Gardens which occupies a proportion of the ground floor of the building numbered 6-9 Manor Gardens. The hub will be a first point of contact with the public to deal with issues related to core services such as housing, council tax, child services etc. They are designed to contain a greeting area, a waiting area, informal meeting space and private meeting space, where staff meet the public to discuss issues.
- 6.3 The new hub proposed to 7 Manor Gardens would act as the 'northern hub' for the borough, with existing examples of hubs already being located at 222 Upper Street (central) and Finsbury Library

(southern). The proposed hub is to be served by an ancillary office space within Dame Geraldine Hall which is located to the east of the site (see Figure 2, above).

- 6.4 The central building (No. 6-9) of which No. 7 forms part of, is Grade II statutory listed. The internal works required to create the hub have listed building consent under approval (Ref: P2023/2598/LBC). It is also noted that whilst the ancillary works proposed to Dame Geraldine Hall did not form part of the Listed Building Consent approval, these are internal only to facilitate the change of use and thus, do not require planning assessment. The current proposal will therefore primarily assess the development on the grounds of land use, as this was not covered under the LBC approval.
- 6.5 It is noted that for the consultation of the application, reference was given to a 'Sui Generis' use in the proposal description. The description has since been updated to reflect the findings of the planning assessment and now refers to the uses as 'Class E'.

7. RELEVANT HISTORY:

Planning Applications

P2023/2598/LBC: The proposal comprises of refurbishments to the large lower ground floor room into and Access Islington Hub. This will include: replastering & repainting Strip out and replacement of existing electrical fixtures - all surface mounted Installation of new flooring throughout Refurbishment of wc's to make accessible making use of existing waste & water connections Installation of new moveable furniture Ironmongery changes to the existing doors Installation of ceiling hung acoustic baffles. **Approved with Conditions** 18/10/2023.

- **Officer note** – A pre-commencement condition was included requesting details of external doors including ironmongery, access control and fittings for the automatic closer. At the time of writing, this condition is yet to be formally discharged.

Q2023/2135/MIN: Internal fit out to create a new Access Islington Northern Hub for the Islington Council Access Islington team. This includes adding a partition wall, adding new moveable furniture, and re-arranging the lighting and power to suit the new layout. No structural work is required and invasive works will be avoided with all new fixtures and fittings to be surface mounted to minimise impact on the existing building fabric. Refurbishing the existing toilets (not original). No change of use required. **Pre-Application Advice Issued** 25/08/2023.

- **Officer note** – The design concerns that were raised at pre-app were rectified for the formal LBC application which was approved on 18/10/2023 (see above).

P2021/1919/FUL & P2021/1989/LBC: Retrospective application for replacement of roof lantern to the rear right of the reception area; new flat roof and upstand; internal remodelling of two existing offices, waiting area and storage space to provide a variety of seating areas, community workspace, community kitchen, staff and service users room; new private reception area with a separate office/storage space. **Approved with Conditions** 27/08/2021.

P101193 & P101194: Alterations to child WC's and provision of adult WC. Erection of external timber decking and ramped access; erection of canopy cover; replacement of existing greenhouse with shatterproof greenhouse and alterations to cycle and buggy store, including erection of ancillary signage. **Approved with Conditions** 01/09/2010.

P070002 & P070003: Installation of a handrail to existing external staircase at no:8 Manor Gardens. **Approved with Conditions** 27/02/2007.

P062116 & P062117: Alteration and addition to existing buildings and construction of new building at north east end of site to provide nursery and community areas. **Approved with Conditions** 03/05/2007.

- **Officer note** – The new two storey building at the north-east of the site as detailed in the description was not constructed and the original single storey building (Dame Geraldine

Hall) still remains in situ.

P042914 & P042915: Disabled access to community cafe at No.9. **Approved with Conditions** 12/01/2005.

871566 & 871573: Alterations and conversion of existing playroom into reception area and W.C.'s and new doors and ramps to front. **Approved with Conditions** 01/02/1988.

850086: Outline permission for construction of ground and first floor extensions to provide accommodation for a doctor's surgery lecture hall and eight bedroom residential hostel for the physically disabled. **Approved with Conditions** 17/07/1985.

8. CONSULTATION

Public Consultation

8.1 Letters were sent to occupants of 277 adjoining and nearby properties at Manor Gardens, Bryett Road, Ingleby Road and Axminster Road (amongst others) on 20 December 2023. A site notice was also displayed. The public consultation expired on 28 January 2024; however, it is the council's practice to continue to consider representations made up until the date of a decision.

8.2 At the time of the writing of this report, no comments have been received from the public in response to the consultation on this planning application.

Internal Consultees

8.3 **Design and Conservation:** The works being proposed to the ground floor of 7 Manor Gardens are identical to those approved under the approved listed building consent (Ref: P2023/2598/LBC). No further comments are made on this part of the scheme but it is noted that a pre-commencement condition was included requesting details of external doors including ironmongery, access control and fittings for the automatic closer. At the time of writing, this condition is yet to be formally discharged.

No comments are made on the changes to the internal layout of Dame Geraldine Hall. The building has no heritage designation, and the internal changes do not require listed building consent.

No changes to windows or any external elements are noted.

8.4 **Planning Policy:** The proposed 'Access Islington Hub' can be considered to fall under Class E part c(iii) as it will provide other services which it is appropriate to provide in a commercial, business or service locality principally to visiting members of the public.

The existing complex of buildings already provide a range of community services so it is an appropriate locality, and the hub is intended to be the first point of contact for the public to deal with issues related to core council services and will provide advice services either by appointment or drop in.

The previous use of the space was a nursery until closure in 2023 and this use falls under Use Class E(f) – previous planning applications at 6–9 Manor Gardens may also confirm this use.

- **Officer note** – Following officer discussion, it has been determined that the Class E Use is appropriate for both the previous use (nursery) and the proposed use (access Islington hub). This is discussed further as part of the 'Land Use' section of the report.

Environmental Health: The app is for refurbishment of the existing buildings on Manor Gardens to create a community hub and ancillary office space. There are no complaints listed about the existing usage and the EPPP team have no objections to the proposed changes.

External Consultees

8.5 None Required

9. RELEVANT STATUTORY DUTIES & DEVELOPMENT PLAN CONSIDERATIONS AND POLICIES

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

National Guidance

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

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

9.2 The 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 Sub-Committee must be aware of the rights contained in the Convention (particularly those set out above) when making any Planning decisions. However, most Convention rights are not absolute and set out circumstances when an interference with a person's rights is permitted. Any interference with any of the rights contained in the Convention must be sanctioned

by law and be aimed at pursuing a legitimate aim and must go no further than is necessary and be proportionate.

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):

- iListed Buildings (GRADE II) 170914
- iSINCs 170914 - Sites of Importance for Nature Conservation
- iLP SINC 241023 – Royal Northern Hospital
- iTree Preservation Order 191219
- iArticle 4 Direction - Flexible Use
- iCycle Routes (Local) 170914

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 and Conservation
- Accessibility
- Neighbouring Amenity
- Energy and Sustainability

Land Use

10.2 Paragraph 96 of the National Planning Policy Framework [NPPF] (2023) Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which:

- a) promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other – for example through mixed-use developments, strong neighbourhood centres, street layouts that allow for easy pedestrian and cycle connections within and between neighbourhoods, and active street frontages;

- b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas; and
 - c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling,
- 10.3 Policy S1 (Developing London’s Social Infrastructure) of the London Plan 2021 states that Development proposals that provide high quality, inclusive social infrastructure that addresses a local or strategic need and supports service delivery strategies should be supported (Policy S1 Part C). It follows up in Part D of the Policy that proposal that seek the best use of the land should be encouraged and supported. New facilities should be easily accessible by public transport, cycling and walking and should be encouraged in high streets and town centres. Part G of the Policy also states that *“Redundant social infrastructure should be considered for full or partial use as other forms of social infrastructure before alternative developments are considered, unless this loss is part of a wider public service transformation plan”*
- 10.4 Policy SC1 of the Islington’s Strategic and Development Management Policies [SDMP] (2023) relates to Social and Community Infrastructure, and Part A states that the Council will support proposals to provide new and/or extended social and community infrastructure facilities and their co-location with other social and community uses, subject to an assessment of need by the Council and against all relevant Local Plan policies. Part E of the Policy states that the Council will not permit any loss of social and community infrastructure uses unless:
- i) *a replacement facility is provided on site of at least equivalent quality, quantity and accessibility to meet the needs of the local population to at least the same level of the existing use or*
 - ii) *the use not being required on the site is demonstrated through either 12-month vacancy evidence or a provision of a Community Needs Assessment.*
- 10.5 The submission documentation notes that the existing use of the areas is ‘sui generis’ and considers the proposed use to also represent ‘sui generis’. A sui generis to sui generis change of use would be a material change, which requires assessment against Part E of Policy SC1, i.e., needing either marketing evidence or a community needs assessment to be submitted by the applicant.
- 10.6 Notwithstanding this, officers consider the use of the proposed Access Islington Hub to fall under Use Class E(c)(iii) of the Town and Country Planning (Amendment) (England) Regulations 2020 (Use Class Order) which is identified as ‘any other services which it is appropriate to provide in a commercial, business or service locality’. The existing use of the ground floor of 7 Manor Gardens is categorised as a nursery, being identified from the recent site visit by officers and detailed within the description and documentation of previous planning applications – notably the 2007 and 2010 planning approvals. Under the latest Use Class Order, a nursery is categorised as Use Class E(f).
- 10.7 With both the existing and proposed uses falling under Class E of the Use Class Order, the new use of the ground floor of No. 7 as an Access Islington Hub is considered acceptable and it is welcomed that the public service aspects of the use would remain intact. Ancillary office space to the new Islington Hub is also proposed within Dame Geraldine Hall and although not forming part of the original nursery, it is considered that the lawful use can be categorised as a community use (visiting members of the public) and therefore this use would remain as a result of the proposed use. Dame Geraldine Hall is a single storey building which forms a small proportion of the overall site and is a later addition to the principal buildings, evident from it not forming part of the statutory listing.
- 10.8 With the flexibility of changes within Class E of the Use Class Order being acknowledged, in order to preserve the existing character of the area and also to protect neighbour amenity, a condition will be included as part of the recommendation to restrict the site to within certain parts

of Class E only. Namely, the premises shall be used only as a financial/professional/locality service; day nursery; office/research & development/industrial process which can be carried out in any residential area without detriment to the amenity of that area. The condition can be found as part of the final recommendation of the report.

- 10.9 Subject to the inclusion of a compliance condition, it is considered that the proposal would be acceptable overall in Land Use terms and compliant with Policy S1 of the London Plan (2021) and Policy SC1 of the Islington's Strategic and Development Management Policies (2023).

Design and Conservation

Policy Context:

- 10.10 Paragraph 131 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.
- 10.11 Paragraph 137 of the NPPF (2023) states that design quality should be considered throughout the evolution and assessment of individual proposals. Early discussion between applicants, the local planning authority and local community about the design and style of emerging schemes is important for clarifying expectations and reconciling local and commercial interests. Applicants should work closely with those affected by their proposals to evolve designs that take account of the views of the community. Applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot.
- 10.12 Policy D3 of the London Plan (2021) 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.
- 10.13 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.
- 10.14 Policy D4 of the London Plan (2021) stipulates the importance of design scrutiny of development proposals starting from pre-application stage. It states that the design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising analytical tools, local evidence, and expert advice where appropriate. In addition, boroughs and applicants should make use of the design review process to assess and inform design options early in the planning process.
- 10.15 Policy PLAN1 of Islington's Strategic and Development Management Policies [SDMP] (2023), amongst other objectives, aims to achieve development that represents a high quality of design

that is sustainable and inclusive and that positively contributes to local character, legibility and distinctiveness.

- 10.16 Part A of Policy DH1 supports innovative approaches to development while simultaneously addressing any adverse heritage impacts and protecting and enhancing the unique character of the borough. Part E of the policy states that the Council will conserve or enhance Islington's heritage assets and their setting in a manner appropriate to the significance.
- 10.17 Policy DH2 requires development within conservation areas and their settings to conserve or enhance the significance of the area and be of a high-quality contextual design. Proposals that harm the significance of a conservation area or listed building must provide clear and convincing justification for the harm and proposals that will cause substantial harm to the significance of a conservation area or listed building will be strongly resisted.
- 10.18 Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving the Grade II Listed Building.
- 10.19 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Authority to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas within their area.

No. 7 Manor Gardens

- 10.20 As noted in the above sections, the works to the listed element of the application (No. 7 Manor Gardens) have already been approved under the listed building consent application (Ref: P2023/2598/LBC), subject to a pre-commencement condition requesting further details on the entrance door and associated features. The current submission has been reviewed and it is confirmed that no changes are shown when compared to the approved LBC application proposal. For this reason, the works to No. 7 to introduce the Access Islington Hub use continue to be acceptable in design terms. Notwithstanding, an informative will be included on the decision notice to remind the applicant of the requirement to discharge condition 3 of the listed building consent application (Ref: P2023/2598/LBC).

Dame Geraldine Hall

- 10.21 As part of the current proposal, further works are proposed following the listed building consent approval to Dame Geraldine Hall which is located to the east of the site. The recent officer visit to the site found the building, as existing, to consist of a large community room to one side and an ancillary kitchenette space to the other side.
- 10.22 The building has been confirmed by officers to not form part of the existing Grade II statutory listing. With the proposed works therefore being internal only and with the external scale and appearance not being altered, the works to Dame Geraldine Hall do not require design assessment. The refurbishment in any case, is identified as a community benefit, serving as an ancillary space to the newly proposed Access Islington Hubs to No. 7 Manor Gardens.

Design Conclusions:

- 10.23 Given the LBC approval relating to the listed element (No. 7 Manor Gardens) and the works to the non-listed Dame Geraldine Hall being internal only, the proposal is considered acceptable on design and appearance grounds. It is therefore deemed to comply with Policies D3, D4 and HC1 of the London Plan (2021), Policies PLAN1, DH1 and DH2 of Islington's SDMP (2023) and the guidance contained within the Urban Design Guide (2017).

Accessibility

- 10.24 Policy D5 of the London Plan (2021) requires all new development to achieve the highest standards of accessible and inclusive design and meet the changing needs of Londoners over their lifetimes. These aims are reflected in Policy PLAN1 of the SDMP (2023), which requires all development to demonstrate, inter alia, that they produce places and spaces that are convenient and enjoyable to use for everyone and bring together the design and management of development from the outset.

10.25 The access to the newly proposed Islington Hub (7 Manor Gardens) would remain as existing, accessible via a level pathway leading from the main highway (Manor Gardens) with no stair access being required either internally or externally. Whilst the access to Dame Geraldine Hall would require navigation within the site, this building would be used as back of house/ ancillary office space and would therefore not require general public access. For these reasons, officers are satisfied that the change of use would be acceptable on accessibility grounds and compliant with Policy D5 of the London Plan (2021) and Policy PLAN1 of the SDMP (2023).

Neighbouring Amenity

10.26 Policy PLAN1 Part B(i) of Islington's SDMP (2023) states that developments must be "contextual" and provide a good level of amenity with due consideration of noise and the impact of disturbance, hours of operation, vibration, pollution (such as air, light and noise), fumes between and within developments, overshadowing, overlooking, privacy, direct sunlight and daylight, over-dominance, sense of enclosure and outlook.

10.27 As outlined within the 'Design and Conservation' section of the report, no external works are proposed with the majority of the internal works already being approved under a separate LBC application. It is therefore considered that there would be no amenity impacts to neighbours by way of loss of light, overshadowing, loss of enclosure/outlook and or overlooking/privacy.

10.28 In terms of amenity impacts arising from the community use, it is considered that the number of comings and goings and potential noise impacts would not substantially increase from the existing situation. The submitted documentation also states that the access Islington Hub would be operational on weekdays only (09:00-17:00) and these hours are deemed acceptable in relation to the immediate surrounding area which is predominantly residential. The hours, with an hour's overlap either side, will be included as part of a compliance condition on with any recommendation for approval. It is also important to note that the Council's environmental health officers have reviewed the scheme and have raised no objections.

10.29 For the above reasons, there are no objections on amenity grounds and the proposal is considered not to contravene Policy PLAN1 of Islington's SDMP (2023).

Energy and Sustainability

10.30 The NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, and policies relevant to sustainability are set out throughout the NPPF.

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

10.32 Policy S1 of Islington's SDMP (2023) requires sustainable design to be considered holistically from the start of the design process and all development proposals are required to demonstrate how they will comply with all relevant sustainable design standards during design, construction and operation of the development in line with the energy hierarchy. Part F of Policy S1 requires all development proposals to adopt an integrated approach to water management and to reduce water demand and meet best practice water efficiency targets. Part H of Policy S1 requires all new development to be designed, constructed and operated to limit contribution to air pollution and to improve air quality as far as possible, as well as reducing exposure to poor air quality.

10.33 Policy S2 requires all development proposals to submit a Sustainable Design and Construction Statement to demonstrate that the proposal meets all relevant sustainable design policies.

10.34 Part F of Policy S4 of Islington's SDMP 2023 requires all development to reduce energy demand through energy efficiency measures in the first instance, in accordance with the energy hierarchy.

- 10.35 Part A of policy S6 states that development proposals must minimise internal heat gain and the impacts of the 'urban heat island effect' through design, layout, orientation and materials. Part B of Policy S6 states that all developments (excluding smaller minor extensions) must demonstrate, as part of the Sustainable Design and Construction Statement, how the proposed design will reduce the potential for overheating and reliance on air conditionings systems and maximise the incorporation of passible design measures in accordance with the cooling hierarch.
- 10.36 Policy S7 states that all development proposals must mitigate or prevent adverse impacts on air quality.
- 10.37 Part A of policy S9 requires all development proposals to adopt an integrated approach to water management which considers sustainable drainage, water efficiency, water quality and biodiversity holistically across a site. Part B of policy S9 requires all development proposals to ensure that surface water run-off is managed as close to its source as possible in line with the London Plan drainage hierarchy. Part C of policy S9 states that development proposals for impermeable paving will be resisted, including on small surfaces such as front gardens and driveways unless they can demonstrate that the level of run off will not exacerbate flood risk in the area. Part E of policy S9 states that all developments are required to demonstrate that appropriate SUDS have been implemented in accordance with the drainage hierarchy. Part K of policy S9 states that all developments must demonstrate that they have minimised the use of mains water and have been designed to be water efficient, through the Sustainable Design and Construction Statement.
- 10.38 As part of the application, a Sustainable Design and Construction Statement (SDCS) has been submitted and the applicant has demonstrated how the proposed scheme would comply with the relevant sustainable design standards during the design, construction and operation of the development in line with the Sustainability policies set out in the SDMP (2023).
- 10.39 Notably, the SDCS highlights that gas would be removed as the primary heating system and natural ventilation would be re-introduced by retrofitting measures such as draft proofing all windows/doors and ensuring that all opening mechanisms for the existing windows work and are accessible. It also highlights that the fixed materials used are to be durable and standardised, being easy to maintain and even replaceable if repair is needed – being managed through the leaseholders (North London Waste Authority). Officers are therefore satisfied that the proposal meets the required policies in regard to sustainability and it is therefore considered to be acceptable on these grounds.

11. SUMMARY AND CONCLUSION

Summary

- 11.1 The application seeks planning permission is sought for refurbishment of the existing ground floor hall within no.7 Manor Gardens and to the space within Dame Geraldine Hall to create an Access Islington Hub with ancillary office space, formalising the Use Class E for both areas.
- 11.2 The planning assessment has determined that the existing (most recent) use as a nursery and the proposed use as an Access Islington Hub can both be categorised under the Use Class E of the Town and Country Planning (Amendment) (England) Regulations 2020 (Use Class Order). The change of use within this Use Class is therefore considered to be acceptable in Land Use terms, subject to the inclusion of a condition which restricts certain uses being implemented at the site in the absence of planning permission.
- 11.3 The internal works to the listed part of the site (No. 7 Manor Gardens) have already been approved under a separate listed building app and the works to Dame Geraldine Hall are internal only. The proposal is therefore considered to be acceptable on design grounds.
- 11.4 The community use would be retained, and it is therefore considered that the number of comings and goings and potential noise impacts would not substantially increase from the existing situation. The Council's environmental health officer has raised no objection to the proposal and the hours of use are to be included as a compliance condition.

- 11.5 The proposal is also considered to be acceptable on sustainability and accessibility grounds and would generally improve the site, bringing a currently vacant part of the site back into community use for the residents of Islington.
- 11.6 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington's Strategic and Development Management Policies and associated Supplementary Planning Documents and should be approved accordingly.

Conclusion

- 11.7 It is recommended that planning permission be granted subject to conditions as set out in Appendix 1 – RECOMMENDATIONS

APPENDIX 1 – RECOMMENDATION

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
	<p>DRAWING AND DOCUMENT NUMBERS: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>001 (Rev. A) - Location Plan, 002 - Block Plan, 100 (Rev. B) - Proposed Site Plan, 101 (Rev. A) - Proposed Layout Plan (No. 7 Manor Gardens), 200 - Proposed Elevations, 300 (Rev. A) - Proposed Sections, 510 - Proposed Layout Plan (Dame Geraldine Hall), Design & Access Statement prepared by Public Works (dated 01/12/2023), Sustainable Design & Construction Statement prepared by Public Works (dated 11/12/2023)</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	Restricted Use (Compliance)
	<p>CLASS E- RESTRICTED USES (COMPLIANCE): Notwithstanding the provision of the Town and Country Planning (Amendment) (England) Regulations 2020, the premises shall be used only as a financial/professional/locality service; day nursery; office/research & development/industrial process which can be carried out in any residential area without detriment to the amenity of that area and for no other use within Use Class E of the Town and Country Planning (Use Classes) Regulations 2020.</p> <p>REASON: For the avoidance of doubt and to enable the Local Planning Authority to retain control over the development, in the interests of the use of the building and the amenity of the adjoining neighbours.</p>

4	Hours of Operation (Compliance)
	<p>CONDITION: The Access Islington Hub and ancillary office spaces as detailed on the approved plans shall not operate outside the following hours:</p> <p>Monday to Friday: 08:00hr - 18:00hr</p> <p>REASON: To ensure the use does not adversely impact on existing and future residential amenity.</p>

List of Informatives:

Informatives

1	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>
2	Tree Protection
	<p>The following British Standards should be referred to:</p> <p>a. BS: 3998:2010 Tree work – Recommendations</p> <p>b. BS: 5837 (2012) Trees in relation to demolition, design and construction – Recommendations</p>
3	Construction Works
	<p>Noise from demolition and construction works is subject to control under the Control of Pollution Act 1974. You must carry out any building works that can be heard at the boundary of the site only between 08.00 and 18.00 hours Monday to Friday and 08.00 to 13.00 on Saturday and not at all on Sundays and Public Holidays. You are advised to consult the Pollution Team, Islington Council, 222 Upper Street London N1 1XR (Tel. No. 020 7527 3258 or by email 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</p>
4	Highways Requirements
	<p>Compliance with sections 168 to 175 and of the Highways Act, 1980, relating to "Precautions to be taken in doing certain works in or near streets or highways". This relates, to scaffolding, hoarding and so on. All licenses can be acquired through 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:</p>

	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
5	Listed Building Consent (pre-commencement condition)
	The applicant is reminded of the pre-commencement condition (3) that was included as part of the already approved application ref: P2023/2598/LBC relating to details of doors and associated parts. This will need to be discharged via a separate AOD application which will be assessed by the Council’s design and conservation officers.

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

2. Development Plan

The Development Plan is comprised of the London Plan (2021) and Islington’s Local Plan (2023). The following policies of the Development Plan are considered relevant to this application:

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

- **Policy D3** Optimising site capacity through the design-led approach
- **Policy D4** Delivering good design
- **Policy D5** Inclusive design
- **Policy HC1** Heritage conservation and growth
- **Policy S1** Developing London’s Social Infrastructure

B) **Islington Local Plan Strategic and Development Management Policies (2023)**

- **Policy PLAN1** Site appraisal, design principles and process
- **Policy DH1** Fostering innovation and conserving and enhancing the historic environment
- **Policy DH2** Heritage assets
- **Policy S1** Delivering sustainable design
- **Policy S2** Sustainable design and construction
- **Policy S3** Sustainable design standards
- **Policy S4** Minimising greenhouse gas emissions
- **Policy S5** Energy Infrastructure
- **Policy S6** Managing Heat Risk
- **Policy S7** Improving Air Quality
- **Policy S8** Flood Risk Management
- **Policy S9** Integrated Water Management and Sustainable Drainage
- **Policy S10** Circular Economy and Adaptive Design

3. Designations

- iListed Buildings (GRADE II) 170914
- iSINCS 170914 - Sites of Importance for Nature Conservation

- iLP SINC 241023 – Royal Northern Hospital
- iTree Preservation Order 191219
- iArticle 4 Direction - Flexible Use
- iCycle Routes (Local) 170914

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design (2012)
- Inclusive Design in Islington (2014)
- Islington Urban Design Guide (2017)

London Plan

- Sustainable Design & Construction (2014)
- Planning for Equality and Diversity in London (2007)
- Fire Safety draft LPG