

PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
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 LONDON N1 1YA

PLANNING COMMITTEE		
Date:	24 February 2015	

Application number	P2014/3871/FUL and P2014/4040/LBC
Application type	Full Planning Application and Listed Building Consent Application
Ward	Clerkenwell Ward
Listed building	Grade II* Listed Building
Conservation area	Clerkenwell Green
Development Plan Context	Clerkenwell Green Conservation Area Article 4(2) Clerkenwell Green Archaeological Priority Area (Clerkenwell) Area of Special Character (Clerkenwell/Smithfields) Central London Area Central Activities Zone Employment Priority Area Rail Safeguarding Consultation Area Structure to be Retained Local View from Archway Road, Archway Bridge, Dartmouth Park Hill and Amwell Street Strategic View from Kenwood
Licensing Implications	Requires Premises License (not applied for)
Site Address	The Old Sessions House, 22 Clerkenwell Green, London EC1R 0NA
Proposal	Application for Planning Permission and Listed Building Consent for: Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works (including excavation of sub-basement below yard).

Case Officer	Mr Nathaniel Baker
Applicant	Satila Farrington Ltd
Agent	Miss Jen Sanders - Vail Williams LLP

1 RECOMMENDATION

The Committee is asked to resolve to **GRANT** Planning Permission subject to:

1. the conditions set out in Appendix 1 (Recommendation B); and
2. conditional upon the prior completion of a Deed of Planning Obligation made under section 106 of the Town and Country Planning Act 1990 securing the heads of terms as set out in Appendix 1 (Recommendation A).

The Committee is asked to resolve to **GRANT** Listed Building Consent subject to:

1. the conditions set out in Appendix 1 (Recommendation C).

2 SITE PLAN (SITE OUTLINED)



3 PHOTOS OF SITE/STREET

Front elevation:



Clerkenwell Road elevation:



Clerkenwell Green elevation:



Farringdon Lane elevation:



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SUMMARY

- 4.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising retail, restaurant/bar, office and a Private Members' Club together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.
- 4.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site,

while introducing uses complimentary to the primary business function of the area. The proposed Private Members' Club use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.

- 4.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 4.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 4.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 4.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 4.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 4.8 The proposal would improve the energy efficiency and accessibility of the building.
- 4.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of a S106 Legal Agreement to secure the necessary mitigation.

5 SITE AND SURROUNDING

- 5.1 The application site forms the western edge of Clerkenwell Green and is set on a central roundabout bounded by Clerkenwell Green to the north and east, Clerkenwell Road to the south and Farringdon Lane to the west. The Old Sessions House is a part two, part three storey Grade II* listed building and was formally the Middlesex Sessions House which was enlarged and remodelled in 1860 on all but the principal elevation and served as a Law Court until the 1920s.

- 5.2 Planning permission was granted in 1976 for the use of the building as a Masonic Lodge. The building has also operated as the Clerkenwell Conference Centre, providing private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses, with a Certificate of Lawful Existing Use granted in 2008.
- 5.3 Internally, the building has areas with a neglected appearance, a number of significant past alterations and a series of different floor levels and stairways.
- 5.4 The main entrance to the property is from the east elevation facing onto Clerkenwell Green with a secondary access to the ground floor from Clerkenwell Road to the south. A servicing entrance is located at lower ground floor level (pavement level) on the north elevation. The entrances to the west are fixed shut.
- 5.5 The surrounding area is predominantly commercial with some residential properties. To the west the site faces over Farringdon Lane and across the railway lines running into Farringdon Station to the south west (the former Fleet River Valley).
- 5.6 The site is located within the Clerkenwell Green Conservation Area, the Central Activities Zone (CAZ), an Employment Priority Area (General) and is set within a number of Local and Strategic views of St Paul's Cathedral from various viewing points.

6 PROPOSALS (IN DETAIL)

- 6.1 The applications propose the change of use from a Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office and Private Members' Club (Sui Generis), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works.

Planning Application

- 6.2 The planning application proposes the following:
- 6.3 Roof extension and roof terraces: The proposed roof extension would replace an existing hipped roof on the west side of the property with a tiled mansard roof extension incorporating rounded dormer windows. A roof terrace would project over the flat roof of the mansard, with a tensile steel cable balustrade and a sunken swimming pool.
- 6.4 On the north side of the property the roof extension would be set back from the parapet and would have a barrel form with metal cladding. It would extend over a stairwell and the proposed roof top plant.
- 6.5 Two tiled hipped roofs on the north and south sides of the property would be partially removed with the east facing pitch being retained.
- 6.6 Walls, railings and external alterations: The proposed stone wall would extend around the open south west corner of the property and would measure a maximum of 3.1 metres in height. It would incorporate two gates and gas lamps.

- 6.7 The proposed railings would extend around the north and west elevation of the building, replacing existing railings and following the original stone plinth still in place. The railings would match those on the south and east elevations.
- 6.8 The proposal would replace a number of non-original windows and open up original windows which are currently closed. Three original high level bullseye windows would be reinstated on the west elevation.
- 6.9 A brick infill within the lightwell fronting Clerkenwell Green would be demolished, four vaults would be opened up and Yorkstone pavers laid. The steps onto Clerkenwell Green would be repaired.
- 6.10 The facades of the building are proposed to be cleaned and repaired, including stone paint and the removal of a number of vents.
- 6.11 The proposed uses at the site are detailed below:
- 6.12 Lower ground floor: the proposal would introduce a restaurant/retail unit (measuring 461 square metres) within the central part of the building, accessed from Farringdon Lane; a retail/restaurant unit (measuring 74 square metres) on the northern side of the building accessed from Farringdon Lane and Clerkenwell Green with a shared ground floor toilet facility; a bar/restaurant/retail unit (measuring 165.5 square metres) on the southern side of the property accessed from Clerkenwell Road with a proposed external area at the south west corner of the site; and the use of the lightwell and reinstated vaults on the east of the site as an external area serving the central and southern units.
- 6.13 Ground, first and second floor: are proposed to be in Private Members' Club use (measuring 1985 square metres). The Private Members' Club use would include private hire for a variety of different uses including conferencing, training facilities and venue hire (weddings and private parties). The main entrance to this part of the building would be from Clerkenwell Green, while an entrance on the northern side of the property would serve as an entrance to the third floor offices and bar/restaurant. The second floor roof terrace would serve the Private Members' Club.
- 6.14 Third floor: the proposal would introduce a bar/restaurant use on the eastern side of the property (measuring 196 square metres) and office floor space on the western side of the property (measuring 160 square metres) with a small roof terrace.
- 6.15 Roof level: The existing roof area and the roof of the proposed roof extension are proposed as a roof terrace that would serve the third floor bar/restaurant and office uses at the site.

Listed Building Consent

- 6.16 The Listed Building Consent application proposes the works set out above in addition to the following:
- Reinstatement of the double height Court Room with balcony;
 - Reinstatement of lower part of 18th Century glazed screen between Court Room and domed hall;
 - Relocation of 19th Century first floor doors;
 - Removal of 19th Century stair to lower ground;
 - Restoration works to fourth floor Judge's Dining Room, including opening of original windows, and the introduction of a free standing reversible gallery;

- Reinstatement 23 fire places;
- Removal of extensive partitions and introduction of new partitions with details to match adjacent original walling; and
- General works to the remainder of the property include the new and repaired joinery, new cornices to match existing, repair works to chimneys, replacement of damaged render and stone and repairs to existing windows.

Revision 1:

- 6.17 The plans for the Planning and Listed Building Consent applications were amended on 11th December 2014 to revise the roof extension from a leaded barrel roof to a slate mansard roof, the retention of two areas of hipped roof and the reinstatement of the bulls eye windows in the west elevation. The plans were amended following discussions between the applicant, Planning and Design and Conservation Officers and English Heritage.
- 6.18 The draft Management Plan was amended on 15th December 2014 to reduce the hours of operation.

Revision 2:

- 6.19 A Construction Phasing Strategy was submitted on 3rd March 2015 following discussions between the applicant and the Planning Officer.

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RELEVANT HISTORY:

PLANNING APPLICATIONS:

- 7.1 **P2014/3878/FUL** - Change of use from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar and office (Sui Generis use), erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of boundary railings to rear and flank elevations and internal alterations/restoration works (including lowering of (including excavation of sub-basement below yard) – **Pending consideration**.
- 7.2 **P2014/4039/LBC** - Listed Building Consent for erection of roof extension and alterations to roof to create two roof terraces (including a roof top pool) and insertion of rooflights, installation of roof top plant, replacement of windows, erection of ground floor boundary railings to rear and flank elevations and internal alterations/restoration works to facilitate change of use of Old Sessions House from Masonic Lodge to a mixed use scheme comprising retail, restaurant/bar, office (Sui Generis use) – **Pending consideration**.
- 7.3 **P2013/1672/FUL** - Use as a Private Members' Club (Sui Generis) and associated uses including conference centre, exhibitions, training, presentations, product launches, fashion shows, antique and collectors fairs, weddings, bar mitzvahs, funerals, receptions, private parties, the provision of music, dance, entertainment, bar, lounge and health and fitness suite and sleeping accommodation and restaurant/bar within the lower ground floor accessible from Clerkenwell Road – **Withdrawn** (16/06/2014)
- 7.4 **P081514** - Certificate of Lawfulness (Existing) for use outside of Masonic Association, including conferences, training, receptions and similar uses - **Certificate Granted** (14/11/2008).

- 7.5 **P031047** - Erection of new railings along western boundary (Listed Building Consent) - **Granted Conditional Consent** (07/07/2003).
- 7.6 **P031046** - Erection of new railings along western boundary - Granted Conditional Permission (07/07/2003).
- 7.7 **970470** - Listed Building Consent application in connection with provision of library cabinets, glazed solid fire screens and upgrading of doors and frames - **Granted Conditional Consent** (19/02/1998).
- 7.8 **960847** - Internal alterations including replacement lift, installation of lockers, cloak racks and case racks - **Granted Conditional Permission** (12/03/1997).
- 7.9 **931676** - Installation of fire screens and doors to ground floor - **Granted Conditional Consent** (01/06/1994).
- 7.10 **870296** - Internal alterations to existing toilet facilities at ground floor level (Listed Building consent) - **Granted Conditional Consent** (30/07/1987).
- 7.11 **Case TP 87228/03.1** - Use of Part of basement as a wine lodge and licensed restaurant – **Granted Conditional Permission** (07/03/1974).
- 7.12 **Case TP 85874/03.1** - Use of the Sessions House for Masonic purposes – **Granted Conditional Permission** (21/04/1976).

Licensing Application:

- 7.13 Given the significant overlap of issues, the licensing history is set out below:
- 7.14 **Item B1** (Licensing Sub-Committee B) - Proposed variation of hours of sale of alcohol 06:00am - **Refused** (13/08/2013) - Note that the existing License permitted the sale of alcohol between 1000 – 2300 hours Monday to Saturday and 1200 to 2230 hours on Sundays.

PRE-APPLICATION ADVICE:

- 7.15 **Q2013/2698/MIN** - Formal pre-application advice has been given on the site. However, this was not submitted by the current applicant, and therefore further detail is not given here.
- 7.16 **Q2014/1046/MJR** - The proposal has been subject to ongoing pre-application discussions. The key points which required further consideration during the pre-application process were:
- Unresolved uses;
 - Management of the property;
 - Hours of operation; and
 - Form of roof extension and inclusion of swimming pool.

- 7.17 **PA0043478** - Formal pre-application submission to English Heritage.

ENFORCEMENT

- 7.18 E/2014/0182 - Unauthorised works to a Listed Building (Grade II*) - No action taken and case closed (19/06/2014).

CONSULTATION

Public Consultation

- 8.1 Letters were sent to occupants of 154 adjoining and nearby properties at Clerkenwell Road, Britton Street and Clerkenwell Green on the 9th October 2014. Following the receipt of amended plans/additional information the application was re-notified on the 17th December 2014 with occupants of 160 adjoining and nearby properties notified including additional occupants at Sekforde Street, St Johns Walk and Aylesbury Street. A site notice and press advert were displayed on 16th October 2014 and again on the 18th December 2014. The public consultation on the application therefore expired on 8th January 2015. However it is the Council's practice to continue to consider representations made up until the date of a decision.
- 8.2 At the time of the writing of this report a total of 9 responses had been received from the public with regard to the planning and listed building consent applications. These consisted of 8 objections and 1 letter of support for the proposal, one of the objections was amended following the receipt of the amended plans and Management Plan, however no additional considerations were raised. The issues raised can be summarised as follows (with the paragraph that provides responses to each issue indicated within brackets):

Objections:

- The roof extension, alterations to the roof and the roof terraces (inclusive of the pool) are not in keeping with the Conservation Area (Para 10.31 – 10.35);
- The changes to the façade go against the listed regulations (Para 10.38 and 10.40);
- There are a sufficient number of bars and restaurants within Clerkenwell (Para 10.20 and 20.21);
- Concerns raised regarding highway safety due to the building users standing on the pavement (Para 8.30, 10.67 and 10.70);
- The proposal would result in disturbance from cars/taxis (Para 10.69, 10.72 and 10.89);
- Concern raised regarding disturbance from those leaving the building late at night (Para 10.69);
- It will cause light pollution to neighbouring occupiers (Para 10.75);
- The proposal would result in increased anti-social behaviour in the surrounding area (Para 10.69 and 10.71);
- The proposal would increase noise to local residents, particularly from the roof terraces (Para 8.33, 10.74 and 10.76);
- It is not clear how the daily operation would work (Para 10.18);
- The proposal does not contribute to the area (Para 10.23);
- The application is speculative as there is no secured tenant and therefore the use could change (Para 10.69);

- The building has rarely been used for events and the previous use differed and therefore these should not form material considerations (Para 10.6 and 10.8);
- The Noise Impact Statement erroneously states that only an office block faces the south of the site, there are two residential buildings to the south (Para 10.74 and 10.108);
- The proposal details a total capacity of 1366 people with 150 employees, at just over 2 metres per person the capacity is excessive and could lead to Health and Safety issues (Para 10.109);
- Concern raised regarding how the proposed management plan would be enforced (Para 10.72);

Support:

- The proposed sympathetic internal and external restoration works will respect and restore much of the original architectural splendour of this historic building;
- The proposed alterations would not detract from the buildings context within a Conservation Area and will provide benefits to the local community and visitors;

Comments:

- The building should be used in conference function, as exhibition space or a hotel (Para 10.106);
- The proposed use should close no later than 2300 hours and 2400 hours at weekends (Para 10.71);
- Appreciate that bringing the building back into public use could benefit many people and the local economy;
- Broadly welcome the redevelopment of the building;
- Works have been carried out without permission at the site (Para 7.18); and

Non-planning Issues:

- Together with other surrounding developments the construction works involved in the proposal would result in disturbance to neighbouring occupiers and impact upon the highway network (Para 10.107).

8.3 The applicant has submitted written responses to the representations received.

External Consultees

8.4 **English Heritage** – We recognise the substantial heritage benefit associated with the proposals and welcome the positive revisions to the scheme. Conditions are recommended regarding the cleaning (Listed Building Condition 10) and re-rendering of the exterior (Listed Building Condition 3) and a management agreement to restrict the level of paraphernalia associated with the roof terraces (HoT 10). Additionally, it is recommended that the provision of occasional public access to significant spaces is explored further.

Internal alterations: The significant heritage gains are recognised, particularly the reinstatement of the original Georgian screen, the double height volume in Court No. 1 the rationalising of the services, and the extensive reinstatement of historic features throughout the interior. The removal of some of the interesting Pownall features, such as the stone staircase to the rear, is undesirable but necessary in order to reinstate the original proportions of Court No. 1. The gallery in the Judge's Dining Room, would cause some harm to the appreciation of the internal volume of the room, however, this intervention would be free-standing and therefore reversible.

Public access will be provided to important parts of the building such as the prison cells at basement level and to the Pownall dining room which is welcomed in principle. However, these areas will only be accessible to the paying customers and it is not clear whether any of the important spaces will be accessible to the wider public (Para 10.55 and 10.57).

As identified in the Heritage Statement, the entrance hall was intended for general public access from Clerkenwell Green. Therefore the reinstatement of this in some way would be strongly welcomed by English Heritage and would reinforce the building's important civic relationship with the Green. This could potentially be achieved by using the entrance hall as the reception area for the club or office, but allowing the public to access and appreciate this significant space via main entrance (Para 10.57).

External alterations: The reinstated railings, gas lights and Yorkstone paving and the removal of the brick infill in the lightwell would enhance the character of the listed building and improve its relationship with Clerkenwell Green.

The reinstatement of the bullseye windows in the west elevation is welcomed. The proposed cleaning of the building façade and application of stone dust paint should be subject to a trial in a discreet part of the building (Listed Building Condition 3).

Roof extension and roof terrace: The most sensitive issue is the erection of a roof extension in place of the hipped roof structure above the Court Room to the rear of the building. The intervention is acceptable in principle. The conventional roof extension is proposed with dormers that align with the openings below and is acceptable.

It is noted that the eastern parts of the Victorian hipped roofs to the north and south of the dining hall will now be retained, this is a significant improvement.

The roof terraces are proposed to compensate for the loss of floor space in the Court Room. Whilst this provides some justification for the intervention, the extent of loss of the remaining historic roof structures is undesirable and we would particularly encourage the retention of the hipped roofs which flank the dining room to the north and south.

No objection to the swimming pool however, a management agreement should be put in place to restrict the associated paraphernalia for the roof terraces and pool (Listed Building Condition 13).

- 8.5 **English Heritage (GLASS)** – The site falls within archaeologically sensitive location on what was Clerkenwell Green and the submitted archaeological assessment identifies a high potential for medieval remains. The proposed works are of a relatively small scale and subject to a condition (Planning Condition 6) and an informative no objection is raised.

- 8.6 **Crime Prevention Officer** – No response received.
- 8.7 **Thames Water** – No objection subject to a conditions and informatives.
- 8.8 **London Borough of Camden** – No response received.
- 8.9 **Network Rail** – No objection subject to the proposal and construction works not impacting upon Network Rail land or operations. Informatives are recommended.
- 8.10 **Crossrail 1** – The implications of the Crossrail proposals for the application have been considered and Crossrail Limited do not wish to make any comments on this application as submitted.
- 8.11 **London Fire and Emergency Planning** – The Brigade is satisfied subject to the proposal meeting the requirements of Approved Document B5 of the Building Regulations.
- 8.12 **London Underground** – No comment.
- 8.13 **Transport for London (Road Network Development)** – No objection to the principle of the development subject to conditions (Planning Conditions 12 and 17, and HoTs 5, 6 and 7).
- 8.14 **Clerkenwell Green Preservation Society** – The proposal would cause significant harm to the listed building and is contrary to national and local policy. If granted permission it would cause irreversible damage to a unique heritage asset and the Conservation Area.

The proposed extensions and roof terrace would detrimentally impact upon the listed building and conservation area. There are no benefits that would outweigh the harm to the heritage asset. The building should be open to the public.

The proposed partitioning and internal works would result in the loss of former character and the swimming pool could lead to water damage.

The increased intensity of use and proposed uses would create significant night-time activity that would be detrimental to surrounding occupiers. A holistic approach to use should be made. The application fails to address concerns regarding public amenity.

- 8.15 The applicant has submitted a written response to this consultee response.
- 8.16 **Council for British Archaeology** – No response received.
- 8.17 **London and Middlesex Archaeological Society** – No objection to the use of the site. Concern raised regarding level of detail provided on floor plans. No objection to sub-basement. The removal of the mezzanine floor in the Court Room is welcomed. The roof extension is not sympathetic. Roof plant should be located to minimise its visibility and balustrades should be glazed.
- The applicant has submitted to the Council a written response to this consultee response.
- 8.18 **Georgian Group** – No response received.
- 8.19 **The Islington Society** – No response received.

- 8.20 **Victorian Society** – No response received.
- 8.21 **Ancient Monument Society** – No response received.
- 8.22 **Society for the Protection of Ancient Buildings** – No response received.

Internal Consultees

- 8.23 **Planning Policy** – Local Plan Policy in the CAZ and its Employment Priority Areas aim to protect and encourage a wide variety of employment floorspace but particularly 'B' use floor space. The proposal represents a lost opportunity to secure greater business floorspace and the applicant has not provided detailed specific site circumstances that would justify the under provision of office space.

It is recognised that the proposed use would contribute to employment in a wider business sense. However, it is regrettable that gallery/exhibition space or another appropriate ground floor use is not proposed.

The small office and retail/restaurant/bar floor space would constitute Small Enterprises. There is a question of the separation of these uses.

While the building has certain constraints, to the proposal should maximise the provision of business floorspace. This has not been demonstrated. A contribution to off-site housing should be made.

Employment Priority Areas allows for the location of new entertainment uses within the CAZ. The site is located over 200 metres from the nearest school but the building is located within a Cumulative Impact Area for alcohol licensed premises.

The provision of a small A1/A3 use is supported in policy terms.

Notwithstanding this, the private Members' club element of the proposal is considered materially similar to the existing use and the case officer will need to come to a balanced judgement on this element.

- 8.24 **Licensing** – Licensing policy sets out the preferred closure hours of:

Nightclubs: 0100 hours Sundays to Thursdays and 0200 hours Fridays and Saturdays.

Restaurants, Cafes and Bars: 2300 hours Sundays to Thursday and 0100 hours Fridays and Saturdays.

The proposed hours would generally fall within the preferred hours, with the exception of the proposed opening to 0200 hours Monday to Thursdays for the Third floor bar and basement uses.

However, the premises are located within a Cumulative Impact Policy area and any proposal to extend the licensed hours beyond the existing hours is likely to be contested. Any future licence applicant would need to provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.

- 8.25 **Access and Inclusive Design Officer** – There is no step free access to the main entrance. There is potential for the adjacent lightwells to house a platform lift or ramp. The level access and refurbished lift at lower ground floor level is not welcoming or equivalent. Level access is available to the restaurant, this is welcome.

Concern that the lower ground floor restaurant and ground floor level have no accessible WCs, which is unacceptable.

The lift does not include the requisite 1500x1500mm manoeuvring space to the front at first or second floor level. There is no lift access to the roof, if there would be a problem with the passenger lift's overrun, platform lifts between the third floor and the roof could be provided. The proposed gallery is served only by a spiral stair which will not be accessible to ambulant disabled people.

There are several level changes throughout the building, where an accessible route should be provided.

8.26 Design and Conservation Officer – The proposed Private Members' Club use is possibly one of the best uses for the building. It is a use which requires a high quality built environment which allows removal of harmful subdivisions and allows public access. However, some aspects of the proposals will result in the loss of late C19 fabric and cause less than substantial harm. This harm is outweighed by the proposed public/heritage benefits.

The reinstatement of the original Court Room proportions and architectural detailing of this extremely important room is a substantial public/heritage benefit.

The rarity and outstanding significance of the surviving part of the C18th glazed screen is recognised. The harm arising from the removal (and relocation) of C19th fabric is outweighed by the enhancement of reinstating the lower part of the C18th glazed screen.

The harm arising from the removal of C19th stairs to the basement is outweighed by the enhancement of reinstating the C18th plan form and the justification for the need for quality interior space and the wider enhancements / public / heritage benefits that the proposed use of the building will provide.

The gallery to the Judges' dining room is acceptable as it has been designed to be a freestanding object which is reversible.

No concern is raised regarding the proposed roof terraces to existing flat roofs utilising existing parapets. The removal of some pitched roofs (retaining two sections to the front elevation) causes harm but the wider enhancements/public/heritage benefits that the proposed use of the building will provide. Balustrades have been set back as far as is practically possible to reduce visibility and are to be constructed of tensile steel cables to have the least visual impact from long views.

The harm arising from the construction of a roof extension is outweighed by the justification for the need for additional floor space arising from the loss of floor space resulting from the wider enhancements / public / heritage benefits proposed. English Heritage is of the view that a slated mansard roof best responds to the architecture of the building. Marked up photos show that the roof extension is only visible from (very) long views.

With regard to the swimming pool it has been demonstrated that should the means of holding a large body of water at high level fail the leakage arising would not harm any sensitive historic interiors because it would be caught by a 'second skin' of tanking and backup drainage system.

The reinstatement of the wall to the former prisoners yard shown on the 1877 plans is welcomed.

- 8.27 **Energy Conservation Officer** – Given that the building is Grade II* listed and as such are unable to upgrade the fabric then there is little that could be required. The Green Performance Plan is broadly acceptable.
- 8.28 **Sustainability Officer** – No objections.
- 8.29 **Transport Planning Officer** – To cope with the impact of the proposed development, the applicant should make a site specific S106 contribution towards footway improvements in the vicinity of the site. The designs should incorporate at least some cycle parking within the site. Any shortfall should be met by a financial contribution for publicly accessible bicycle racks. A more detailed service and delivery plan should be submitted prior to commencement (Planning Condition 12).
- 8.30 **Highways** – The servicing area is likely to be the best location but this depends upon the type of vehicle used. Further details required on servicing relevant to the specific occupier. There are a number of short stretches of single yellow lines in the immediate vicinity of the site and at this stage I am not inclined to require a taxi drop off point. Should a taxi drop off point be proposed then this should not replace existing provision.
- 8.31 **Tree Preservation / Landscape Officer** – The proposed excavation within close proximity to street trees raises concerns. Where street trees are not compatible with the proposal there will need to be an overriding justification for their removal and appropriate mitigation in the form of a contribution of their CAVAT (Capital Asset Value for Amenity Trees) value. The applicant should submit an Arboricultural Impact Assessment (Planning Condition 14).
- 8.32 **Refuse and Recycling** – The waste management details as set out in the draft Management Plan are acceptable. Recommend condition (Planning Condition 15) requiring details of refuse/recycling store prior to occupation.
- 8.33 **Public Protection (Noise Issues)** – No objection subject to the submitted noise management plan being adhered to and conditions requiring a report of plant noise to be submitted, and restricting plant noise, amplified music and sound and the hours of servicing and delivery.

9 RELEVANT POLICIES

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

National Guidance

- 9.1 The National Planning Policy Framework 2012 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.
- 9.2 The National Planning Policy Guidance 2014 provides planning practise guidance for the implementation of the policies set out in the NPPF. The NPPG is a material consideration and has been taken into account as part of the assessment of these proposals.

- 9.3 On the 28th November 2014, a Ministerial Statement and revision to the Planning Practise Guidance (PPG) were published.

Development Plan

- 9.4 The Development Plan is comprised of the London Plan 2011 (Consolidated with Alterations 2015), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The policies of the Development Plan relevant to this application are listed at Appendix 2 of this report.

Designations

- 9.5 The site has the following designations under the London Plan 2011 (Consolidated with Alterations 2015), Islington Core Strategy 2011, Development Management Policies 2013 and Finsbury Local Plan: Area Action Plan 2013.

- Grade II* Listed Building
- Clerkenwell Green Conservation Area
- Article 4(2) Clerkenwell Green
- Archaeological Priority Area (Clerkenwell)
- Area of Special Character (Clerkenwell/Smithfields)
- Central London Area
- Central Activities Zone
- Employment Priority Area
- Rail Safeguarding Consultation Area
- Structure to be Retained
- Local View from Archway Road
- Local View from Archway Bridge
- Local View from Dartmouth Park Hill
- Local View from Amwell Street
- Strategic View from Kenwood

Supplementary Planning Guidance (SPG) / Document (SPD)

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

Environmental Impact Assessment

- 9.7 An EIA screening was not submitted. However the general characteristics of the site and proposal are not considered to fall within Schedule 1 or 2 development of the EIA Regulations (2011).

10 ASSESSMENT

- 10.1 The planning and listed building consent applications are both assessed below.

- 10.2 The main issues arising from this proposal relate to:

- Land Use;
- Design and Heritage;
- Listed Building Works;
- Assessment of Harm;
- Accessibility;
- Neighbour amenity;
- Sustainability, Energy efficiency and renewable energy;

- Highways and transportation implications;
- Trees; and
- Planning Obligations.

Principle of Development

- 10.3 The grade II* listed former Middlesex Sessions House is of outstanding significance for the quality of its architecture and historic value. The existing building has been vacant since its sale in 2013 and was previously occupied by the Free Masons. A number of areas both internally and externally have a neglected appearance and there are extensive works which do not benefit from consent and are considered harmful to the building.
- 10.4 This unfortunate under-use of a significant, readily-accessible central London site could potentially be remedied by refurbishment and redevelopment. This provides an opportunity to bring a prominent and significant listed building back to use, whilst restoring significant historic features and layouts. The principle of redevelopment is therefore welcomed in design and conservation terms.
- 10.5 The above in-principle position regarding the refurbishment and redevelopment of the site accords with the National Planning Policy Framework's presumption in favour of sustainable development.

Land-use

- 10.6 The Old Sessions House has a lawful use for Masonic purposes (Sui Generis) dating back to 1976 and an established use as a private hire space for meetings and conferences, professional training courses, private events, exhibitions, wedding receptions and similar uses (application ref: P081514). The previous Masonic use catered for meeting and dining facilities for 234 Lodges, equating to Membership in excess of 4500 Free Masons, attending nearly 800 meetings per year during the Masonic season of September to June. The property is currently vacant with preliminary internal works having been carried out by the applicant.
- 10.7 The proposal would introduce retail, restaurant and bar uses at lower ground floor level, a Private Members' Club (PMC) inclusive of private hire for conferencing, training facilities, weddings and private parties spread over the ground, first and second floors and a restaurant/bar and office use at third floor level.
- 10.8 The previous (and lawful) Masonic use of the building effectively operated as a PMC with the provision of private hire space and therefore, in the most part, this part of the proposal is materially similar to the existing use, albeit with a reduced floor area.

Private Members' Club:

- 10.9 London Plan policies 2.10 and 2.11 recognise the 'mixed' nature of much of the CAZ and seek to enhance and promote the unique international, national and London wide role of the CAZ through the promotion of a range of mixed uses including business services and night time activities where this would sustain the heritage of the CAZ. As set out above, the previous (and lawful) Masonic use of the building is materially similar to that proposed and was used as such for an extensive period of time. Whilst the proposal would also introduce other uses across the building, the PMC use would continue to represent a unique use to this part of the CAZ that would not only be similar to the previous use, but would also represent a mixed use scheme that would complement the unique role of the CAZ. Although the Masonic use has

ceased at the site, the longevity of the previous occupation of the site has shown that such a use is sustainable in this location.

Employment floor space:

- 10.10 The site is located within an Employment Priority Area (General) where Core Strategy policy CS13 and Finsbury Local Plan policy BC8 safeguard existing employment floor space and encourages new employment floorspace (particularly business floorspace) to locate in the CAZ where access to public transport is greatest. New business floorspace is required to be flexible to meet future business needs and shall include the provision of a range of unit types and sizes, including those suitable for Small/Medium Enterprises (SMEs).
- 10.11 Finsbury Local Plan Policy BC8 states that proposals should incorporate the maximum amount of business floorspace reasonably possible on the site. However, it then adds that the employment floorspace of a development should not be unfettered commercial floorspace (B1a) but where appropriate must also include retail or leisure uses at ground floor alongside a proportion of non-B1a or business-related floorspace and/or office B1a or retail floor space suitable for accommodation by SMEs and/or affordable workspace.
- 10.12 Policy BC7 sets out that this part of London will be protected and enhanced through heritage-led development that reinforces its uniqueness, integrity and social-cultural value; providing for limited expansion in floorspace. This policy encourages the provision of a range of employment uses, including space for SMEs, retail and leisure uses where these would positively reinforce the character of the street or space and should provide active ground floor frontages to major roads and key routes.
- 10.13 The proposed change of use would increase the quantum of employment floor space at the site by 49 square metres, introduce a greater variety and number of employment uses at the site, including conferencing and training facilities as part of the PMC, bring activity to the street level frontage onto major roads and would incorporate an element of office (B1a) floor space.
- 10.14 The proposed uses of the building would provide a range of facilities that are considered to be supportive and complementary to the primary business role of the area. The increase in the number of and varied size of the commercial units together with the mix of uses and high level of public access to the site would ensure that the building would be flexible to future business needs and would not compromise economic function/growth. In addition to this, the proposal would undoubtedly increase the level of employment at the site from the previous (and current vacant) use of the building. As such, while it is acknowledged that the proposal would not maximise the amount of business floor space at the site, it would represent an uplift in both business and employment floorspace, which is considered to be generally in accordance with the aims of the Employment Priority Area (General) and the CAZ and would be likely to increase job numbers at the site.
- 10.15 Notwithstanding this, the proposal represents a heritage-led development that invests in and ensures the continued use of an important grade II* listed building that is identified in the Finsbury Local Plan as a feature of local importance that contributes to the special character of historic Clerkenwell, while the proposed use of the building would reinforce its uniqueness, integrity and social-cultural value.
- 10.16 In accordance with Core Strategy Policy CS13 and Finsbury Local Plan policy BC7 and BC8, the proposal would incorporate a small office area and small

retail/restaurant/bar uses at the site which would represent suitable accommodation for SMEs.

- 10.17 Finsbury Local Plan policy BC8 part D sets out that where a net increase in office floorspace is proposed, the development should also incorporate housing up to 20% of the floor area and where this is not possible provide a contribution towards housing off-site. The subdivision of the building into residential units would be harmful to the significance of the grade II* listed building and therefore not appropriate. While a contribution would typically be sought, for this reason, that the office element of the proposal is minimal (20% of which would constitute 32 square metres, i.e. below minimum residential floor areas) and that the primary function of the building would fall outside of business use, a contribution is not considered to be reasonable in this case.
- 10.18 It is noted that the Policy Officer has raised concerns regarding the adequate separation of the uses in the building. The lower ground floor uses at the property would each benefit from a dedicated access, with a secondary entrance from the PMC to the central retail/restaurant unit. The Draft Management Plan details that the northern entrance onto Clerkenwell Green would serve the third floor of the building while the main entrance onto Clerkenwell Green would provide access to the PMC. The legal agreement secures the provision of a full Management Plan that would include full details of the separation of the uses. Furthermore, any change to the proportion of uses detailed on the plans would represent a change of use within the Sui Generis use class and would therefore require planning permission.

Night time economy and concentration of uses:

- 10.19 Development Management policy DM4.2 states that night-time economy uses are appropriate within Clerkenwell, while policy BC8 of the Finsbury Local Plan states that new entertainment uses will only be allowed within Employment Priority Areas, as is the case here. Policy DM4.3 establishes where these uses are appropriate, stating that restaurants, drinking establishments and similar uses should not have a negative cumulative impact due to an unacceptable concentration of such uses in one area and should not cause unacceptable disturbance or detrimentally affect the amenity, character or function of an area. It should be noted that the site falls within a Cumulative Impact Area, as designated under Licensing Policy where there is an identified abundance of licensed premises.
- 10.20 The previous use of the site included two bar areas, extensive dining facilities and private hire facilities for functions with no planning restrictions on the hours of operation and a high number of potential site users. This proposal would introduce a PMC use and up to four additional night time economy uses (two restaurants and two restaurant/bars) to the site. While this would cumulatively increase the number of night time economy uses within the locality, the proposed uses include varied and complimentary uses that would ensure a balance of day and night time uses.
- 10.21 Additionally, the re-use of this grade II* listed building with retail, restaurant, bar and office uses would provide activity to the street frontage and introduce some publicly accessible spaces where this has previously been severely limited. As such, the proposal would not result in an unacceptable concentration of such uses in this area and the proposed uses would be in keeping with the character and function of the area. It should also be noted that the proposed uses that would serve alcohol are located over 200 metres from any schools.

10.22 Although the previous occupiers, the Free Masons have relocated within the CAZ, (premises at Worcester Point, Lever Street) this is considered to be a significance distance from the existing site such that it would avoid an unacceptable over concentration of similar uses within the area.

Conclusion:

10.23 The proposed change of use at the site would ensure the continued occupation and significant investment into this grade II* listed building identified as a feature of local importance, that contributes to the special character of historic Clerkenwell.

10.24 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. The proposed PMC use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.

10.25 Additionally the Design and Conservation Officer considers the proposed use, subject to appropriate management to be the best suited for the historic layout of this building.

10.26 As such, it is considered that on balance the proposed change of use is broadly acceptable in land use terms, subject to an assessment of all other relevant policy, the impact upon the listed building, the provision of a management plan and any other relevant material planning consideration, including Licensing issues.

Design and Heritage

10.27 The former Middlesex Sessions House is of outstanding architectural and historic significance. The history of the building is discussed in detail in the Survey of London. In summary it was designed c.1778-82, by Thomas Rogers; enlarged and remodelled on all but the principal front in 1860 by Frederick Hyde Pownall with the ashlar-faced wing to the south added at some time between 1876 and 1914. The façade is notable for its low-relief carved panels by Joseph Nollekens, oval medallions of Justice and Mercy, portrait of George III in the central bay, and fasces and swords in the outer bays. Although substantially altered in the 19th Century and 20th Century many of the interior spaces remain architecturally impressive.

10.28 The NPPF (2011) details that when considering the impact of a proposed development on the significance of a designated Heritage Asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the Heritage Asset or development within its setting. As Heritage Assets are irreplaceable, any harm or loss should require clear and convincing justification.

Roof Extensions:

10.29 The Clerkenwell Green Conservation Area Design Guidelines states that roof extensions visible from the street will not be granted where this is harmful to the character and appearance of the building.

10.30 The proposed mansard roof extension would replace an existing hipped roof in the same location. The existing hipped roof incorporates a large and incongruous

rooflight and was rebuilt in the 1990s following extensive fire damage to this part of the building, with very few original structural beams retained. Views of the existing roof are afforded from Farringdon Road and in longer views to the west.

- 10.31 The mansard roof extension would be tiled with a roof terrace above and would incorporate dormer windows in the west elevation that would align with the principal windows in the elevation below, while in the north and south elevations these would align with the spaces between the larger windows below. The use of a tiled roof slope would reference the existing tiled roof and the dormer windows would provide rhythm to any limited views of the extension. The roof extension would not replicate the historical detail of the building but would instead represent a simple and conventional addition that would respect the scale and proportions of the building.
- 10.32 Although the removal of the hipped roof, which represents evidence of the historical extension of the building, would cause harm, this part of the roof has largely been rebuilt and the proposal would retain the structural internal beams. Additionally, due to its modest height and its set back from the parapet roof edge, views of the roof extension would be limited, while the domed roof of the building, which is of great significance, would be maintained as the dominant roof structure.
- 10.33 Although the proposed roof extension includes a swimming pool at roof level, this would be set into the proposed roof extension level with the terrace and therefore would not be visible in views from the surrounding public area.
- 10.34 The proposed roof extension to the north of the building would take the form of a leaded Victorian barrel vault extension. The roof extension would reference the Victorian design of the large leaded roof form over the east of the property, but would have a smaller and simpler form. While limited views would be afforded from Farringdon Road to the north, due to its small scale, use of leaded cladding and historic form, the proposed roof extension would appear as a subordinate addition that would not detract from the character and appearance of the listed building.
- 10.35 Two existing small hipped roofs to the north and south of the roof slope are proposed to be partially removed to provide access to the roof terrace and a roof top plant area. Although these roofs project above the height of the eastern parapet, views of these roofs from the surrounding public area are extremely limited. Notwithstanding this, the proposal would retain the hipped element of both roofs on the east side of the property, maintaining the appearance of the eastern elevation. However, the proposal would introduce roof top plant housing on the northern side of the property, which appears to be a leaded projection leading back from the retained hipped roof. This element of the roof extension would be small in scale and set back from the parapet edge. However, to ensure that this is as discreet as possible a condition is recommended requiring details of all roof top plant and the lift overrun to be submitted to and approved in writing by the Local Planning Authority.

Roof Terrace:

- 10.36 The proposed roof terrace over the main part of the property would involve the erection of a 1.1 metre high tensile steel cable balustrade and a swimming pool. The roof terrace would be visible in longer views of the site. However, the use of tensile steel cable balustrades reduces the extent of visible form, which together with the set back of the balustrade from the building edge and the height of the roof terrace, minimises the visibility of the terrace. It is appreciated that associated paraphernalia and lighting could draw attention to the roof terrace and detract from the setting of the listed building, as such, details of the roof terrace management are required as part

of the wider site Management Plan (HoT 10) and lighting details are required to be submitted by condition (Planning Condition 11).

- 10.37 The proposed second floor roof terrace would be set to the rear of existing high level stone balustrades, which restricts views of this area.

External works:

- 10.38 The proposal includes the replacement, reinstatement and repair of a number of windows across the property. Where windows have previously been painted over or damaged they would be cleaned and repaired, a number of blocked windows on the west elevation would be opened up and historically inaccurate windows replaced. The proposal includes the reinstatement of three bullseye windows where these have previously been replaced with incongruous square windows and works to a number of doorways. The proposed windows and repair works to windows and doors would provide more historically accurate detailing and a consistency to the elevations (Planning Condition 3 and Listed Building Condition 3).

- 10.39 The proposed railings would be set within an existing stone plinth on the south and west side of the property and would replicate the design of the 19th Century railings on the east and south sides of the property. Traditional gas lamps would also be added to the railings on the east side. The proposed wall to the south west corner of the site would reinstate the original 19th Century stone wall surrounding the prisoners yard, including gates and gas lamps. The boundary treatment proposed would reinstate original and traditional design features to the site and would enhance the setting of the listed building (Listed Building Condition 3).

- 10.40 Other external works include the removal of a number of vents and ducts, the cleaning and repair of the facades and the introduction of external lighting to illuminate the building. The repair and cleaning works would not result in the building appearing new, but would include a patina to reflect the historic ageing and evolution of the building. Together with the removal of the vents and ducts, the works to the façade would reinvigorate the elevations. The introduction of lighting can often be successful in enhancing the setting of a historic building, however, any lighting would need to be subtle and add to the visual character of the building and locality. As such, a condition is recommended requiring details of the lighting strategy to be submitted so that a full assessment can be made (Planning Condition 11).

- 10.41 The proposed works to the front lightwells include the excavation of four vaults, the demolition of a brick infill below the front steps and the laying of paving within this area. These works would provide an active use and high quality materials to this currently redundant and undistinguished space.

- 10.42 The proposed sub-basement would be located below the former prisoners yard in the south west corner of the site. There would be no elements of the sub-basement visible at ground floor level and it would not impact upon the plan form of the listed building.

Works to Listed Building

- 10.43 In addition to the proposed external works to the property, the proposal includes extensive internal works that require solely listed building consent.

- 10.44 Historically, the building has been extended with associated alterations to the internal layout and features. However, extensive partitioning, alterations to circulation space

and the removal/alteration of historic fabric carried out largely in the 20th Century has resulted in the historic floor plan being distorted and the loss/deterioration of historic fabric across the building. Notably the insertion of a floor to the original double height Court Room, the enclosure of the 18 Century glazed screen to the Court Room and the subdivision of the lower ground floor are considered to be particularly harmful to the building.

- 10.45 The partitions proposed to be removed would largely reinstate the 18th Century plan form of the listed building while removing harmful 20th Century intrusions, allowing the scale and historic function of the building to be read.
- 10.46 Although resulting in a substantial loss of floor space, the reinstatement of the original double height Court Room proportions, architectural detailing and reuse of the surviving 18th Century glazed screen, which is of rare and outstanding significance, would represent a significant heritage benefit. This would ensure that the original function of the building could be read and enhance the significance of the building.
- 10.47 The removal of the 19th Century stairs from ground floor to lower ground floor would result in harm to the listed building but is necessary to reinstate the original proportions of the Court Room which is of a greater significance to the listed building.
- 10.48 The general internal works include the reinstatement of 23 fireplaces, joinery work, cornicing, repairs to stone floors, paint work and the amalgamation of the internal services which would provide a high quality environment that would enhance the significance of the listed building.
- 10.49 Although the proposed gallery to the Judges' Dining Room would cause some harm to the appreciation of the internal volume of the room, this structure would be free standing and therefore reversible.
- 10.50 Details of a safety mechanism for the proposed swimming pool have been submitted. These details ensure that should there be any breach of the swimming pools water that a secondary skin would provide adequate protection from water leaks to the floors below.
- 10.51 Conditions are recommended with regard to submission of details prior to the commencement of works to ensure that the appropriate quality of finishes of appropriate high quality would be delivered.

Assessment of Harm

- 10.52 Although some of the proposed works would result in harm to the designated heritage asset, which consists of both the grade II* listed building and the Clerkenwell Green Conservation Area, Officers consider this to be less than substantial harm. The NPPF details that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.
- 10.53 As set out by English Heritage and the Design and Conservation Officer, the proposed works to the building include substantial heritage benefits. These heritage benefits, include extensive reinstatement of historically significant layouts, form and detailing such that the proposal would sustain the significance of the heritage asset, which is defined in the NPPG as a public benefit.

- 10.54 The proposed works to the facades of the building, the reinstatement of historic boundary treatment and the introduction of an active use to the building would enhance the setting of the heritage asset, which is a public benefit. The submitted Construction Phasing Strategy would be secured through the legal agreement (HoT 2) and ensures that each phase of works would be balanced in terms of harm and heritage benefit with the most harmful elements completed in the final phase.
- 10.55 The previous use of the building severely limited public access to the building. This proposal would introduce publicly accessible space at lower ground floor level within the original prisoner cells, open a restaurant/bar within the historically significant fourth floor Judge's Dining Room and provide access to the roof.
- 10.56 The harm resulting from the insertion of the roof extension and partial loss of hipped roofs is considered to be necessary to offset the loss of floor space through the reinstatement of the double height Court Room.
- 10.57 While the proposed works within the area designated as PMC use would not be visible to the general public, those using the private hire, conferencing and training facilities would have access to the more restricted areas of the heritage asset. Additionally, the original main entrance to this part of the site would be accessible to the public. As such, this would add to the publicly accessible elements of the property. Furthermore, it is detailed in the NPPG that benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
- 10.58 It is therefore considered that the proposal would provide substantial public benefits that would meet the tests of paragraph 134 of the NPPF and would therefore outweigh the harm to the Designated Heritage Assets.

Phasing:

- 10.59 The submitted Construction Phasing Strategy details four phases of works to implement the proposal. The phasing strategy includes an assessment of the harm and benefits arising from each phase of works, providing a balancing argument. This would ensure that in Phases 1, 2 and 3 there would be a surplus in benefits and that some of the more significantly harmful elements would be implemented at Phase 4. This provides a level of security that should the works not be completed they would not result in harm to the heritage asset.
- 10.60 However, the Construction Phasing Strategy includes a number works within Phases 3 and 4 which would start simultaneously, resulting in some harmful elements of the proposal potentially being completed prior to some of the elements providing public benefits. The Construction Phasing Strategy would be secured through a legal agreement with further details of Phase 4 and a review of the previously implemented phases required to be submitted to and approved in writing by the Local Planning Authority prior to the commencement of these works.

Accessibility

- 10.61 The Islington Core Strategy (2011) policy CS10B requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard.
- 10.62 The existing building has stepped access to a number of the entrances and internally there are varied floor levels throughout. A single lift within the north part of the property currently provides access across all of the floors.

- 10.63 The lack of step free access to the main entrance to the site is regrettable. However, the introduction of a step free access would result in the loss of historic fabric and is therefore not considered to be reasonably required. Notwithstanding this, the plans detail the rationalisation of some of the internal spaces to provide level access and it is detailed that a wheelchair accessible lift car would replace the existing lift in the same location. While the landing space at first and second floor level would not provide the requisite turning space to the front of the lift, at first floor level the lift would open onto a wide doorway into an open space and at second floor level the landing cannot be extended due to a void.
- 10.64 While the proposal includes accessible WCs at first, second and third floor level, the proposed ground floor restaurant/retail and third floor restaurant/bar and office have no provision. There is sufficient space within the proposed WC areas detailed on the plans at ground and fourth floor level to provide an accessible WC without any alterations to the listed building.
- 10.65 Although the proposal would not provide step free access across the entire building, it would represent a significant improvement to the buildings current level of accessibility currently of the site. Taking this, together with the grade II* listed status of the building, which restricts the extent to which accessible measures can be implemented, this is considered to be acceptable subject to conditions requiring the provision of accessible WCs and a lift (Planning Condition 16).

Neighbouring Amenity

- 10.66 The Development Plan contains policies which seek to appropriately safeguard the amenities of residential occupiers when considering new development. Policy DM2.1 of the Development Management Policies Document 2013 states that satisfactory consideration must be given to noise and the impact of disturbance, vibration, as well as overshadowing, overlooking, privacy, direct sunlight and daylight receipt, over-dominance, sense of enclosure and outlook.
- 10.67 The application site forms an 'island' site, set within the centre of the surrounding roads and on-street parking, with sunken railway lines to the west. The surrounding buildings have ground floor commercial units with a mix of commercial and residential uses across the upper floors.
- 10.68 It should be noted that the previous use of the property included no planning restrictions on hours of operation, noise levels, servicing nor a management plan. There are no reported noise or disturbance complaints for the previous use. However, the site is located within the 'Clerkenwell Cumulative Impact Area' and the previous use of the site was successfully controlled through licensing regulations with a license restricting the operating hours up to 2300 hrs. Although the proposed PMC use is similar to the previous Masonic use, the introduction of a mix of uses, a greater number of units, an increase in floor area and the use of roof terraces could potentially increase the intensity of the use of the building.

Management Plan:

- 10.69 The applicant has submitted a Draft Management Plan for the operation of the building because an operator has not yet been secured. This document sets out general management principles for the operation of the site and is detailed to be consistent with similar facilities across London. The measures proposed include Membership requirements, an access strategy, a dispersal policy, control of customers by staff, taxi collection procedures, noise prevention procedures including

the closure of windows and doors, and noise limiters, smoking areas and the creation of a Management Committee. Whilst the management principles are in draft form and therefore subject to change, they would be expected to inform a future Management Plan for the operation of the building once an occupier is secured.

- 10.70 The site is located in a Cumulative Impact Area, where there is an abundance of alcohol licensed premises and the Council's Licensing Officer has noted that the proposal to extend the hours of operation of the building beyond the previous hours of 2300 Monday to Saturday and 2230 on Sundays is likely to be contested.
- 10.71 The Draft Management Plan contains insufficient information for a comprehensive consideration of the proposed hours of operation and management procedures to be made at this stage, particularly in light of the degree of anti-social behaviour and problems occurring within the 'Clerkenwell Cumulative Impact Area' at present. However, it is noted by the Licensing Officer that a future licence applicant could provide evidence in relation to the promotion of the Licensing Objectives to demonstrate an exception to this policy.
- 10.72 By securing the submission of a comprehensive Management Plan through a legal agreement, and through controls/mitigation measures required to justify the granting of any future licence for extended hours at the site, adequate management and controls would be secured to ensure the mitigation of any potential disturbance to neighbouring occupiers and the successful operation of the premises. Furthermore, in order to attract a suitable operator and therefore the investment necessary to bring this currently vacant grade II* listed building back into a permanent use, restrictions to any permission at this stage could deter potential occupiers and result in the building remaining vacant. The Management Plan (HoT 10) to be submitted and approved shall include provisions for, but not be limited to:
- A full dispersal policy and procedure;
 - Door policy;
 - Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
 - Servicing and delivery times/arrangements;
 - Bottling out and waste management noise and times;
 - Control of noise from any designated smoking areas;
 - Control of noise from amplified music within the building;
 - Close down policy with gradual lowering of music volume and increasing of lighting;
 - Security and any proposed CCTV;
 - Lighting (and security lighting);
 - Membership policy;
 - Capacity (of each use);
 - The separation of uses;
 - Phasing of closure of uses (i.e. operating hours of individual uses within the site);
 - Private hire facilities/functions;
 - Roof Terrace Management;
 - An enforcement strategy for dealing with any breaches of the scheme; and
 - Any other relevant operation of the site functions;
- 10.73 Considering this together with the recommended legal agreement requiring the submission and approval of a comprehensive Management Plan, the licensing application procedures and the other recommended conditions, it not considered

necessary to restrict the hours of operation within this planning application, in this specific case for the exceptional circumstances given.

External Areas:

- 10.74 The proposal would introduce two external areas at lower ground floor level, a second floor level roof terrace to the south of the property and a roof terrace over the north, west and south parts of the main roof of the building. The roof terraces would provide external space for the restaurant, bar and PMC uses. The late night use of these spaces could lead to potential disturbance to neighbouring occupiers. The Draft Management Plan proposes to cease the use of the roof terraces at 2300 hours and where there is any adverse noise impact arising, the use of the terraces would cease at dusk or 2100 hours, whichever is earlier. The use of the external areas up to 2300 hours is considered to be excessive and as such a condition is recommended ensuring that no further persons are able to access the external areas after 2200 hours and that these should be closed from 2230 hours with all windows and doors to these areas closed (Planning Condition 10). Additionally adequate procedures for the management of the external spaces would be expected to be detailed within a comprehensive Management Plan.
- 10.75 It is noted that representations have been received regarding potential light spill from the roof terrace. Details of external lighting have not been submitted, however, a condition is recommended requiring the submission of a scheme of lighting (Planning Condition 11).

Noise:

- 10.76 A Noise Impact Assessment has been submitted and assessed by the Council's Public Protection (Noise) Officer, who has raised no objections. With regard to noise disturbance, a condition is recommended to restrict the noise levels audible outside of the site (Planning Condition 9), restrict the noise emitted from the proposed roof top plant (Planning Condition 7) and for all windows and doors onto external spaces to be closed after 2230 hours (Planning Condition 10). Additionally, the Draft Management Plan details the use of noise limiters within the property and close down procedures to reduce noise. This would be expected to be detailed within a comprehensive Management Plan (HoT 10).

Proposed extensions and external alterations:

- 10.77 The proposed roof extension would replace an existing hipped roof in the same location and while of a larger scale, it would be set a significant distance from the neighbouring properties such that it would not be overbearing.
- 10.78 The proposed second floor roof terrace would incorporate an existing high stone parapet that restricts views out from the roof terrace. While the proposed roof terrace over the main roof of the property would have elevated views back toward neighbouring properties to the north and south, the roof terrace would be set back from these properties and any views would be across a highway, which does not constitute an unacceptable loss of privacy.
- 10.79 The proposed railings and walled area to the south west corner of the site would be at a low level fronting the highway and would not impact upon neighbour amenity.

Sustainability, Energy Efficiency and Renewable Energy

- 10.80 The Islington Core Strategy (2011) policy CS10 requires all development to achieve the highest feasible level of a nationally recognised sustainable building standard with Major non-residential developments required to achieve a BREEAM rating of Excellent. The proposal would achieve a BREEAM new construction for non-domestic building rating of 'Excellent', which is in accordance with policy requirements.
- 10.81 The proposed works at the site are located within or above the existing built form and would therefore not result in additional surface runoff at the site. While the western edge of the site falls within a Local Flood Risk Zone, the proposed excavation works are located away from this and there are no proposed works that would increase surface water runoff within this zone.
- 10.82 The scheme achieves a 32% projected reduction in CO₂ (regulated) emissions versus an equivalent 2010 part L building regulations compliant scheme. Due to this being measured in only regulated emission, this falls below the policy target of 30% reduction in total (regulated and unregulated) CO₂ emissions. However, it is accepted in the Islington Environmental Design SPD (2014) that some schemes, particularly refurbishment schemes, may struggle to reach the relevant target and that the applicant should demonstrate that the CO₂ emissions have been minimised as far as reasonably possible.
- 10.83 The building is grade II* listed and therefore the inclusion of energy efficiency measures and on site renewable energy technologies is severely limited due to potential harm to the fabric and therefore significance of the Designated Heritage Asset. The applicant has explored options for connection to a Decentralised Energy Network (DEN) and Shared Heat Network (SHN) and while these are not feasible, the proposal would result in a substantial reduction in CO₂ emissions at the site that is considered to be acceptable in this case.
- 10.84 Typically all remaining CO₂ emissions (below the target) should be offset through a financial contribution towards measures which reduce CO₂ emissions from the existing building stock (CS10). However, as set out above, it is considered that the proposal has minimised the CO₂ emissions as far as reasonably possible and therefore the requirement to offset the CO₂ emissions to zero is considered to be unreasonable in this particular case.
- 10.85 A draft Green Performance Plan (GPP) has been submitted and is considered to be broadly acceptable. A final GPP is required as part of the Legal Agreement.

Highways and Transportation

- 10.86 The site has a PTAL rating of 6b, which is 'Excellent'. Farringdon Station, which provides 125 covered and lockable cycle racks is located within 300 metres of the site, while Barbican and Chancery Lane Tube Stations are located in close proximity, bus routes run along the surrounding roads and a significant number of Barclays Cycle Hire points are available nearby.
- 10.87 **Public Transport Implications:** The proposal would result in a marginal uplift in floor space of 49 square metres and would introduce a Private Members' Club, retail, restaurant, bar and office floor space. While there would be multiple users of the

building, which could potentially increase the actual intensity of the use of the building. Notwithstanding this, due to there being no on-site car parking and the high PTAL level of the site, the proposal would not detrimentally impact upon the surrounding transport infrastructure. A Travel Plan is secured in the Legal Agreement.

- 10.88 Pedestrian Access: The quality of the footways surrounding the site, particularly facing Clerkenwell Green and Farringdon Lane are poor in places and the proposal would result in an intensified use of these footways. The Transport Officer has recommended that a contribution be secured towards the improvement of the footway. The Heads of Terms of the Legal Agreement include the repair and reinstatement of the footways adjoining the building where these are damaged during construction.
- 10.89 Vehicle Parking and Taxi Drop-off: The site does not include any off-street car parking and none is proposed, in accordance with Development Management policy DM8.5. It is considered necessary to restrict the rights of the occupiers/visitors/staff of the building to apply for parking permits (Planning Condition 19).
- 10.90 The Highways Officer has noted that there are sufficient areas of single yellow lines within the vicinity of the site where taxis could drop-off/collect site users. The provision of a contribution towards two on-street accessible parking bays is secured in the legal agreement.
- 10.91 Cycle Parking: Policy DM8.4 and Appendix 6 of the Development Management Policies set out the minimum cycle parking standards for development proposals. Cycle parking should be covered and secure and end of trip facilities provided such as showers and locker facilities. Although the proposed use is Sui Generis, breaking down the various uses within the building the proposal would be required to provide 58 cycle parking spaces. No cycle parking provision is proposed.
- 10.92 The provision of a cycle store within the property would be likely to result in significant alterations having to be made to the fabric of the listed building and is therefore not considered to be reasonable in this case. Furthermore, due to the limited external space and the visual impact of a cycle store on the setting of the grade II* listed building, the lack of provision of an external covered and secure cycle parking store is in the particular circumstances of this site acceptable.
- 10.93 Although this would result in the proposal failing to provide any cycle parking provision, the site has an 'Excellent' PTAL rating and is served by an abundance of public transport options, including a TfL Cycle Park with 125 bicycle racks located at Farringdon Station. As such, the shortfall in cycle parking provision is considered to be acceptable, in this particular case.
- 10.94 Delivery and Servicing Arrangements: This was previously facilitated through a dedicated entrance on the northern side of the property, with a refuse store next to this entrance.
- 10.95 Although the applicant has not yet secured an operator for the site, a draft Delivery and Servicing Plan has been submitted. This details that deliveries and servicing would be maintained in the current location on Clerkenwell Green, with two further loading/unloading areas identified to the south and south east of the site that would allow smaller vehicles to load and unload within limited hours. The draft document proposes that the majority of deliveries would be between 0800 hours and 1800 hours to minimise disruption to neighbouring occupiers. This would be in accordance

with existing time restrictions for Clerkenwell Green and Clerkenwell Road, and the Council's Acoustic Officer has noted that these hours would be acceptable between Monday and Saturday.

- 10.96 A condition is recommended requiring a detailed Delivery and Servicing Plan to be submitted to and approved in writing by the local planning Authority prior to the first occupation of the property (Planning Condition 13).
- 10.97 While a refuse store is detailed within the proposed sub-basement, this would serve only one of the units. The Refuse and Recycling Officer has noted that the details in the Management Plan are acceptable but full details of the refuse storage are required (Planning Condition 17).
- 10.98 Construction: The legal agreement ensures that the proposal would be constructed in compliance with the Code of Construction Practice and secures a monitoring fee of £3246.

Trees

- 10.99 The proposed excavation of the vaults and the sub-basement would be located in close proximity to two street trees. The tree onto Clerkenwell Green forms part of the setting of the square and is considered to contribute to the amenity of the locality. The tree to the south west of the site is located in extremely close proximity to the site, a listed phone box and a telecommunications cabinet and the proposal would reintroduce a historic wall and gate opening next to this. While this tree is of some amenity value, its location back from the pavement edge is atypical, with other similar street trees set close to the pavement edges.
- 10.100 While an Arboricultural Impact Assessment has not been submitted, the Tree and Landscape Officer has detailed that it is likely that the tree fronting Clerkenwell Green would be retained and subject to the existing buildings footings the tree to the south west of the site could be retained in situ. However, this would be dependant upon details set out in an Arboricultural Impact Assessment and where relevant a method statement for any works (Planning Condition 14).
- 10.101 Should the proposed tree to the south west of the site subsequently be required to be removed, adequate justification would be required for this and a financial contribution based on the trees CAVAT value required to provide a replacement street tree (HoT 9). The Heritage benefits of restoring the historic characteristics of this building would still outweigh the loss of the tree, subject to the CAVAT value being secured.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 10.102 At application stage officers advised the applicant that a S106 agreement would be necessary in order to mitigate the impacts of the proposed development. The Heads of Terms are set out throughout this report and are listed at Appendix 1, Recommendation A.

Planning Obligations:

- 10.103 Those contributions or obligations are considered necessary, relevant and appropriate in scale and kind to the proposed development and to make the development proposals acceptable in planning terms and policy compliant. Those obligations have been calculated based on the adopted Planning Obligations SPD

(2013). Discussions are ongoing regarding the timing of the contributions with regard to the phasing of the development.

Crossrail:

10.104 This site is within the area where section 106 contributions for Crossrail will be sought in accordance with London Plan policy 6.5 and the associated Supplementary Planning Guidance (SPG) '*Use of planning obligations in the funding of Crossrail and the Mayoral Community Infrastructure Levy*', April 2013. In paragraph 4.20 of the SPG, it can be seen that in these situations, the Mayor's CIL charge (but not the boroughs') will be treated as a credit towards the section 106 Crossrail liability. The applicants have agreed to contribute towards £121 490 less any amount payable by the Owner in relation to the Mayor's CIL to be secured via the S106 agreement attached to any grant of permission here.

National Planning Policy Framework

10.105 The scheme is considered to accord with the aims of the NPPF and to promote sustainable growth that balances the priorities of economic, social and environmental growth. In the final balance of planning considerations officers have also considered the proposal in the context of the presumption in favour of sustainable development set out in the NPPF.

Other Matters

10.106 A number of representations have suggested alternative uses for the Old Sessions House. In order for these to be considered a separate planning application would need to be submitted and assessed by the Local Planning Authority. Notwithstanding whether there may be other policy compliant ways of occupying and using the building, the Local Planning Authority must determine this proposal against adopted policies and material considerations.

10.107 A number of representations received raise concern regarding disturbance from the proposed works together with other developments within the locality. The proposed works would be subject to control through the Environmental Health Regulations. Construction monitoring would also take place by the Local Authority.

10.108 One representation received sets out that the Noise Impact Statement details that only an office block faces the south of the site, when there are two residential buildings to the south. Notwithstanding that the building fronting immediately onto the site is in office use, the nearby residential buildings form part of the noise assessment. Furthermore, conditions are recommended controlling the noise emissions at the site.

10.109 A representation has been received which questions the capacity of the proposed development and raises this as a Health and Safety issue. This would be a matter for the Environmental Health Regulations and it should be noted that the London Fire Brigade raise no objections.

11 SUMMARY AND CONCLUSION

Summary

11.1 The planning and listed building consent applications propose the change of use of the currently vacant grade II* listed building to a mixed sui generis use, comprising

retail, restaurant/bar, office and a Private Members' Club together with roof extensions, the creation of roof terraces, the excavation of a small sub-basement the installation of windows, repair works to the façade, erection of railings and a wall and extensive internal alterations and restoration works.

- 11.2 In accordance with Employment Priority Area (General) and CAZ policy aims the proposal would result in an uplift of business and employment floor space at the site, while introducing uses complimentary to the primary business function of the area. The proposed Private Members' Club use of the building is materially similar to the previous lawful use of the site and together with the proposed retail/restaurant/bar and office uses is not considered to represent an over concentration of uses.
- 11.3 The proposed internal works, which include a loss of floor space would reinstate historically significant proportions to the property including the reinstatement of a double height Court Room, lower ground floor prisoner cells, the Judges' Dining Room and the repair of an 18th Century glazed screen. Together with the extensive refurbishment works and reinstatement of historic features, the internal works would enhance the significance of the listed building.
- 11.4 The proposed roof extensions represent simple and conventional additions that would respect the scale and proportions of the building, while views of the roof terrace would be limited. The proposed works to the façade of the building and reinstatement of historic boundary treatment would enhance the setting of the listed building and the character of this part of the Conservation Area. English Heritage Support these proposals.
- 11.5 The proposal would result in the loss of some historic fabric and form at the building which would amount to less than substantial harm to the Designated Heritage Asset. In accordance with the NPPF the public benefits of the proposal (heritage benefits, increased public access and active use of the building) have been assessed and are considered to outweigh any harm.
- 11.6 Representations have been received that raise concern over the use of the building resulting in disturbance to neighbouring occupiers. By securing the submission of a comprehensive Management Plan through a legal agreement, which would secure controls/mitigation measures required to justify the granting of any future licence for extended hours of operation at the site, adequate management and controls would be secured to mitigate any potential disturbance to neighbouring occupiers and the successful operation of the site.
- 11.7 The site is highly accessible by public transport and a taxi drop-off point is not required. The proposal does not include any off-street space suitable for cycle parking provision and the provision of cycle parking within the building would be harmful to the heritage asset. However, due to the highly accessible site location and previous site use, on balance the proposal is considered to be acceptable with regard to transport and highway issues.
- 11.8 The proposal would improve the energy efficiency and accessibility of the building.
- 11.9 As such, the proposal is considered to be acceptable and is recommended for approval subject to conditions and the completion of aS106 Legal Agreement to secure the necessary mitigation.

Conclusion

- 11.10 It is recommended that planning permission and listed building consent be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 – RECOMMENDATIONS (A, B and C).

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That planning permission and listed building consent 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:

1. The repair and re-instatement of the footways and highways adjoining the development. The cost is to be confirmed by LBI Highways, paid for by the applicant and the work carried out by LBI Highways. Conditions surveys may be required.
2. The development shall henceforth not proceed other than in accordance with the approved Construction Phasing Strategy. Prior to the commencement of Phase 4 of the phasing strategy a detailed schedule of works shall be submitted to and approved in writing by the Local Planning Authority. This shall include:
 - A detailed schedule of completed works within Phase 1, 2 and 3;
 - A detailed schedule of proposed works;
 - A program of site meetings with the LPA and English Heritage; and
 - Copies of build/restoration contracts for the works to be carried out.

The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.

3. Compliance with the Code of Local Procurement.
4. Compliance with the Code of Construction Practice, including a monitoring fee of £3246 and submission of a site-specific response document to the Code of Construction Practice for the approval of LBI Public Protection. This shall be submitted prior to any works commencing on site.
5. The payment of the cost of the provision of 2 on-street wheelchair accessible parking spaces (£4000).
6. Submission of a Green Performance Plan based on the draft Green Performance Plan submitted with the application for Council approval 6 months from first occupation of the development.
7. Submission of a, draft Travel Plan based on the framework Travel Plan submitted with the application for Council approval prior to first occupation of the development, and a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
8. Payment towards employment and training for local residents of a commuted sum of £8378.

9. Where the tree to the southwest of the site is proposed to be removed following the submission and approval in writing of an Arboricultural Method Statement, the CAVAT value of this tree shall be confirmed by the Council's Arboricultural Team and provided to the Council. The works to replace this tree will be carried out by the Council's Arboricultural Team.
10. Not to occupy Phase 1 and 2 of the development, as detailed in the Construction Phasing Strategy until an interim Management Plan based on the draft Management Plan for this part of the development has been submitted to and approved in writing by the Local Planning Authority.

Prior to the occupation of Phase 3 and 4 of the development, as detailed in the Construction Phasing Strategy a scheme of Management based on the draft Management Plan for the whole development shall be submitted and approved in writing by the Local Planning Authority. The scheme shall include provisions for, but not be limited to, the following:

- A full dispersal policy and procedure;
- Door policy;
- Signs to request patrons to leave in a quiet manner and not to loiter in the street outside;
- Servicing and delivery times/arrangements;
- Bottling out and waste management noise and times;
- Control of noise from any designated smoking areas;
- Control of noise from amplified music within the building;
- Close down policy with gradual lowering of music volume and increasing of lighting;
- Security and any proposed CCTV;
- Lighting (and security lighting);
- Membership policy;
- Capacity (of each use);
- The separation of uses;
- Phasing of closure of uses (i.e. operating hours of individual uses within the site);
- Private hire facilities/functions;
- Roof Terrace Management;
- An enforcement strategy for dealing with any breaches of the scheme; and
- Any other relevant operation of the site functions;

The development shall be carried out strictly in accordance with the Scheme of Management so approved and shall be operated as such thereafter.

11. A contribution towards Crossrail of £121 490 (less any Mayoral CIL amount also liable).
12. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106

That, should the Section 106 Deed of Planning Obligation not be completed within the timescale agreed within the Planning Performance Agreement, the Service Director, Planning and Development / Head of Service – Development Management or, in their absence, the Deputy Head of Service may refuse the application on the grounds that the proposed development, in the absence of a Deed of Planning Obligation is not acceptable in planning terms.

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

RECOMMENDATION B

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

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved plans list (Compliance)
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>005,006, 009 Rev C, 010 Rev B, 011 Rev A, 012 Rev A, 013, 014 Rev A, 020, 021, 022, 023, 024, 030, 031, 032 Rev A, 033, 049 Rev C, 050 Rev B, 051 Rev C, 052 Rev B, 053 Rev B, 054 Rev B, 060, 061 Rev B, 062 Rev B, 063 Rev A, 064 Rev B, 070 Rev B, 071 Rev C, 072 Rev B, 073 Rev C, 099 Rev A, 100, 101, 102, 103, 104, 200-1, 200-2, 200-3, 200-4, 201-1, 201-2, Planning Statement, Design and Access Statement (Rev 3 Option A), Amended - Draft Management Plan (Ref: V1.1), Conservation Plan, The Session House Screen Report, Structural Design Statement, Swimming Pool Loading/Structural details (received 11/12/2014), Archaeological Desk-based Assessment (OCL14/181), Noise Impact Assessment (ref: EPL:4334/PBG/R1 (A)), Transport Assessment (ref: KCH/VLWL/14/2216/TA01), Transport Assessment (ref: VLWL/14/2216/TAA07), Travel Plan Framework (ref: KCH/VLWL/14/2216/TP02), Sustainable Design and Construction Statement (ref: 14/111), Written details (email received 11th December 2014), HIA Screening, Photographic Survey and Architectural Paint Research.</p> <p>REASON: To comply with Section 70(1)(a) of the Town and Country Act 1990 as amended and the Reason for Grant and also for the avoidance of doubt and in the interest of proper planning.</p>
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all facing materials used in the development shall be submitted to and approved in writing by the Local Planning Authority prior to any external work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <p>a) Facing external render/stone repair; including sample panel b) Metal Cladding c) Roof Tiles d) Roof Terrace Flooring</p>

	<p>e) Windows f) Doors g) Balustrades h) Railings i) Stone Wall j) Paving k) any other materials to be used.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
4	Roof Top Plant (Details)
	<p>CONDITION: Details of the roof-top structure/enclosure for the condenser units and lift overrun shall be submitted to and approved in writing by the Local Planning Authority prior to work commencing on the relevant phase of the development pursuant to the draft Construction Phasing Strategy. The details shall include the 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 shall be maintained as such thereafter.</p> <p>REASON: In order to conserve the significance of the heritage asset and to ensure that the Authority may be satisfied that any roof-top plant, ancillary enclosure/structure and/or the lift overruns do not have a harmful impact on the surrounding streetscene.</p>
5	Impact Piling (Details)
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the 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 impact on local underground sewerage utility infrastructure.</p>
6	Archaeology (Details)
	<p>CONDITION: No excavation shall take place to create the sub-basement hereby approved unless and until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.</p> <p>No excavation or works to create the sub-basement shall take place other than in accordance with the Written Scheme of Investigation approved. The sub-basement shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved, and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.</p>

	<p>REASON: Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.</p>
7	<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 LAeq 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 LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 1997.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
8	<p>Noise Report (Details)</p> <p>CONDITION: A survey is to be commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with condition 7. The survey shall be submitted to and approved in writing by the Local Planning Authority within 3 months of completion of the development and any noise mitigation measures shall be installed within 6 weeks of the approval of these details and permanently retained thereafter.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
9	<p>Amplified Music and Sound (Compliance)</p> <p>CONDITION: Between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 2dB in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, between the hours of 0700 and 2300 music and amplified sound from the premises shall not cause an increase of more than 3dB, above the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>Where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the LA90(5min)(f) when compared with the existing equivalent LA90(5min)(f) without the premises in operation.</p> <p>Additionally, where the premises would operate between the hours of 2300 and 0700 music and amplified sound from the premises shall not cause any increase in the real time simultaneous Leq(5min)(f) 1/1 octave band sound pressure level centred on the frequencies 63Hz and 125Hz, when compared with the existing equivalent Leq(5min)(f) (63Hz and 125Hz) taken without the premises in operation.</p> <p>REASON: To protect the amenity of neighbouring occupiers.</p>
10	<p>Use of external areas (Compliance)</p> <p>CONDITION: No further persons shall be given access to the external areas serving the property, including all external lower ground floor areas and the roof terraces hereby permitted after 2200 hours and these areas shall not be available for use after</p>

	<p>2230 hours on any day. After this time, all entry and exit doors and windows onto the external areas shall be kept shut and any lighting to the roof terraces must be turned off on any day</p> <p>REASON: In the interest of protecting neighbouring residential amenity.</p>
11	<p>Lighting (Details)</p> <p>CONDITION: Details of all external lighting measures shall be submitted to and approved in writing by the Local Planning Authority prior to installation.</p> <p>The details shall include the location and full specification of: all lamps; light levels/spill lamps and support structures where appropriate and hours of operation. The lighting measures shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter.</p> <p>REASON: To ensure that all external lighting is appropriately located, designed do not adversely impact neighbouring residential amenity and are appropriate to the overall design of the building.</p>
12	<p>Deliveries and Servicing (Details)</p> <p>CONDITION: A delivery and servicing plan (DSP) detailing servicing arrangements for the operation of the development hereby permitted, including the location, times and frequency shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation each element of the development hereby approved, pursuant to the draft Construction Phasing Strategy.</p> <p>The DSP should detail that deliveries, collections, unloading and loading shall only be between 0800 and 2000 hours Monday to Saturday and not at all on Sundays and Bank Holidays.</p> <p>The development shall be operated strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic and to protect the amenity of neighbouring occupiers.</p>
13	<p>Sustainable Design (Compliance)</p> <p>CONDITION: The energy efficiency measures as outlined within the approved Sustainable Design and Construction Statement (SDCS) which shall together provide for no less than a 32% on-site CO2 reduction in regulated emission in comparison with total emissions from a building which complies with Building Regulations 2010 shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>Should there be any change to the energy efficiency measures within the approved Energy Strategy, a revised Energy Strategy shall be submitted prior to the commencement of the development.</p> <p>The final agreed scheme shall be installed and operational prior to the completion of the development and maintained as such thereafter.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>

14	Arboricultural Impact Assessment (Details)
	<p>CONDITION: Prior to the excavation works hereby approved commencing an Arboricultural Impact Assessment, and where appropriate Method Statement in accordance with BS 5837:2012 Trees in relation to Demolition, Design and Construction shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.</p> <p>Reason: To protect the health and stability of trees to be retained on the site and to neighbouring sites, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
15	Refuse and recycling (Details)
	<p>CONDITION: Details of refuse/recycling store(s) shall be submitted to and approved in writing by the Local Planning Authority. The approved refuse / recycling store(s) shall be provided prior to the first occupation of each element of the development hereby approved pursuant to the Draft Construction Phasing Strategy and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development, to ensure that responsible waste management practices are adhered to and to secure the high quality design of the structures proposed.</p>
16	Accessibility (Details)
	<p>CONDITION: Notwithstanding the plans hereby approved, the following details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any phase of the development within which those works are proposed. The details required are:</p> <ul style="list-style-type: none"> a) Provision of an accessible WC on the lower ground, ground and third floor; b) The provision of a lift; and c) The door(s) from Farringdon Lane provide a clear opening width of at least 1000mm and if the opening weight exceeds 30n then they are automated. <p>The development shall be constructed strictly in accordance with the details so approved and maintained as such thereafter.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities</p>
17	Parking permits (Compliance)
	<p>CONDITION: All future occupiers of the development hereby approved shall not be eligible to obtain an on street parking permits except:</p> <ul style="list-style-type: none"> i) In the case of disabled persons; ii) In the case of units designated in this planning permission as “non car free”; or iii) In the case of the business who is an existing holder of a parking permit issued by the London Borough of Islington and has held the permit for a period of at least one year. <p>REASON: To ensure that the development remains car free.</p>

List of Informatives:

1	<p>Planning Obligations Agreement</p>
	<p>You are advised that this permission has been granted subject to the completion of a S106 legal agreement to secure agreed planning obligations.</p>
2	<p>Community Infrastructure Levy (CIL) (Granting Consent)</p>
	<p>INFORMATIVE: Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the Mayor of London's CIL Charging Schedule 2012. One of the development parties must now assume liability to pay CIL by submitting an Assumption of Liability Notice to the Council at cil@islington.gov.uk. The Council will then issue a Liability Notice setting out the amount of CIL that is payable.</p> <p>Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed. The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil</p>
3	<p>Phasing Plan</p>
	<p>INFORMATIVE: The grant of this permission is subject to a Construction Phasing Strategy and a number of the conditions relate to each phase of the development. For the avoidance of doubt the phases consist of the following:</p> <p>Phase 1:</p> <p><u>All floors:</u> Removal of non-original partitions throughout the building and courtroom splits, modern render, rebuilt roof to attic to enable access to courtroom for structural works, screed on floor, ventilation ducts, redundant pipework, modern room under entrance bridge, modern dado, modern doors, redundant electrics and redundant pipe work.</p> <p>Stripping of paint on walls and doors, stripping of paint on glass screens, exposure and repair of shutters, repairing walls, repairing ceilings, asbestos removal and demolition of lift.</p> <p>Phase 2:</p> <p><u>Lower Ground and ground floor:</u> Formation of proposed floor plans, reinstatement of old doors, reinstatement of Lime wash, decision of paint schemes, fire proofing between floors, installation of lighting, AC installation, fit out, installation of new staircase by lift, structural preparations and installation of services.</p> <p><u>Exterior:</u> Repairing stone on façade, cleaning façade stone and render, repairing/replacing render in areas where necessary, digging and piling for new plant room and construction of screen wall.</p> <p><u>Third Floor:</u> Reinstatement of finishes, opening up of original windows, decision of paint schemes, installation of removable gallery, electrical distribution, fit out, lighting, AC installation and reinstatement of fireplaces.</p> <p><u>All Floors:</u> Installation of new lift.</p> <p>Phase 3:</p>

	<p><u>Ground, first and second floor</u>: removal of 20th Century floors in original court room, repair and reinstatement of historic glass screen, reinstatement of finishes, relocation of architraves to court room, decision of paint schemes, electrical distribution, fit out, lighting, AC installation, internal stonework, cleaning, repairing, formation of proposed floor plan and reinstatement of fireplaces.</p> <p>Phase 4:</p> <p><u>Third floor</u>: forming internal office space, insulating walls and ceilings, electrical distribution, fit out of office, lighting of office, AC installation and fit out.</p> <p><u>Roof</u>: new build according to drawings, forming terraces with selected materials, lighting installation, AC/Ventilation installation, plant equipment and forming of pool basin.</p> <p><u>Exterior</u>: reinstatement of Stone paving around building/terraces, erection of Prisoners' courtyard, exterior railings, gas lights and external facade lighting.</p>
4	Water Infrastructure
	<p>INFORMATIVE: Thames Water recommend that the swimming pool be emptied overnight and in dry periods. The discharge rate should be controlled such that it does not exceed a flow rate of 5 litres per second into the public sewer network.</p> <p>Thames Water recommend that a properly maintained fat trap should be installed on all catering establishments. In line with best practise for the disposal of fats, oils and grease, the collection of waste oil should be by a contractor, particularly for recycling purposes.</p> <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. The developer should take account of this minimum pressure in the design of the proposed development.</p>
5	Crossrail
	<p>INFORMATIVE: Crossrail Ltd has indicated its preparedness to provide guidelines in relation to the proposed location of the Chelsea Hackney Line structures and tunnels, ground movement arising from the construction of the tunnels and noise and vibration arising from the use of the tunnels. Applicants are encouraged to discuss these guidelines with the Chelsea Hackney Line engineer in the course of preparing detailed design and method statements.</p>
6	Working in a Positive and Proactive Way
	<p>INFORMATIVE: To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which are available on the Council's website.</p> <p>A pre-application advice service is also offered and encouraged.</p> <p>The LPA and the applicant have worked positively and proactively in a collaborative manner through both the pre-application and the application stages to deliver an acceptable development in accordance with the requirements of the NPPF</p> <p>The LPA delivered the decision in a timely manner in accordance with the requirements of the NPPF.</p>

7	Noise Survey
	<p>INFORMATIVE: It should be noted by the applicant that in accordance with Condition 9 the measurements are to be taken 1 metre from the facade of the nearest noise sensitive premises. Where access to the facade of non-associated noise sensitive premises is not available, then the above music noise levels 1 metre from the facade of non-associated noise sensitive premises shall be predicted by calculation rather than measured.</p>
8	Network Rail
	<p>INFORMATIVE: As the application site is located in close proximity to Network Rail's boundary and operational railway infrastructure, Network Rail strongly recommends that the developer contacts its Asset Protection Anglia team at AssetProtectionAnglia@networkrail.co.uk prior to any works commencing on site and fills in a development questionnaire. More information can also be obtained from our website at www.networkrail.co.uk/asp/1538.aspx.</p> <p>Any scaffold, cranes or other mechanical plant must be constructed and operated in a "fail safe" manner that in the event of mishandling, collapse or failure, no materials or plant are capable of falling within 3.0m of the nearest rail of the adjacent railway line, or where the railway is electrified, within 3.0m of overhead electrical equipment or supports.</p> <p>Any cranes or other mechanical plant equipment involved during construction should be positioned so that their loads or jibs do not over-sail Network Rail's land.</p>
9	Archaeological Watching Brief
	<p>INFORMATIVE: The written scheme of investigation required in Condition 6 will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.</p>

RECOMMENDATION C

That the grant of listed building consent be subject to **conditions** to secure the following:

List of Conditions:

1	Commencement (Compliance)
	<p>CONDITION: The works hereby permitted shall be begun not later than three years from the date of this consent.</p> <p>REASON: To comply with the provisions of Section 18(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Works to Match (Compliance)
	<p>CONDITION: All new external and internal works and finishes and works of making good to the retained fabric shall match the existing adjacent work with regard to the methods used and to material, colour, texture and profile. All such works and finishes shall be maintained as such thereafter.</p> <p>REASON: In order to safeguard the special architectural or historic interest of the</p>

	heritage asset.
3	Materials (Details)
	<p>CONDITION: Details and/or samples of all materials used in the relevant phase of works shall be submitted to and approved in writing by the Local Planning Authority prior to the works commencing on that phase, pursuant to the draft Construction Phasing Strategy. The details and samples shall include but not be limited to the following:</p> <ul style="list-style-type: none"> a) Details of new railings including sample bar and finial; b) Details of new external hard surfacing including stone sample; c) Sample of stone to proposed new wall to former prisoners yard; d) Details of repair to entrance steps including stone sample; e) Details of external render / stone repairs including sample panel; f) Sample of Natural Welsh slate; g) Details of windows; and h) Details and sample of tensile steel cable balustrade to terraces. <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 order to conserve the significance of the heritage asset</p>
4	Internal Architectural Drawings (Details)
	<p>CONDITION: Details for all new internal architectural detailing including joinery (doors, architraves, skirting etc.), decorative plasterwork, chimneypieces (fireplace surrounds, hearthstones and grates) and floor coverings shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
5	Paint Scheme (Details)
	<p>CONDITION: Details of the paint scheme for the principal floors and spaces which should be informed by the historic paint analysis report shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that phase of the approved works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
6	Lighting (Details)
	<p>CONDITION: Details of external lighting, including the gas lanterns and samples of finishes shall be submitted to and approved in writing by the Local Planning Authority prior to their installation. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
7	Glass Screen (Details)
	<p>CONDITION: Details of the reinstated glass screen and a method statement for the protection/conservation of the existing glass screen shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the</p>

	<p>relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
8	Third Floor Gallery (Details)
	<p>CONDITION: Details of the gallery to the proposed dining room on the third floor shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
9	Court Room One (Details)
	<p>CONDITIONS: Detailed elevations / sections (including architectural detailing) of the proposed court room number one shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
10	Stone Cleaning (Details)
	<p>CONDITIONS: Details of the method of stone cleaning and a sample patch shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
11	Services (Details)
	<p>CONDITIONS: Details of all internal services including light fittings and external services including plant shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of works, pursuant to the draft Construction Phasing Strategy. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
12	Structural Report (Details)
	<p>CONDITIONS: A structural report / method statement for the proposed sub-basement / plant room shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any excavation and works to the lower ground floor. The development shall be carried out in accordance with the approved details.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>
13	Roof Terrace Management Strategy (Details)
	<p>CONDITION: Prior to the first use of the roof terraces hereby approved a Roof Terrace Management Strategy shall be submitted to and approved in writing by the Local Planning Authority. The Management Strategy shall provide details of the management of paraphernalia associated with the roof terraces hereby approved.</p>

	<p>The roof terraces shall be operated strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the Authority may be satisfied that any roof terrace paraphernalia does not have a harmful impact on the surrounding streetscene or heritage asset.</p>
14	Method of Protection (Details)
	<p>CONDITION: Details of the method of protection, including photographic evidence of such protection in place, for any fragile or important architectural features, inclusive of tiled floors and the glazed screen to the Court Room shall be submitted to and approved in writing by the Council prior to the commencement of each phase of works, pursuant to the draft Construction Phasing Strategy.</p> <p>REASON: In order to conserve the significance of the heritage asset</p>

APPENDIX 2: RELEVANT POLICIES

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

National Guidance

The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.

Development Plan

The Development Plan is comprised of the London Plan 2011 (Consolidated with Alterations 2015), Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013. The following policies of the Development Plan are considered relevant to this application:

A) The London Plan 2011 - Spatial Development Strategy for Greater London Consolidated with Alterations (2015)

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.18 Green infrastructure: the network of open and green spaces

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.3 Increasing housing supply

Policy 3.4 Optimising housing potential

Policy 3.5 Quality and design of housing developments

Policy 3.6 Children and young people's play and informal recreation facilities

Policy 3.7 Large residential developments

Policy 3.8 Housing choice

Policy 3.9 Mixed and balanced communities

Policy 3.10 Definition of affordable housing

Policy 3.11 Affordable housing targets

Policy 3.13 Affordable housing thresholds

Policy 3.14 Existing housing

Policy 3.15 Coordination of housing development and investment

Policy 3.16 Protection and enhancement of social infrastructure

5 London's response to climate change

Policy 5.1 Climate change mitigation

Policy 5.2 Minimising carbon dioxide emissions

Policy 5.3 Sustainable design and construction

Policy 5.5 Decentralised energy networks

Policy 5.6 Decentralised energy in development proposals

Policy 5.7 Renewable energy

Policy 5.8 Innovative energy technologies

Policy 5.9 Overheating and cooling

Policy 5.10 Urban greening

Policy 5.11 Green roofs and development site environs

Policy 5.12 Flood risk management

Policy 5.13 Sustainable drainage

Policy 5.14 Water quality and wastewater infrastructure

Policy 5.15 Water use and supplies

Policy 5.16 Waste self-sufficiency

6 London's transport

Policy 6.1 Strategic approach

Policy 6.2 Providing public transport capacity and safeguarding land for transport

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.7 Better streets and surface transport

Policy 6.9 Cycling

Policy 6.10 Walking

Policy 6.11 Smoothing traffic flow and tackling congestion

Policy 6.12 Road network capacity

Policy 6.13 Parking

7 London's living places and spaces

Policy 7.1 Building London's neighbourhoods and communities

Policy 7.2 An inclusive environment

Policy 7.3 Designing out crime

Policy 7.4 Local character

Policy 7.5 Public realm

Policy 7.6 Architecture

Policy 7.7 Location and design of tall and large buildings

Policy 7.8 Heritage assets and archaeology

Policy 7.13 Safety, security and resilience to emergency

Policy 7.14 Improving air quality

Policy 7.15 Reducing noise and enhancing soundscapes

Policy 7.19 Biodiversity and access to nature

Policy 7.21 Trees and woodlands

8 Implementation, monitoring and review

Policy 8.1 Implementation

Policy 8.2 Planning obligations

Policy 8.3 Community infrastructure levy

Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and
demolition waste

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS8 (Enhancing Islington's
Character)

Strategic Policies

Policy CS9 (Protecting and Enhancing
Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS12 (Meeting the Housing
Challenge)

Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Infrastructure and Implementation

Policy CS18 (Delivery and Infrastructure)
Policy CS19 (Health Impact Assessments)

C) Development Management Policies June 2013

Design and Heritage

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

Housing

DM3.7 Noise and vibration (residential
uses)

Shops, cultures and services

DM4.1 Maintaining and promoting small
and independent shops
DM4.2 Entertainment and night-time
economy
DM4.3 Location and concentration of uses
DM4.7 Dispersed Shops
DM4.12 Social and strategic infrastructure
and cultural facilities

Employment

DM5.1 New Business Floor space
DM5.4 Size and affordability of workspace

Health and open space

DM6.1 Healthy development
DM6.5 Landscaping, trees and biodiversity
DM6.6 Flood prevention

Energy and Environmental Standards

DM7.1 Sustainable design and construction
statements
DM7.2 Energy efficiency and carbon
reduction in minor schemes
DM7.3 Decentralised energy networks
DM7.4 Sustainable design standards
DM7.5 Heating and cooling

Transport

DM8.1 Movement hierarchy
DM8.2 Managing transport impacts
DM8.3 Public transport
DM8.4 Walking and cycling
DM8.5 Vehicle parking
DM8.6 Delivery and servicing for new
developments

Infrastructure

DM9.1 Infrastructure
DM9.2 Planning obligations
DM9.3 Implementation

C) Finsbury Local Plan 2013

BC7 Historic Clerkenwell
BC8 Achieving a balanced mix of uses

Designations

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

- Rail safeguarding Area
- Site of Importance for Nature Conservation (SINC)
- Open Space
- Within 100 metres of Strategic Road Network
- Within 50 metres of Canonbury Conservation Area
- Within 50 metres of East Canonbury Conservation Area

Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Accessible Housing in Islington
- Inclusive Landscape Design
- Planning Obligations and S106
- Urban Design Guide
- Conservation Area Design Guidelines

London Plan

- Accessible London: Achieving and Inclusive Environment
- Housing
- Sustainable Design & Construction
- Providing for Children and Young Peoples Play and Informal Recreation
- Planning for Equality and Diversity in London

