



PLANNING COMMITTEE REPORT

Development Management Service
 Planning and Development Division
 Environment and Regeneration Department
 PO Box 333
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 LONDON N1 1YA

PLANNING COMMITTEE		
Date:	7 July 2014	NON-EXEMPT

Application number	P2015/0053/FUL
Application type	Full Planning Application
Ward	Clerkenwell
Listed building	<ul style="list-style-type: none"> - Adjoins Feature of Local Importance in Finsbury Local Plan (Nos. 47-49 Charterhouse Street) - Adjoins Listed Building (Nos. 51-53 Charterhouse Street)
Conservation area	<ul style="list-style-type: none"> - Adjoins Charterhouse Square Conservation Area - Adjoins Smithfields Conservation Area (City of London)
Development Plan Context	<ul style="list-style-type: none"> - Bunhill & Clerkenwell Core Strategy Key Area - Finsbury Local Plan Area: Bunhill & Clerkenwell - Site Allocation BC36: Caxton House, 2 Farringdon Road - Central Activities Zone (CAZ) - Employment Priority Area (Offices) - Farringdon/Smithfield Intensification Area - Archaeology Priority Area (Clerkenwell) - LV1 View from Farringdon/Clerkenwell Rds - LV4 Local view from Archway Road - LV5 Local view from Archway Bridge - LLAA2 Parliament Hill summit to St Paul's Cathedral - BAA10 Blackheath Point to St Paul's Cathedral - VC2 Parliament Hill summit to St Paul's Cathedral - VC5 Kenwood viewing gazebo to St Paul's Cathedral - Controlled Parking Zone Area - Crossrail Safeguarding Area - Rail Safeguarding Area - Major Cycle Route – Charterhouse Street - Site within 100m of a TLRN Road

Licensing Implications	None
Site Address	Charter House, 2 Farringdon Road and Units 501 and 502 London Central Markets Gate 30, 45 Charterhouse Street, London, EC1
Proposal	Erection of an 11-storey building comprising 3,054 square metres (GIA) of Class A1 (retail) and 22,073 (GIA) square metres of Class B1 (office), along with ancillary facilities including the provision of basement level servicing.

Case Officer	John Kaimakamis
Applicant	TIAA Henderson Real Estate
Agent	DP9

1. RECOMMENDATION

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

1. subject to the conditions set out in Appendix 1;
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; and
3. subject to any direction by the Mayor of London to refuse the application or for it to be called in for the determination by the Mayor of London.

2. SITE PLAN (site outlined in red)



3. SUMMARY

- 3.1 Subject to a contribution towards securing offsite housing provision the development of a mixed use Class A1 retail and Class B1 office scheme on this highly accessible site in an Employment Priority Area in the CAZ is considered to be acceptable in land use terms. The provision of high quality Class B1 office accommodation would be consistent with the aims of the development plan.
- 3.2 The proposed building would be a tall building (in excess of 30m), however at its highest point would be lower than that previously approved and partially implemented; it would better respect the heights of buildings in the immediate context than the approved building and would result in a successful townscape in this location. Further, the high quality design would be sensitive to surrounding heritage assets and complementary to local identity.
- 3.3 No part of the proposed development would block, detract from or have an adverse effect on any significant strategic or local protected views. The proposals are unlikely to have a widespread or significant archaeological impact within this Archaeological Protection Area subject to conditions.

- 3.4 No part of the development would result in adverse impacts in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy that would justify refusing planning permission.
- 3.5 Subject to appropriate conditions, including submission of a feasibility study for connection to Citigen, the development would comply with relevant planning policies relating to sustainability and energy efficiency.
- 3.6 The proposed development would be serviced from the basement and subject to appropriate conditions would have no adverse impacts on the local road network. The refuse/recycling and servicing arrangements are considered to be acceptable. The provision of secure cycle storage and showering and changing facilities for staff would encourage sustainable travel.
- 3.7 In addition to the Mayoral and Islington Community Infrastructure Levy, the application is supported by a comprehensive s106 planning agreement and contributions related to and mitigating impacts of the scheme. For these reasons and all the detailed matters considered in this report, the scheme is acceptable subject to conditions, informatives and the s106 legal agreement

4. SITE AND SURROUNDING

- 4.1 The site is located in the north east corner of the junction of Charterhouse Street and Farringdon Road on the boundary with the Corporation of London to the south and London Borough of Camden to the west. The site shares a boundary with the Port of London Authority building to the east (51-53 Charterhouse Street), the Citigen Power Generation Plant to the northeast and the vacant former Cardinal Tower (now a Crossrail construction site) to the north. To the south are the varied buildings of Smithfield Market and to the east are six storey commercial buildings on Farringdon Road.
- 4.2 Whilst no part of the site is located within a designated conservation area, the eastern boundary defines the western edge of the Charterhouse Square Conservation Area and the site lies opposite the Smithfield Conservation Area to the south. The Smithfield Poultry Market, Port of London Authority building and 25-27 Farringdon Road are all Grade II listed.
- 4.3 Prior to its demolition in 2011 the site comprised a part three and part nine storey building with retail use at ground floor and offices above. The basement of the former building comprised a 48 bay public car park accessible from Cowcross Street. The extant planning permission (reference P081100) has been implemented (see paragraph 7 below).
- 4.4 The site lies within a mixed use and highly accessible location, being within walking distance of Farringdon Underground and Thameslink train stations and in close proximity to bus stops on Farringdon Road.

5. PROPOSAL

5.1 Full planning permission is sought for the erection of an 11-storey building comprising:

- 22,073 square metres (GIA) Class B1 office floorspace with terraces;
- 3,054 square metres (GIA) Class A1 retail floorspace at ground floor;
- Cycle parking – 327 spaces;
- Basement level refuse storage, disabled parking space and servicing area.

6. RELEVANT HISTORY:

6.1 The following planning history of the application site is considered to be relevant to this current application:

Planning Applications:

6.2 10/09/2012: Planning permission granted (Ref: P120484) for erection of 11 storey over basement building comprising 4 Class A1 retail units at ground floor level and 15396 square metres of Class B1 (office) above, plus ancillary facilities including provision for basement level servicing.

This planning permission expires on 10 September 2015 and the Council is currently considering details with regard to pre-implementation conditions.

6.3 23/12/2008: Planning permission granted (Ref: P081100) for demolition of existing buildings and erection of a part nine, part 12 storey building plus basement level, providing for A1(retail) use at ground floor level and B1(office) floor space to part ground and wholly to upper floors, together with car and cycle parking at basement level.

This planning permission has been implemented insofar as it relates to the basement level works.

6.4 28/09/2007: Planning permission granted (Ref: P062846) for redevelopment of the existing building to provide a total gross external area of approximately 27,100m² (of which 2,200 m² is retail and 22,300m² of B1 office space) within a new building of up to eleven storeys (ground plus ten upper floors). The basement levels to accommodate storage, refuse, plant, 11 on site car parking spaces and 111 bicycle spaces.

6.5 22/03/1999: Certificate of Proposed Lawful Use granted (Ref: 990426) for proposed use of the basement as offices.

6.6 10/11/1997: Certificate of Existing Lawful Use granted (Ref: 971667) for use of the first to fifth floors as offices.

6.7 **Enforcement:**

6.8 There are no enforcement cases that are relevant to the application site.

7. **CONSULTATION**

Public Consultation

7.1 Letters were sent to 469 occupants of adjoining and nearby properties on Charterhouse Street, Farringdon Road, Farringdon Street, Saffron Hill and Shoe Lane on 27/01/2015. A site notice and press advert were displayed on 29 January 2015. The public consultation of the application therefore expired on 19/02/2015; however it is the Council's practice to continue to consider representations made up until the date of a decision.

7.2 At the time of the writing of this report four (4) responses had been received. It should be noted that one response was on behalf of 8 occupiers at 17-23 Farringdon Road. An objection was also submitted by Montague Evans on behalf of Crossrail Ltd, however it should be noted that this representation was submitted in isolation of the response received by Crossrail as a statutory referral body, whereby no objection was raised and their comments are under the statutory referral process are noted below under external consultees. The issues raised are summarised below (the paragraph number of this Committee report containing the Officer's response to these comments is provided in brackets):

7.3 Design & Amenity:

7.4 The height of the proposed building doesn't fit in with conservation area or neighbouring buildings; (see paragraphs 9.18 ~ 9.33)

7.5 The proposed building would dwarf adjacent property at 17-23 Farringdon Road and block views to St. Paul's Cathedral and The Shard which would diminish residential values; (see paragraphs 9.18 ~ 9.33)

7.6 Daylight/sunlight report is incorrect, as apartments at 17-23 Farringdon Rd begin at 4th floor level;

(see paragraphs 9.43 ~ 9.48) Further, the modelling for sunlight/daylight assessment provided by the submitted study considers all residential properties from the 4th floor. All diagrams and figures clearly demonstrate the results for all residential properties. However, the written text within the report stating that residential floors begin from the 5th floor is incorrect and should have stated 4th floor.

7.7 Development would lower the amount of daylight to lower floors of 17-23 Farringdon Road;

(see paragraphs 9.43 ~ 9.48) Further, the lower floors contain non-residential uses and are not assessed against the BRE guidelines. Given the context of development along Farringdon Road, with offices on both sides of the road, it

is not considered that the proposal would have a negative impact on the non-residential uses.

7.8 The proposal would damage the setting of the adjoining listed Port of London Authority building; (see paragraphs 9.18 ~ 9.33)

7.9 The quality of the design at street level is poor and at odds with the PLA building; (see paragraphs 9.18 ~ 9.33)

7.10 The colonnade on Charterhouse Street should be returned to Farringdon Road; (see paragraphs 9.18 ~ 9.33)

7.11 No attempt to encourage community or social uses into the building;

(The site is located within a Priority Employment Area (offices), which seeks to maximise office use and some retail uses at ground level to provide for active frontages. Additionally, this is reinforced by the site's allocation within the Finsbury Local Plan).

7.12 Building is unacceptably tall compared to other buildings in the locality; (see paragraphs 9.18 ~ 9.33)

7.13 Bulky proposal that would reduce daylighting and sunlighting to surrounding buildings; (see paragraphs 9.43 ~ 9.48)

7.14 Other:

7.15 The proposed construction would cause considerable noise and dust affecting neighbouring business and employees. (see paragraphs 9.49 and 9.116)

7.16 The submitted location plan should include the Snow Hill ramp access within the red line of the proposal in accordance with NPPG that should include all land to carry out the development.

7.17 *(The access from Snow Hill ramp is an existing access that is shared by various users and the owners/occupiers of the application site is one of these shared users that has usage rights to gain access to their land at basement level. The access entrance and path leading to the application site are existing and are not required to be built in order for the proposed development to be built.)*

7.18 The proposed application should be submitted to the City of London as well given red line boundary straddles over City of London land, and thus weight should be given to City of London policies;

(The application site marked in red at all levels is fully contained within the Islington Council boundary. The above objection relies on the inclusion of an existing shared access highlighted above being included within the red line boundary, however this is not required to carry out the development. As such, City of London policies do not form part of the considerations of the proposal.)

- 7.19 Height of Snow Hill ramp is 3.56 metres in height and not the stated 3.8 metre clearance height contained in the application documents; (see paragraphs 9.103 ~9.104)
- 7.20 The existing access doesn't meet the clearance heights for refuse collection; (see paragraphs 9.99 ~ 9.102)
- 7.21 Will be difficult to enforce servicing of the development at basement level and as such will give rise to on-street servicing;
- 7.22 *(The proposal is for servicing to take place on-site at basement level, whereby the owners/occupiers have access from the existing Snow Hill ramp. The proposal is in accordance with Finsbury Local Plan BC5 Part C, where "servicing must be located to remove conflicts and maximise efficiency of space and use. Shared service bays, basements and access/egress with neighbouring buildings should be considered to achieve the most efficient use of space." Any servicing conducted on the street would be enforceable given it would not be taking place in accordance with the development and the Servicing and Delivery Plan, whilst it would also be in contravention of the on-street trafficking controls.)*

External Consultees

- 7.23 Greater London Authority (GLA) including TfL – Stage 1 Response (summary): stated that the new application is identical in terms of design and external appearance to the previously approved scheme (2012), but the applicant has to respond to changes in London Plan policy since 2012. A short report format has been adopted covering sustainable energy, air quality and transport. The application complies with some of these policies but not with others for the following reasons:
- Sustainable Energy: Based on the energy strategy results in a reduction of 278 tonnes of per year in regulations is expected, equivalent to an overall saving of 58%. It is unclear which version of Part L has been used for assessment. The energy assessment should be undertaken using Part L 2013 and the applicant should update their report accordingly.
 - Air Quality: The air quality assessment is insufficient. It only considers emissions from the CHP and not in a form that can be used to consider air quality neutrality. The applicant should submit an air quality assessment responding to the issues raised.
 - Transport: The applicant should secure transport related s106 contributions/conditions as previously agreed but with the £210,000 contribution now secured towards the implementation of the North to South Cycle Superhighway. The Superhighway should also be discussed with TfL regarding construction of the development to avoid potential conflict with the schemes implementation.

The applicant has submitted further information to the GLA addressing the above matters, however no formal response by the GLA has been received

at the time of reporting. An email has been received from the GLA officer stating that the above matters are very close to being resolved, and final confirmation will be provided to the Planning Committee once received.

- 7.24 The City of London were consulted however no response has been submitted to date.
- 7.25 Historic England raised no objection and stated that the scheme should be determined in accordance with national and local policy guidance, and on the basis of the Council's specialist conservation advice.
- 7.26 Historic England (Greater London Archaeology Advisory Service) raised no objection to the proposal subject to a condition and informative being attached to the permission.
- 7.27 Lead Local Flood Authority raised no objection and noted the proposed recycling system was to be secured by condition. It was also noted that there would be a condition as recommended by Thames Water for a sustainable drainage system. As such, it was recommended that a further condition be imposed to secure a maintenance plan for the management of the sustainable drainage system for the lifetime of the development in accordance with the new national requirements.
- 7.28 Metropolitan Police (Crime Prevention) raised no objections to the proposals but recommend access controls and other measures to enhance the security of the building.
- 7.29 Thames Water requested conditions relating to sustainable drainage systems, impact method piling statement and impact studies of the existing water supply infrastructure.
- 7.30 Transport for London raise no objection to the proposals subject to relevant conditions and a Crossrail contribution and contributions towards improving bus stop accessibility and mitigating the impact of the development on Farringdon Road. An additional condition to what was previously secured was also requested with regard to protecting London Underground infrastructure, whilst a Crossrail contribution of £3,365,080 was also requested.
- 7.31 Crossrail Ltd confirm that the detailed design of the proposed development needs to take account of the construction of Crossrail and request detailed design and method statements, including details of access arrangements be secured by condition to ensure ongoing Crossrail works are not impeded.
- (It should be noted that this response by Crossrail was in response to the statutory consultation process and submitted independently of the objection received by Montague Evans on behalf of Crossrail).*
- 7.32 London Underground have stated that they have no comment to make other than the application should also be referred to Crossrail Safeguarding Zone Crossrail Ltd.

7.33 Network Rail have responded by stating that the developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings
- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both now and in the future

These matters relate to requirements the applicant will require approval from Network Rail's Asset Protection Engineer under separate legislative processes.

Internal Consultees

7.34 Access Officer advised similar comments to previous application whereby conditions are recommended to inclusive design principles with regard to wheelchair lifts, accessible toilets and other inclusive design measures. There was also concern with regard to the main entrance which is not considered inclusive and a condition is recommended to address this matter.

7.35 Design and Conservation Officer considers the proposal is an improvement over the previously approved scheme and offers a better response to its context and acknowledges local character and distinctiveness. Consider design, materials and corner treatment to be appropriate.

7.36 Energy Conservation Officer has recommended the preferred energy strategy should be connection to Citigen and any other strategy should only be pursued should this be demonstrated not to be feasible. Should this not be feasible, then the energy strategy to be pursued should be a Gas CCHP with additional measures being investigated. They have recommended conditions and s106 obligations to ensure that the above is secured and a Green Performance Plan is provided

7.37 Public Protection Division (Air Quality/Noise Team) have recommended previously imposed conditions on extant permission be included in this application.

7.38 Spatial Planning and Transport (Transport Officer) welcomes on-site servicing and increased number of cycle spaces. Subject to conditions and planning obligations, consider the development acceptable.

- 7.39 Pollution projects team raise concerns regarding the potential effect of a biodiesel CCHP on local air quality within this Air Quality Management Area. No concerns regarding impact of development on operation of adjacent Citigen plant.
- 7.40 Acoustic Officer raises no objection on noise grounds subject to conditions relating to fixed plant and requiring submission of a construction impacts report.
- 7.41 Sustainability Officer considers commitment to achieve BREEAM Excellent is supported. Consider all roof areas not required for plant should be green roof. Recommend condition relating to thermal modelling, SUDS and rainwater harvesting.
- 7.42 Trees Officer: comments that no tree implications arise from proposals. Recommend condition relating to landscaping of external terraces be imposed.
- 7.43 Refuse and Recycling team state that the plans are acceptable.

National Guidance

- 7.44 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.
- 7.45 Since March 2014 Planning Practice Guidance for England has been published online.
- 7.46 Furthermore, planning legislation (Section 70 of the Town and Country Planning Act 1990 and section 38 of the Planning and Compulsory Purchase Act 2004) provides that planning applications should be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 7.47 Under the Ministerial Statement of 18 December 2015, the government seeks to increase the weight given to SuDS being delivered in favour of traditional drainage solutions. Further guidance from the DCLG has confirmed that LPA's will be required (as a statutory requirement) to consult the Lead Local Flood Authority (LLFA) on applicable planning applications (major schemes).

Other Consultees

- 7.48 Not Applicable

8. 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.

Development Plan

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

Designations

8.2 The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- | | |
|---|---|
| - Bunhill & Clerkenwell Core Strategy Key Area | - LV5 Local view from Archway Bridge |
| - Finsbury Local Plan Area: Bunhill & Clerkenwell | - LLAA2 Parliament Hill summit to St Paul's Cathedral |
| - Site Allocation BC36: Caxton House, 2 Farringdon Road | - BAA10 Blackheath Point to St Paul's Cathedral |
| - Central Activities Zone (CAZ) | - VC2 Parliament Hill summit to St Paul's Cathedral |
| - Employment Priority Area (Offices) | - VC5 Kenwood viewing gazebo to St Paul's Cathedral |
| - Farringdon/Smithfield Intensification Area | - Controlled Parking Zone Area |
| - Archaeology Priority Area (Clerkenwell) | - Crossrail Safeguarding Area |
| - LV1 View from Farringdon/Clerkenwell Rds | - Rail Safeguarding Area |
| - LV4 Local view from Archway Road | - Major Cycle Route – Charterhouse Street |
| | - Site within 100m of a TLRN Road |

Supplementary Planning Guidance (SPG) / Document (SPD)

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

9. ASSESSMENT

9.1 The main issues arising from this proposal relate to:

- Land Use (Principle)
- Design, Conservation and Heritage Considerations (including Archaeology)
- Accessibility
- Neighbouring Amenity
- Sustainability

- Energy Efficiency, Renewable Energy
- Transportation and Highways
- Planning Obligations, Community Infrastructure Levy and local finance considerations
- Other Matters

Land-use

9.2 Prior to the demolition of the building the site was in mixed Class B1 office (6011sqm Net Internal Area) and Class A1 retail (587sqm NIA) use with a public car park at basement level. The following table sets out the respective floor space between the proposed development, the extant planning permission, the previously consented and implemented development (ref. P081100) and the former buildings which have now been demolished:

	Original buildings	2008 development (P081100)	2012 Proposed development (P120484)	Current Application
Storeys/height	9 storeys	12 storeys	11 storeys	11 storeys
Retail floor space (sqm) (NIA)	587	1286	2835	2269
Office floor space (sqm) (NIA)	6011	18716	15396	15368
NCP Car Park	1910	0	0	0
Total floor space (sqm) (GEA)	8508	27810	26381	26366

9.3 In land use terms, there is a reduction from 2,835 to 2,269 square metres of Retail Class A1 floorspace, when compared to the extant planning permission. This reduction has occurred at mezzanine basement level to accommodate a greater number of cycle spaces within the development, as required by updated development plan policies. The proposed retail areas at ground floor level that provide for active frontages remain intact, while the office Class B1 floorspace is marginally reduced.

9.4 The predominant character of the area is commercial and the redevelopment of this site, which lies within the Farringdon/Smithfield Area of Intensification, to provide 15368sqm of employment floor space would be consistent with the broad aims of Policies 2.10 and 2.11 of the London Plan, which seek to enhance and promote the Central Activities Zone (CAZ) as an appropriate location for office developments. Policy 4.2 of the London Plan and Policies CS7 and CS13 of the Islington Core Strategy

also seek to encourage the provision of quality office accommodation in accessible locations. By virtue of the site's location within the CAZ and within a designated Employment Priority Area for offices it is recommended that the use of the building for offices (Use Class B1 (a)), as opposed to wider light industrial use (B1 (b & c)) be secured by condition (*condition 3*).

- 9.5 In addition to the above, the site is located within the Farringdon Station Area of the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). Policy BC8 Part C states that within designated Employment Priority Areas (Offices) the proportion of office (B1(a))floorspace provided within a development should be optimised, and retail or leisure uses may be provided at ground level where an active frontage would enhance the street environment, or where these uses would complement or extend the offer of neighbouring clusters of retail or leisure uses.
- 9.6 The proposed development complies with the above policy in so far as providing office floorspace on all floor levels above the ground level within the massing of the building that is appropriate in design terms, while retail areas would be located at ground floor level to provide for active frontages at this junction with some additional retail areas at semi-basement level.
- 9.7 The incorporation of 2269sqm of ground floor level retail floor space in this protected local shopping centre would be consistent with policies 4.7 and 4.8 of the London Plan which seek to support a vibrant, diverse retail sector. The site is designated as a Priority Employment Area in the Finsbury Local Plan and the proposals would be consistent with Policy BC5 of that document which seeks to provide a range of employment uses, particularly office uses with retail and leisure uses at street level to create vibrancy and interest on Farringdon Road and Charterhouse Street. The proposed ground floor commercial uses have been designed as four separate units and subject to a condition prohibiting obscuring the shopfront glass (*condition 12*) would provide natural surveillance and an active frontage to the two public elevations of the building.
- 9.8 Finsbury Local Plan Policy BC8 Part I states that *“new business floorspace must be designed to allow for future flexibility for a range of uses, including future subdivision and/or amalgamation for a range of business accommodation;”*
- 9.9 The proposed office floorspace would be of flexible open-plan design; proposed floor to ceiling heights would be of a suitable 3.0m+ clearance. Access to outdoor sitting space would be provided on terraces located at fifth, seventh and ninth floor levels on the southern and western elevations.
- 9.10 London Plan Policy 4.3 B (b) states that local planning authorities should *“develop local approaches to mixed use development and offices provision taking into account the contribution that ‘land use swaps’, ‘housing credits’ and off-site contributions can make, especially to sustain strategically important clusters of commercial activities such as those in the City of London....”*

- 9.11 Development Management Policy DM 5.1 (New Business Floorspace) Part E states that *“within the Central Activities Zone (CAZ) major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.”*
- 9.12 Furthermore, Finsbury Local Plan Policy BC8 Part D states that *“throughout the area, major development proposals that would result in a net increase in office floorspace should also incorporate housing, consistent with London Plan Policy 4.3. Where housing comprises less than 20% of the total net increase in office floorspace, an equivalent contribution will be sought for the provision of housing off-site.”*
- 9.13 The site is located in the Central Activities Zone with no housing provided as part of the proposal. Therefore, the proposal would be subject to a financial contribution towards securing greater offsite housing provision than could be provided on the site itself. This is consistent with the extant planning permission and has been secured via an obligation in the section 106 Agreement.
- 9.14 The site is also allocated within the Council's site allocations as part of the Finsbury Area Action Plan (Site BC36: Caxton House, 2 Farringdon Road). The allocation and justification states: *“Redevelopment to provide a new building accommodating business and retail floorspace.*
- 9.15 *The site is in a highly accessible area on the fringe of the City of London office market. New development provides an opportunity to enhance the quality of this important location, subject to the building being designed in a manner that protects and enhances views of St. Paul's Cathedral, and the historic context, and integrates with Farringdon station.”*
- 9.16 It is considered that the development is acceptable in land use terms with regard to the development plan and the cascade of policies from the London Plan, Islington Core Strategy, Development Management Policies, Finsbury Local Plan Action Area and accompanying site allocation, and as such would make an efficient use of this brownfield site. Its delivery would be consistent with the broad aims of the NPPF and its presumption in favour of sustainable development that supports economic growth.
- 9.17 Design, Conservation and Heritage Considerations (including Archaeology)
- 9.18 Development Plan policies seek to secure sustainable development that is of high quality and contributes towards local character, legibility, permeability and accessibility of the neighbourhood. Developments should contribute to people's sense of place, safety and security. Development should have regard to the pattern and grain of spaces and streets in orientation, scale, proportion and mass and be human in scale with street level activity.

- 9.19 The delivery of high quality design including the conservation and enhancement of the historic environment is a key objective of the planning system which is to contribute to achieving sustainable development as supported by the NPPF. Sustainable development is further described as including positive improvements in the quality of the built and historic environments including but not limited to replacing poor design with better design (para 9). A core planning principle of the NPPF is to always seek to secure high quality design (para17).
- 9.20 NPPF Chapter 7 'Requiring good design' reinforces that this is a key aspect of sustainable development and indivisible from good planning and should contribute positively to making places better for people. Chapter 7 also confirms that high quality design includes consideration of individual buildings, public and private spaces. Policies and decisions should ensure that development amongst other things, responds to local character and history and reflects the identity of local surroundings and materials, whilst not preventing or discouraging appropriate innovation. Also, that they are visually attractive as a result of good architecture and appropriate landscaping.
- 9.21 NPPF Chapter 12 'Conserving and enhancing the historic environment' sets out the criteria for the conservation and enjoyment of the historic environment in the strategy of local plans as well as relevant criteria for assessing and determining planning applications. Consideration includes harm posed to both designated and non-designated heritage assets and their setting.
- 9.22 At the regional level, high quality design is central to all the objectives of the London Plan and is specifically promoted in chapter 7 policies. These include: policy 7.1 which sets out some overarching design principles; policy 7.6 which considers building architecture; policy 7.7 which addresses specific design issues associated with tall buildings; policy 7.8 which seeks to protect heritage assets; policy 7.11 which considers strategic landmarks and wider character; and policy 7.4 which considers local character.
- 9.23 At a local level, Core Strategy Policy CS8 states that the scale of development will reflect the character of the area, while Policy CS9 requires new buildings to be of sympathetic scale and appearance and to be complementary to local identity; the historic significance of heritage assets and historic environment will be conserved whether they are designated or not; new buildings and developments to be based on a human scale and efficiently use a site which could mean some high density development; and tall buildings are generally inappropriate. This is further supported by Development Management policies DM2.1 (Design) and DM2.3 (Heritage).
- 9.24 The proposed building would be identical in design terms and external appearance as the extant planning permission (Planning Permission Ref: P120484). The extant permission was based on the parameters of the previously consented application (Ref: P081100) that has already been implemented, and as such establishes a baseline from which any new

planning application should be assessed. The footprint of the proposed building would be similar to that of the approved building under the implemented scheme by occupying the entire site, with the exception of a 3.5m ground floor set back and colonnade on the Charterhouse Street frontage which has been incorporated to increase the pavement width in this location. Whilst no equivalent set back is proposed on the Farringdon Road frontage as sought by Policy CS7 Part H of the Core Strategy and Policy BC5 of the Finsbury Local Plan, it is noted that the building line would be consistent with that of the approved Crossrail structure immediately to the north of the site, whose location was dictated by the strict operational requirements of the plant to be contained within it. In light of this, the 'fall-back' position created by the implemented planning permission and the wider public realm benefits of improving the quality and accessibility of the public realm in the vicinity of the site secured by financial contribution, it is considered that the proposed building lines are on balance acceptable.

- 9.25 In addition to the abovementioned policy and guidance, London Plan Policy 7.7 states that tall and large buildings should generally be limited to sites in the CAZ whose character would not be affected adversely by the scale, mass or bulk of a tall or large building. Core Strategy Policy CS9 Part E states that *“new buildings and developments need to be based on a human scale and efficiently use the site area, which could mean some high density developments. High densities can be achieved through high quality design without the need for tall buildings. Tall buildings (above 30m high) are generally inappropriate to Islington's predominantly medium to low level character, therefore proposals for new tall buildings will not be supported. Parts of the Bunhill and Clerkenwell key area may contain some sites that could be suitable for tall buildings, this will be explored in more detail as part of the Bunhill and Clerkenwell Area Action Plan.”*
- 9.26 This is further reinforced in Development Management Policy 2.1 Part C, which states that *“the only locations in Islington where tall buildings may be suitable are set out in the Finsbury Local Plan (Area Action Plan for Bunhill and Clerkenwell). Any proposal for tall buildings must meet other design policies and have regard for the criteria set out in English Heritage/CABE's Guidance on tall buildings (2007).”*
- 9.27 Policy BC9 Part B of the Finsbury Local Plan states that *“buildings of 30 metres in height or more may be appropriate only within the areas indicated on Figure 17. These areas include sites identified in Policy BC2 (City Road Basin) and Policy BC3 (Old Street), as well as an area adjacent to the City of London boundary at Moorgate”,* whilst Part C of the same Policy states that *“elsewhere, building heights must respond to the local context, particularly those contextual factors indicated on Figure 17.”*
- 9.28 The application site is not located within one of the areas within Figure 17. Whilst the proposed building would be a tall building (in excess of 30m) and taller than the surrounding buildings, it would at its highest point be lower than that previously consented and partially implemented in 2008. Notwithstanding this the building has been designed in such a way as to

break up its bulk by creating distinct elements that relate positively to the widths of Charterhouse Street and Farringdon Road and the heights of surrounding buildings. This is considered to be an improvement over the implemented consented approval in 2008 where there was no consistent building height. Specifically, a parapet has been introduced to the Farringdon Road and Charterhouse Street elevations that respond sympathetically to the parapet heights of adjoining buildings, in particular the Grade II listed Port of London Authority building.

- 9.29 The mass of the building has been redistributed from that originally consented and implemented in 2008; the total height has been reduced at the corner but increased at the northern end, albeit set back from Farringdon Road. It is considered that the incorporation of setbacks with depths as much as 10m better respect the heights of buildings in the immediate context than the consented and implemented building and would result in a successful townscape in this location in accordance with relevant policies. The current proposal would result in a development that “respects long established building lines and street frontages, utilises design techniques that break up the bulk of new buildings, and relates positively to the width of the street”, as outlined in Policy BC5 of the Finsbury Local Plan.
- 9.30 In terms of detailed design, the fenestration pattern has been altered from the implemented scheme and is considered to have a better relationship with the established fenestration pattern of the area. The incorporation of a robust stone grid at the base of the building with a lighter framed glazed top articulated with a number of setbacks is considered to assist in reducing the perceived bulk of the building. It is commonly recognised in urban design terms that the built form of a building may be treated differently as it presents itself to a corner; however as recognised in the Islington Urban Design Guide it is not always necessary to emphasise this by an increase in building height as was the case in the consented and implemented planning permission. Rather than being marked by an excessive increase in height the corner (and important junction) is now considered to be more appropriately marked by an interesting detail of recess versus projection. It is considered that this alternative treatment is more sensitive to the architecture of surrounding heritage assets and consistent with Policy CS9 of the Core Strategy which welcomes innovative design.
- 9.31 London Plan Policy 7.6 requires developments to be of the highest architectural quality and comprise of materials that complement and not necessarily replicate the local architectural character. The principal cladding materials would be traditional stone and contemporary anodised aluminium. Subject to a condition requiring details and samples of all of the proposed materials (*condition 8*), they are considered to suitably reference and complement the traditional palette of materials in the surrounding area and are acceptable.
- 9.32 London Plan Policy 7.8, Core Strategy Policy CS9, Development Management Policy 2.3 and Policy BC5 of the Finsbury Local Plan requires developments affecting heritage assets and their settings to conserve their

significance by being sympathetic to their form, scale and materials and by being complementary to local identity. As discussed above the development would relate well to the parapet height of the adjoining listed building and in terms of design and materials would preserve the established character and appearance of adjoining conservation areas and the setting of surrounding listed buildings, in particular the Port of London Authority building, Smithfield's Market buildings and 25-27 Farringdon Road. In summary, Design and Conservation Officers consider that the proposed building represents an improvement over the previously consented and implemented planning permission by offering a better response to its context and by better acknowledging local character and distinctiveness.

- 9.33 As stated above, the site is within Site Allocation BC36 of the Finsbury Local Plan, which states that "scale and massing is critical, particularly in terms of impacts on street-level and strategic views, and relationship to neighbouring listed buildings and Conservation Areas (Charterhouse Square, Design considerations and constraints Hatton Garden and Smithfield). Proposals will need to be sensitively designed to conserve and enhance this historic context". In this instance it is considered that the proposed development would meet the above design considerations, whilst it is also important to take into account the previously consented and implemented scheme, and the extant planning permission, which is identical in design terms with the current planning application. Further, it is considered that the proposal would also satisfy all of the criteria set out in Part 4 of English Heritage and CABE's Guidance on Tall Buildings (2007)

Strategic and Local Views

- 9.34 The site lies within the foreground of the strategic viewing corridors of Kenwood and Parliament Hill to St. Paul's Cathedral and also within Local View corridor LV1 (Farringdon Road/Clerkenwell Road). Planning policies exist to protect these views and resist development which blocks or detracts from them. A full appraisal of these views demonstrates that by virtue of the proposed development being below the development planes of the strategic viewing corridors they will not be blocked or adversely affected. Similarly, the analysis of local views demonstrates that with the exception of one viewpoint (where the building does not encroach into the viewing plane any further than the previous planning permission) the development would fall outside of the viewing plane of St. Paul's Cathedral and in most views would be obstructed by buildings in the foreground. On this basis the development would not block, detract from or have an adverse effect on any significant protected or unprotected views.

Archaeology

- 9.35 The site is located within an Archaeological Priority Area and as such was referred to Historic England (Greater London Archaeology Advisory Service), who provide advice to boroughs in accordance with the NPPF and GLAAS Charter.

- 9.36 The planning application lies in an area where heritage assets of archaeological interest are expected. The NPPF (Section 12) and the London Plan (2015) Policy 7.8 emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should submit desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision. If planning consent is granted paragraph 141 of the NPPF says that applicants should be required to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) and to make this evidence publicly available.
- 9.37 This application involves a major development including a deepened basement within the Clerkenwell Archaeological Priority Area, in an area where Roman and post-medieval remains could be anticipated. However, the applicant's desk-based assessment notes evidence for extensive damage from the railway, a WW2 V2 rocket and a modern basement such that there is only limited potential for remains to survive. It is acknowledged that back in 20012 with regard to the extant permission, Historic England (GLAAS) advised that no further archaeological investigation was warranted but in view of the possibility highlighted in the desk-based assessment of Roman burials being encountered it is now being recommended by GLAAS that a watching brief should be maintained during reduction of the basement level.
- 9.38 Appraisal of this application using the Greater London Historic Environment Record and information submitted with the application indicates that the development would not cause sufficient harm to justify refusal of planning permission provided that a condition is applied to require an investigation to be undertaken to advance understanding (*Condition 35*).

Accessibility

- 9.39 The principles of inclusive and accessible design have been adopted in the design of this development in accordance with London Plan policy 7.2. The provision of level access throughout the building, including terraces is considered to be fundamental to the fulfilment of this policy. The provision of wheelchair accessible lifts and accessible toilets on all floors would ensure the building offers highly accessible accommodation. It is recommended that the provision of the wheelchair accessible lifts and other inclusive design measures be secured by planning condition (*conditions 6 and 7*).
- 9.40 Subject to a condition requiring a wheelchair priority path to be provided (*condition 5*) and an access management plan to be submitted (*condition 21*), the provision of one disabled parking space at basement level (*condition 4*) is considered to be acceptable. As it is not possible to provide further disabled parking spaces on site, a financial contribution towards the provision of a number of a disabled drop-off bays and on-street accessible parking bays (proportionate to the scale and nature of the use) in the

vicinity of the site is considered to be acceptable. Where it might not be possible to implement the accessible parking bays on the street (e.g. as a result of opposition to amending the traffic management order), the contribution would be used towards accessible transport initiatives to increase the accessibility of the area for people with mobility and sensory impairments.

9.41 Finally, the ground floor plans show a revolving door to the main entrance of the new building, with an adjacent pass door for wheelchair users. This is considered unacceptable as it would separate people and could be not considered inclusive. A condition requiring amendments and compliance with the relevant SPD is recommended (*condition 33*).

9.42 **Neighbouring Amenity**

9.43 London Plan policy 7.6 is concerned with ensuring that new buildings do not cause unacceptable harm to the amenities of surrounding sensitive land uses, particularly residential buildings. At the local level, Policy CS7 of the Core Strategy prohibits new developments from overshadowing existing residential buildings and Development Management Policy DM 2.1 seeks to safeguard the amenity of adjoining residential occupiers.

9.44 The site is surrounded by commercial uses to the east, south and west. The nearest residential use is located to the northwest of the site on the upper floors of 17-23 Farringdon Road and at 25-27 Farringdon Road. The part of the building immediately adjacent to Farringdon Road would be of a lower height (39.4m) than both the former building and previously approved building (44.7m). Above this and beyond a setback of 10m, the proposed building would rise by an additional four storeys to 53.6m which would extend back to the eastern boundary of the site.

9.45 Although the development would not encroach directly across the front of the residential units on Farringdon Road, it would be visible from and change the outlook of residents in 17-23 Farringdon Road and to a lesser degree the outlook of residents in 25-27 Farringdon Road. The degree to which this change in outlook would be harmful has to be considered in context. It is acknowledged that as existing the occupiers of buildings on the west side of Farringdon Road enjoy an open aspect; however this is a temporary situation resulting from the construction of Crossrail opposite and proposals for the redevelopment of that site will have to be considered on its merits. Although the proposed buildings would be higher than the existing residential buildings opposite this would not be an unusual relationship in an urban location such as this; the higher part of the building would be located obliquely across the highway and set back by a further 10m from the existing residential units. By virtue of the separation distance and orientation of the proposed development relative to the existing residential units it is not considered that it would result in an undue or unacceptable sense of enclosure or loss of privacy that would justify refusing planning permission.

- 9.46 A number of objections also relate to the potential impact of the proposed development on daylight and sunlight receipt to neighbouring properties. Whilst this issue was fully considered in the assessment of the extant planning permission and found to be acceptable it is acknowledged that as now proposed the mass of the building has been reconfigured and specifically increased at the northern end of the site closer to the residential buildings on Farringdon Road. A full daylight report has therefore been submitted. The BRE guidance states that loss of sunlight to existing buildings may only become an issue if some part of a new development is situated within 90° of due south of a main window wall of an existing building. By virtue of the windows in 17-23 and 25-27 Farringdon Road facing north east there will be no impact on sunlight.
- 9.47 The daylight report concludes that with the exception of two habitable room windows on the fourth floor of 17-23 Farringdon Road the development would not result in any breaches of the Vertical Sky Component (VSC) test as set out in the BRE guidance. The windows would experience a loss of VSC of 31.79% and 27.05% respectively. The BRE guidance states that where any loss is greater than 20% then occupants of the building will notice the reduction in the amount of skylight. Notwithstanding the impact of the development on VSC, the No Sky Line (NSL) test demonstrates that one of the affected windows (serving a living room) would retain a good level of daylight distribution with a minor reduction of 0.8% in the area of the room receiving direct daylight. The BRE guidance states that where any loss in NSL is greater than 20% then this will be noticeable to the occupants with more of the room appearing poorly lit. The single window (serving a living, kitchen and dining room) that fails both the VSC and NSL test (with a reduction of 27.8% in the area of the room receiving direct daylight) would continue to enjoy a view of the sky to a significant proportion of that room, with over 50% of the room able to enjoy a view of the sky.
- 9.48 The BRE guidelines state that the guidelines need to be applied sensibly and flexibly. They are not mandatory but acknowledge that daylight and sunlight are one of the many factors that will need to be weighed in the balance. In recognition of the poor design of the existing building, the densely developed urban context and the relatively minor deviances from the BRE guidance the development would not result in a degree of harm that would warrant refusing planning permission and in view of the planning policy presumption that sites should be developed in such a way as to maximise their potential is considered to be acceptable in this regard.
- 9.49 It is considered that conditions requiring submission of a Construction Logistics Plan and Environmental Impact Report will ensure that the impacts of the construction and future operation of the development on neighbouring occupiers are appropriately mitigated (*conditions 19 and 20*).

Sustainability

- 9.50 London Plan Chapter 5 policies are the Mayor's response to tackling climate change, requiring all development to make the fullest contribution to

climate change mitigation. This includes a range of measures to be incorporated into schemes pursuant to Policies 5.9-5.15. Sustainable design is also a requirement of Islington Core Strategy Policy CS10. Details and specific requirements are also provided within the Development Management Policies and Islington's Environmental Design SPD, which is supported by the Mayor's Sustainable Design and Construction Statement SPG.

- 9.51 The development is located in an urban area where people can access services on foot, bicycle or public transport. It is a mixed use development satisfying key sustainability objectives in promoting the more efficient use of land, and reducing the need to travel.
- 9.52 The BREEAM pre-assessments submitted demonstrate that both the office and retail parts of the development would be capable of achieving a BREEAM 'Excellent' rating, and also provides a margin above this level, which is supported and in accordance with planning policies requiring all development to meet the highest standards of design and construction. It is recommended that the requirement to achieve a BREEAM 'Excellent' rating is required by condition (*condition 24*).
- 9.53 London Plan 2011 policy 5.13 and Core Strategy policy CS10 requires development to utilise Sustainable Urban Drainage Systems (SUDS) to reduce runoff rates. Notwithstanding the commitment to achieve the minimum standard of 50% attenuation of the undeveloped site's surface water run off at peak times, it is recommended that full details of the SUDS calculations and solution be required by condition (*condition 25*). London Plan policy 5.15 requires development to minimise the use of mains water by incorporating water saving measures and equipment. As revised it has been demonstrated that the proposed development would meet best practice water efficiency targets, including by utilising a rainwater harvesting system (as opposed to grey water recycling system) that would meet part of the building's flushing demand and also provide storm water attenuation; it is recommended that full details of the rainwater harvesting system, including a requirement to install the system be required by condition (*condition 26*).
- 9.54 London Plan policy 5.3 and Core Strategy policy CS10 require developments to embody the principles of sustainable design and construction. As part of this proposal consideration has been given to the use of sustainably sourced, low impact and recycled materials including low impact concrete. It is recommended that further details of the sustainability credentials of building materials be required in the form of a green procurement plan by condition (*condition 22*).
- 9.55 London Plan policies 5.10 and 5.11 seek to promote green infrastructure in major developments and policy CS10D of the Core Strategy requires existing site ecology to be protected and for opportunities to improve upon biodiversity to be maximised. The existing site is of no biodiversity or ecology value and although the building would occupy 100% of the site, thereby precluding any potential for mature tree planting, proposals to

create accessible terraces with associated soft landscaping would represent an improvement over the existing situation. The installation of a green roof to the main roof of the building has been discounted by virtue of the constraints imposed by the glazed atrium roof and requirement to ventilate the plant located beneath an open-lattice beam roof and photovoltaic panels above. Whilst this is regrettable it has been justified as not feasible and is considered acceptable when balanced against the benefits of the landscaped terraces and the wider sustainability credentials of this scheme over the extant planning permission. It is recommended that details of the terrace landscaping be required by condition (*condition 15*)

Energy Efficiency and Renewable Energy

- 9.56 The London Plan and Core Strategy require development proposals to make the fullest possible contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy; be lean, be clean, be green. Policy 5.2 of the London Plan requires the submission of a detailed energy assessment setting out efficiency savings, decentralised energy options and renewable energy production.
- 9.57 Policy CS10A of Islington's Core Strategy requires onsite total CO2 reduction targets (regulated and unregulated) against Building Regulations 2010 of 30% where connection to a decentralised energy network is not made and 40% where connection to a decentralised energy network is possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010.
- 9.58 In response to the GLA's First Stage referral response, the applicant has also revised the energy strategy to present carbon emission reductions from a 2013 Building Regulations compliant development. These targets have been adjusted for Building Regulations 2013 to 39% where connection to a decentralised energy network is possible, and 27% where not possible. The London Plan sets out a CO2 reduction target, for regulated emissions only, of 40% against Building Regulations 2010 and 35% against Building Regulations 2013.
- 9.59 The applicant has provided a strategy which proposes a "*preferred option for the development is to connect to the nearby Citigen DEN, if a sound technical and business case can be obtained with EON*". Carbon emission reduction based on the preferred option is not presented in the report, as stated "*Given the state of flux of both the Citigen operation, as well as the delay in implementing the Charterhouse Place development due to cross rail, a full feasibility study relating to the use of Citigen for the development, including assessment of potential carbon savings, will be monitored and conducted in due course.*"
- 9.60 London Plan Policies 5.5 and 5.6 and Core Strategy policy CS10 prioritise connection to existing or planned decentralised energy networks where feasible over site wide CHP networks and communal heating and cooling. The proposed site lies adjacent to the Citigen power station. As such, it is recommended that a legal obligation in the section 106 agreement obliges

the owner to carry out a feasibility study into the supply of both heating and cooling to the development from a district heating network, and if found viable to connect and establish the carbon emission savings within an updated energy statement.

9.61 In the event that connection to Citigen is found unviable, the energy strategy proposes a Centralised Energy Solution under two options for the provision of low carbon heating and cooling:

- Option 1: Gas CCHP for a 29.8% final reduction in regulated carbon emissions and 17% total carbon emissions.
- Option 2: Biodiesel CCHP for a 44.0% reduction in regulated carbon emissions and 24% total carbon emissions.

9.62 Council's Energy officers have reviewed the options and advised against option 2 as insufficient evidence has been submitted to address concerns on the long term economic viability of the proposed biodiesel fuelled CCHP. It is considered that there is a risk that if the biodiesel CCHP is found not to be economic to operate then the development will rely more on the potentially lower cost but higher carbon emission sources of on-site heat and cooling supply, namely the gas boilers and chiller plant. As such, in the event that connection to Citigen proves unfeasible under the terms of the section 106 agreement, then option 1 is pursued with the applicant considering additional energy efficiency (lean) measures reduce regulated and unregulated carbon emissions. Suggested measures by the Council's Energy officer are detailed below. A revised energy strategy prior to implementation in the event connection to Citigen is unfeasible will be imposed by condition.

9.63 BE LEAN

9.64 *Energy efficiency standards*

9.65 The energy statement falls short of the council's target for total carbon emission reduction and it is considered that further measures for reduction in the regulated and unregulated carbon emissions be achieved.

9.66 It is considered the development improves the u-values of all the thermal elements, as at present most of these are only meeting the minimum requirements (limiting fabric parameters) under the 2013 Building Regulations. Further, it is recommended the applicant considers improving the boiler seasonal efficiency which is currently 94%, while the heating and cooling controls within the retail areas are improved to provide optimum start/stop, weather compensation and local time control.

9.67 The council's Environmental Design SPD states "The highest possible standards of thermal insulation and air tightness and energy efficient lighting should be specified" and table 2.1 states air tightness of 3.0 or below (where mechanical ventilation with heat recovery is proposed), 5.0 (where no MVHR is proposed) is expected."

- 9.68 Table 4 of the Energy Strategy Report presents a proposed target of $3\text{m}^3/\text{h.m}^2$., which is supported by Energy Officers.
- 9.69 BE CLEAN
- 9.70 *District heating*
- 9.71 As detailed above, it is recommended that the applicant verify, and provide proof where required, that connection to Citigen is viable both in terms of the connection cost and whole-life cost, in comparison to Option 1 as an alternative Energy Strategy. Further, the section 106 obligation will require a commitment to ensuring that the development is designed to allow future connection to a district heating network should it become feasible at a later date.
- 9.72 *Combined Heat and Power*
- 9.73 As detailed above, in the event that connection to Citigen is found unviable, the energy strategy proposes a Centralised Energy Solution under two options for the provision of low carbon heating and cooling. Option 1 is for a Gas CCHP for a 29.8% final reduction in regulated carbon emissions and 17% total carbon emissions and Option 2 is for a Biodiesel CCHP for a 44.0% reduction in regulated carbon emissions and 24% total carbon emissions. Council's Energy officers have advised against option 2 and as such option 1 with additional measures is considered appropriate.
- 9.74 The option of a Gas CCHP results in final carbon emissions of 838.2 tCO₂ and would be required to be offset through a levy of £771,144. This carbon offset levy is to be secured through the section 106 agreement. In the event that connection to Citigen is made, or if unviable, a revised energy strategy is submitted prior to implementation, then this figure would be revised in accordance with those details.
- 9.75 BE GREEN
- 9.76 *Renewable energy technologies*
- 9.77 The Energy Strategy Report proposes a roof mounted solar photovoltaic installation with a capacity of 73kW, which is supported.
- 9.78 In addition to the above, London Plan Policy 5.9 and Islington Core Strategy Policy 10 require proposals to reduce potential for overheating to occur and reduce reliance on air conditioning. Whilst external solar shading is generally regarded as being the most effective means of mitigating against excessive solar gain, this has to be balanced against the design implications of such measures. By virtue of the prominent location of the building and the requirement to minimise the perceived scale and bulk, the use of solar control glazing (coated glass) is considered to be acceptable. It is however considered that there is scope for the use of the central atrium to facilitate passive ventilation and cooling of the office space in accordance with the requirements of policy CS10 of the Core Strategy and

it is recommended that a feasibility study be required by condition (*condition 23*).

- 9.79 In summary it is considered that the preferred option of connecting to the existing district network for heating and cooling (subject to feasibility) is considered appropriate, and should this prove unfeasible then the option of a Gas CCHP with additional energy measures under a revised energy strategy is an appropriate alternative for the scheme. These are to be secured via conditions and s106 obligations.

Highways and Transportation

- 9.80 The site is boarded by the TLRN (Farringdon Rd) and a borough boundary road (Charterhouse Street), which is managed by City of London. The site has the highest Public Transport Accessibility Level (PTAL) of 6b (Excellent) and is located within a Controlled Parking Zone. The site is located in close proximity to Farringdon Underground and Thameslink Station (325m), Chancery Lane Underground Station (455m) and Barbican Underground Station (605m). The opening of Crossrail in 2018 would further improve the accessibility of the site.
- 9.81 It is located close to a number of bus routes on Farringdon Road, Holborn Viaduct and Clerkenwell Road, numerous cycle hire docking stations and a taxi rank. Transport for London is the Highway Authority for Farringdon Road, a classified road and TLRN and City of London is the Highway Authority for Charterhouse Street.
- 9.82 Other relevant features around the site include the crossing facilities at the junction of Farringdon Road and Charterhouse Street. A petition to the GLA in 2014 requested improvements to this crossing, particularly on the northern arm of the junction across Farringdon Road. The petitioner highlighted the lack of pedestrian crossing provision at this junction, which has been compounded by the Crossrail work site that prevents pedestrian access northbound on eastern side of Farringdon Road.
- 9.83 The site is adjacent to TfL's North South cycle superhighway proposals on Farringdon Road which will improve cycle safety and priority in the area. The site is adjacent to the Sustrans local cycle route on the Charterhouse Street. To maximise pedestrian and cycle safety with clear sightlines and unobstructed kerb lines on Charterhouse Street, the council is keen to minimise kerb-side activities (avoid on-street servicing and deliveries and/or disabled parking provision), especially on the northern footway adjacent to the Charter House site.
- 9.84 The site is currently being used by Crossrail Ltd who are building the Farringdon West Crossrail station, including the platforms, connecting passages, lifts, escalators and connection to the new Station building on Cowcross Street.
- 9.85 A transport assessment has been submitted with the application and concludes that subject to appropriate mitigating measures; including

submission of a travel plan (to be secured in the S106 legal agreement) the proposed development would have a negligible impact on the surrounding transport network.

Pedestrian Access

- 9.86 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for walking. The PTAL of the site to bus and train services maximises the opportunity for visitors and employees to walk all or part of their trips to the site.
- 9.87 Development Management Policy DM8.4 (Walking and cycling), Part F states that there should be no road safety conflicts where pedestrians have to share space with vehicles/cyclists. Cycle lanes will be separate to the footway so no conflict is possible. Access to cycle parking will be from ground level (side entrance) to the basement, via dedicated good lift or via the Snow Hill Ramp.
- 9.88 It is noted that the proposed development would be capable of accommodating approximately 272 less employees than the implemented planning permission and it therefore follows that it would have correspondingly less impact. Notwithstanding this, a financial contribution of £210,000 has been secured for Transport for London to undertake pedestrian safety measures on the Farringdon Road. TfL have advised that this contribution be secured towards the implementation of the North to South Cycle Superhighway as these now incorporate the Farringdon Road works together with a design for the development which accommodates the Superhighway and associated public realm works.
- 9.89 Additionally, a financial contribution of £20,000 towards bus stop improvements is also secured as part of the legal agreement.

Vehicle parking

- 9.90 For non-residential developments, Development Management Policy DM8.5 (Vehicle parking), Part B (Non-residential parking) states that parking will only be permitted where this is essential for operational requirements and integral to the nature of the business/service (such as a car hire or storage/distribution use). Normal staff parking will not be permitted. No car parking is being proposed as part of the development.
- 9.91 Wheelchair accessible parking should be provided in line with Development Management Policy DM8.5 (Vehicle parking), Part C (Wheelchair accessible parking). The proposal is in line with this policy, and includes the provision for one onsite disabled car parking space. This will leave the surface level kerb-side space on Charterhouse Street free of visual and physical obstructions that will improve pedestrians and cyclist safety in the immediate area.
- 9.92 As such, the development would be car-free and consistent with policy CS10 of the Core Strategy. Any impacts arising from the construction of the

building would be controlled by the submission of a Construction Management Plan.

Cycle access and parking

- 9.93 Core Strategy Policy CS10 (Sustainable design), Part H seeks to maximise opportunities for cycling. The provision of 327 cycle parking spaces as part of the new proposals meet the councils DM policy thresholds.
- 9.94 Development Management Policy DM8.4 (Walking and cycling), Part C requires the provision of secure, sheltered, integrated, conveniently located, adequately lit, step-free and accessible cycle parking. Cycle parking is proposed at basement level via the service lift (step free) from Farringdon Road or via the ramp on West Smithfield Road. However, to ensure convenient and safe access for cyclists during morning and evening arrive/departure times, the servicing and delivery strategy, secured through Condition 21, should minimise servicing and delivery activities during these times to prevent conflict, especially for those using the direct access via the ramp and basement.
- 9.95 Development Management Policy DM8.4 (Walking and cycling), Part E requires publically accessible uses (including A1, A2, A3, D1 and D2) to contribute financially to cycle parking in the public realm. This contribution is captured by Islington's CIL (Community Infrastructure Levy).

Physical impacts on the on-street network

- 9.96 To provide a safe environment for pedestrian and cycle movements, council aspirations are to minimise the kerbside activities on Charterhouse Street adjacent to the proposed development site to allow clear sight lines and obstacle free cycling on this local Sustrans cycle route.
- 9.97 Any alternations to street furniture (lamp posts, street signs, parking bay changes) will be required to fund changes to traffic orders, where necessary. The contribution towards borough cycle network, cycle superhighways and way-finding boards is captured by Islington's CIL.

Additional Mitigating measures

- 9.98 Potential measures to mitigate the impact of this development include improvements to the footway along Charterhouse Street with a contribution to improve the public realm at the junction with St John St and the Grand Ave (through Smithfields). Improvements would include the creation of a better quality public space that way-finds people to either the eastern (Barbican) and/or western (Farringdon) Crossrail station entrances. These contributions would be captured by the financial payment made by the development to the Islington CIL.

Servicing, deliveries and refuse collection

- 9.99 In line with Development Management Policy DM8.6 (Delivery and servicing for new developments), Part A, delivery/servicing vehicles should

be accommodated on-site, with adequate space to enable vehicles to enter and exit the site in forward gear (demonstrated by a swept path analysis). The Council welcomes the provision of on-site servicing and delivery at basement level. This will minimise the impacts of the development on surface level kerbside activities along Charterhouse Street, including maintaining clear sight lines for pedestrians and cyclists, particularly those using Farringdon Road or the Sustrans local cycle route on Charterhouse Street.

- 9.100 Development Management Policy 8.2 Part A (v) states that developments are required to adequately address delivery, servicing and drop-off requirements, whilst Policy 8.6 Part A seeks provision for delivery off-street, particularly for commercial developments over 200m² gross floor area. In this instance, the site is capable of providing off-street arrangements given access to the basement of the site via the Snow Hill ramp, which is located in West Smithfield Road in the City of London and is shared by a number of operators. In terms of servicing and delivery to the site, the type of delivery vehicles required to service the proposed office and retail use would be vans that would not cause obstruction to other road users and would not have an adverse impact on the highway. Furthermore, these arrangements would be in compliance with Finsbury Local Plan Policy BC5 Part C, where *“servicing must be located to remove conflicts and maximise efficiency of space and use. Shared service bays, basements and access/egress with neighbouring buildings should be considered to achieve the most efficient use of space.”*
- 9.101 In so far as waste collection is concerned, the Council’s Refuse and Recycling Storage Requirements document (March 2012) states that *‘Any part of a building through which a waste collection vehicle passes must have a minimum clear height of 4.5m to allow for overhead fixtures and fittings’*. The submitted Waste Management Strategy states that a 3.8m height clearance is provided and the appointed commercial waste management contractor will be required to use a vehicle that is compatible with this minimum clearance. Given the existing constraints of the Snow Hill access ramp, which has a 3.8 metre clearance height, Council officers requested further details with regard to the waste collection arrangements for the site. These details included the type and size of servicing vehicles to be use by the appointed waste collection contractor and confirmation that it can operate within the space constraints of the proposed basement level servicing area, swept path analysis for the type/size of vehicle that will service the site, delivery hours and the times that waste will be collected, the vehicle waiting times (duration to undertake waste collection) so that waste collection and delivery (pick up and drop offs) can be coordinated and managed comfortably at basement level, collection/delivery frequency and confirmation that the proposed basement waste collection area will also be the servicing/delivery location for drop off and collection of deliveries for both commercial and retail activities rather than on-street.
- 9.102 This information was considered by the Council’s Spatial Transportation officers, who concluded that the waste arrangements were acceptable

given the 3.8m clearance height at the ramp's entrance. Whilst this height is less than the minimum clearance as stated in the Recycling and refuse document, it is considered that the applicant has demonstrated through the submission of further servicing and delivery details that the waste requirements of the development can be accommodated. Further, this existing constraint should be considered in light of Finsbury Local Plan Policy B5, which advocates using shared service bays to achieve the most efficient use of space. It has been demonstrated that the basement has sufficient capacity to facilitate vehicle manoeuvres which would minimise impacts on the local highway. Subject to a condition requiring the vehicle circulation area to be kept free of obstruction (*condition 16*) and the submission of a final delivery and service management plan including the information submitted as part of the application, the proposals are considered to be acceptable in this regard (*condition 21*). It should also be noted that the Council's Refuse and Recycling team have not objected to the proposal and stated that the submitted information is acceptable.

- 9.103 An objection has been received on behalf of Crossrail (which was submitted separately to Crossrail's statutory response to the Council), which states that the Snow Hill ramp entrance has a clearance height of only 3.56 metres in height. This was forwarded to the applicant, who have responded as follows:

"AKTII have actually measured the height on site and confirmed as 3.8m to the underside of the beam at the entry point to the GM basement. However; it is annotated as 3.56m headroom clearance at the entry point. As you may be aware that the GM basement was operated as a public car park operated by NCP and the actual sign was put up by NCP to restrict high sided vehicles at that time of their operation and the sign remained at the entrance even after they ceased their car park operation. It is not unusual to specify headroom clearance below the actual headroom."

- 9.104 Therefore, the actual clearance height at this entrance is 3.8 metres and the proposal has been considered on this basis accordingly.

- 9.105 Servicing vehicles would be able to enter and exit the Snow Hill ramp in a forward gear, however getting out of the loading bay at basement level would require a reversing movement. However, as this movement is not taking place in a highly trafficked public place where conflict between vehicles, pedestrians and cyclists would increase safety risks, it is not considered that there would be a negative impact on pedestrian and highway safety. Further, any impacts between users of the basement level access would be managed and mitigated through the Waste Management Strategy, which is to be secured by condition.

Refuse and Recycling

- 9.106 The proposed commercial refuse and recycling storage area would be located at basement level with collection from basement level on a daily basis. The collection/delivery frequency would amount to 2 waste collection trips (4 traffic movements) that will be generated per day that is one for

office waste, the other for retail waste. Council's Refuse and Recycling team have commented on the application and stated that the proposal is acceptable for waste management and recycling. It is recommended that provision of these facilities be required by planning condition prior to first occupation (*condition 14*).

Vehicular Access (Snow Hill ramp)

- 9.107 The development is dependent on access to the basement via the Snow Hill ramp, which falls outside of the application site boundary. It is considered that a condition (or s106 obligation) be imposed preventing construction and occupation of the site unless the owner of the application site has access to this vehicular ramp at all times.

Planning Obligations, Community Infrastructure Levy and local finance considerations

- 9.108 CIL
- 9.109 Since both the implemented planning permission (Ref: P081100) and extant planning permission (Ref: P120484) were approved the Islington Community Infrastructure Levy (CIL) has come into effect as of 1st September 2014, and this would apply to this development.
- 9.110 Additionally, the Mayor's Community Infrastructure Levy CIL (currently £50 per square metres) is applicable to the application. An appropriately worded informative is recommended to draw the agent's attention to the CIL liability. Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), the Mayor of London's Community Infrastructure Levy (CIL) will be chargeable on this application in the case of it being granted planning permission. In the event that the application is approved, CIL would be payable to the London Borough of Islington after the planning consent has been implemented and will be used by the Mayor of London to pay for Crossrail in accordance with CIL Regulations 2010 (as amended).
- 9.111 The GLA have stated in their first stage response that the Mayoral CIL will be treated as a credit towards the section 106 Crossrail liability and this should be reflected in the wording of the section 106 agreement.
- 9.112 The CIL contributions are calculated in accordance with the Mayor's and Islington's adopted Community Infrastructure Levy Charging Schedules. CIL would be payable to the London Borough of Islington following implementation of the planning consent. The following CIL contributions have been calculated for the proposed development based on the proposed amount of additional floorspace:
- Mayoral CIL - £1,335,223.99
 - Islington CIL - £2,433,788.98

9.113 With regard to the Islington CIL, the following obligations from the extant s106 legal agreement (Ref: P120484) would not be applied in the s106 agreement for the current scheme given these obligations are now captured by the Islington CIL. They are:

- Community Facilities Contribution and Improvements
- Open Space Facilities Contribution
- Sports and Recreation Contribution and Improvements
- Sustainable Transport and Public Realm Contribution and Improvements

9.114 Planning Obligations

9.115 The officer recommendation of approval is also subject to the Heads of Terms as set out in Appendix 1 – Recommendation B, to be included in a Section 106 Agreement attached to any planning permission, in order to secure compliance with planning policy and mitigate the impacts of the development on surrounding infrastructure.

9.116 The proposed development generates a requirement for s106 contributions towards off-site housing (£1,164,740), employment and training (£130,241), accessible transport improvements (£52,000), TfL improvement works to Farringdon Road (£210,000), TfL improvement works to bus stop accessibility (£20,000), Code of Construction Monitoring Fee (£25,127), carbon off-setting (£771,144), Crossrail contribution of £3,365,080 minus any Mayoral CIL credit).

9.117 Additional obligations include the repair and reinstatement of the footways and highways adjoining the development site, compliance with the Code of Local Procurement and Code of Employment and Training, facilitation of 17 work placements during construction, a Green travel plan, a permanent plaque to commemorate victims of a V2 rocket attack has also been secured, and feasibility study on connecting to the Citigen district heating network.

9.118 It is considered that these contributions are necessary to make the development acceptable in planning terms; the impacts are directly related to the development and fairly and reasonably related in scale and kind to the proposals and would comply with the Community Infrastructure Levy Regulations.

9.119 None of the financial contributions included in the draft Section 106 agreement represent general infrastructure, so the pooling limit does not apply. Furthermore, none of the contributions represent items for which five or more previous contributions have been secured.

9.120 The carbon offset and accessible transport contributions are site-specific obligations, both with the purpose of mitigating the negative impacts of this

specific development. The carbon offset contribution figure is directly related to the projected performance (in terms of operation emissions) of the building as designed, therefore being commensurate to the specifics of a particular development. This contribution does not therefore form a tariff-style payment. Furthermore, in the event that policy compliant on-site accessible car parking spaces had been provided by the development (or other accessibility measure) a financial contribution would not have been sought. Therefore this is also a site-specific contribution required in order to address a weakness of the development proposal, thus also not forming a tariff-style payment.

- 9.121 The highway and footway reinstatement requirement is also very clearly site-specific. The total cost will depend on the damage caused by construction of this development, and these works cannot be funded through CIL receipts as the impacts are directly related to this specific development.
- 9.122 None of these contributions were included in Islington's proposed CIL during viability testing, and all of the contributions were considered during public examination on the CIL as separate charges that would be required in cases where relevant impacts would result from proposed developments. The CIL Examiner did not consider that these types of separate charges in addition to Islington's proposed CIL rates would result in unacceptable impacts on development in Islington due to cumulative viability implications or any other issue.
- 9.123 Islington's CIL Regulation 123 infrastructure list specifically excludes measures that are required in order to mitigate the direct impacts of a particular development. This means that the measures required to mitigate the negative impacts of this development in terms of carbon emissions, lack of accessible parking spaces and local accessibility cannot be funded through Islington's CIL. Separate contributions are therefore needed to pay for the necessary carbon offset, accessible transport, highway reinstatement and local accessibility investment required to ensure that the development does not cause unacceptable impacts on the local area.

Other Matters

- 9.124 Access to the Crossrail worksite is required by Crossrail contractors via the basement of the site for the duration of the Crossrail works. The precise nature and number of lorry movements is subject to approval under Schedule 7 of the Crossrail Act. In order to safeguard the access and to not impede the construction of this major infrastructure project Crossrail have recommended that conditions be attached to require the submission and approval of relevant method statements (*conditions 28, 29 and 30*).
- 9.125 The applicant has submitted a report to assess the implications of the proposed development on the operation of the adjacent Citigen plant and vice versa. The modelling concludes that the development would not result in any notable or material increase in maximum concentration of emissions and that the existence of the plant would not compromise the air quality for

future occupiers of the building. Notwithstanding this, it is recommended that details of the means of ventilation of the building be required by condition (*condition 9*).

10. SUMMARY AND CONCLUSION

Summary

- 10.1 The redevelopment of this site to provide a mix of Class A1 retail and Class B1 office accommodation in the CAZ would be entirely appropriate in this highly accessible location. The proposed building would make a positive contribution to the local townscape and in terms of height, form and scale would not detract from the setting of surrounding listed buildings or the character or appearance of surrounding conservation areas.
- 10.2 The development would be highly sustainable and energy efficient in compliance with relevant planning policies. Subject to appropriate contributions the development would mitigate its impacts on local infrastructure and would contribute towards the provision of off-site housing. Suitable cycle storage facilities have also been secured.
- 10.3 The proposed development would not cause demonstrable harm to the amenities of any neighbouring occupiers in terms of loss of daylight, sunlight, outlook, sense of enclosure or privacy.
- 10.4 The scheme is therefore considered acceptable and recommended for approval subject to appropriately worded conditions and s106 obligations and contributions to mitigate against its impact.

10.5 Conclusion

- 10.6 It is recommended that planning permission be granted subject to conditions and s106 legal agreement heads of terms for the reasons and details as set out in Appendix 1 - RECOMMENDATIONS.

APPENDIX 1 – RECOMMENDATIONS

RECOMMENDATION A

That the Committee resolve to GRANT planning permission subject to any **direction by The Mayor to refuse the application or for it to be called in for determination by the Mayor of London.** Therefore, following the Council's resolution to determine the application, the application shall then be referred to the Mayor of London in accordance with Article 5 of the Town and Country Planning (Mayor of London) Order 2008 – allowing him 14 days to decide whether to:

- a. allow the draft decision to proceed unchanged; or
- b. direct the Council under Article 6 to refuse the application; or
- c. issue a direction under Article 7 that he is to act as the Local Planning Authority for the purpose of determining the application.

RECOMMENDATION B

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

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. Compliance with the Code of Employment and Training.
3. Facilitation, during the construction phase of the development, of 17 work placements: Each placement must last a minimum of 13 weeks. London Borough of Islington Construction Works Team to recruit for and monitor placements. Developer/ contractor to pay wages (must meet London Living Wage). If these placements are not provided, LBI will request a fee of £85,000.
4. Compliance with the Code of Construction Practice, including a monitoring fee of £25,127 and submission of site-specific response document to the Code of Construction Practice for approval of LBI Public Protection, which shall be submitted prior to any works commencing on site.
5. The provision of an additional number of accessible parking bays (26) or a contribution towards bays or other accessible transport initiatives of £52,000.
6. A contribution towards offsetting any projected residual CO2 emissions of the development, to be charged at the established price per tonne of CO2 for

Islington (currently £920). Total amount: £591,376 (642.8 tCO₂ X £920) – based on information submitted in Energy Strategy.

7. Connection to a local energy network, if technically and economically viable (burden of proof will be with the developer to show inability to connect). In the event that a local energy network is not available or connection to it is not economically viable, the developer should develop an on-site solution and/or connect to a neighbouring site (a Shared Heating Network) and future proof any on-site solution so that in all cases (whether or not an on-site solution has been provided), the development can be connected to a local energy network if a viable opportunity arises in the future.
8. Submission of a Green Performance Plan.
9. Submission of a draft framework Travel Plan with the planning application, of a draft full Travel Plan for Council approval prior to occupation, and of a full Travel Plan for Council approval 6 months from first occupation of the development or phase (provision of travel plan required subject to thresholds shown in Table 7.1 of the Planning Obligations SPD).
10. Council's legal fees in preparing the S106 and officer's fees for the preparation, monitoring and implementation of the S106.
11. Payment towards employment and training for local residents of a commuted sum of £ 130,241.
12. For proposals with an increase in office floorspace in the Central Activities Zone, the provision of a mix of uses including housing or a contribution towards provision of off-site affordable housing where it is accepted that housing cannot be provided on site. A contribution towards provision of off-site affordable housing of £1,164,740.
13. Memorial plaque (not to exceed £10,000)
14. A contribution towards improving bus stop accessibility for nearby facilities on Farringdon Road and Farringdon South of £20,000
15. A contribution of £210,000, as previously secured towards improvement works to Farringdon Road.
16. Crossrail contribution of £3,365,080 minus any Mayoral CIL credit.
17. All payments to the Council are to be index-linked from the date of Committee are due upon implementation of the planning permission.

That, should the **Section 106** Deed of Planning Obligation not be completed within 13 weeks/16 weeks (for EIA development) from the date when the application was made valid, 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 C

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

List of Conditions:

1	Commencement
	<p>CONDITION: The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.</p> <p>REASON: To comply with the provisions of Section 91(1)(a) of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004 (Chapter 5).</p>
2	Approved Plans List
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Drawing Nos. 0843 P125; 0843 P126 Rev A; 0843 P127 Rev A; 0843 P128; 0843 P129; 0843 P130; 0843 P131; 0843 P132; 0843 P133; 0843 P134; 0843 P135; 0843 P136; 0843 P137; 0843 P138; 0843 P139; 0843 P153; 0843 P154; 0843 P165; 0843 P166; 0843 P167; 0843 P168; 0843 P6004; 0843 P6005; 0843 P6006; 0843 P1002; 0843 P1003; 0843 P1002.</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	Class B1 Use Restrictions
	<p>CONDITION: The B1 (Business) floorspace shall be strictly limited to uses within Use Class B1(a) and B1(b). No planning permission is hereby granted for purposes within Use Class B1(c) – for any industrial process – of the Schedule to the Town and Country Planning (Use Class) Order 1987 as amended 2005 (or the equivalent use within any amended/updated subsequent Order).</p> <p>REASON: The restriction of the use invokes the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995.</p>

<p>4</p>	<p>Accessible Parking</p> <p>CONDITION: The disabled parking space shown on drawing no. P126 Rev A hereby approved shall be provided prior to the first occupation of the building. The disabled parking bay shall be appropriately line-marked and thereafter kept available for the parking of vehicles at all times. 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 the provision of an appropriate number and standard of disabled parking spaces.</p>
<p>5</p>	<p>Way Marking</p> <p>CONDITION: A wheelchair priority path shall be provided and appropriately line-marked between the hereby approved basement level disabled parking bay and service corridor access doors prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: In the interest of securing the provision of safe access to the building.</p>
<p>6</p>	<p>Inclusive Design</p> <p>CONDITION: The development shall be designed and implemented in accordance with the principles of Inclusive Design. To achieve this:</p> <ul style="list-style-type: none"> a) At least one accessible WC measuring at least 1500x2200mm and fitted with outward opening doors shall be provided at ground and all upper floors; b) The lifts shall be provided as shown on the plans hereby approved and installed and operational prior to the first occupation of the building; c) A manoeuvring space of at least 1500x1500mm shall be provided in front of all lift entrances; d) Level thresholds shall be provided to all external terraces. <p>The development shall be carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to facilitate and promote inclusive and sustainable communities.</p>
<p>7</p>	<p>Lifts</p> <p>CONDITION: All lifts serving the accommodation hereby approved shall be installed and operational prior to the first occupation of the office floorspace hereby approved.</p> <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter.</p> <p>REASON: To ensure that adequate access is provided to the office floorspace at all floors.</p>
<p>8</p>	<p>Materials</p> <p>CONDITION: Details and samples of all facing materials shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of relevant works on site. The details and samples shall include:</p> <ul style="list-style-type: none"> a) Limestone cladding (including textured reveals);

	<ul style="list-style-type: none"> b) Polished black granite; c) Anodised aluminium window frames (including fins); d) Metal louvers; e) Framed glazed balustrade; and f) Any other materials. <p>The development shall be carried out strictly in accordance with the details so approved and shall be maintained as such thereafter. REASON: In the interest of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard.</p>
9	Ventilation
	<p>CONDITION: Prior to any superstructure works for the development hereby approved commencing on site, details of any proposed fan assisted or otherwise forced ventilation systems and any necessary ducting shall be submitted to and approved in writing by the Local Planning Authority. This shall include all details of anticipated noise levels. The ventilation system shall be installed as approved before the residential units are occupied or, in the case of non-residential units, before the use is commenced and permanently maintained as such thereafter.</p> <p>REASON: In the interests of protecting the integrity of noise mitigation measures while providing adequate ventilation.</p>
10	Fixed Plant (Compliance)
	<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 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 ensure that the operation of fixed plant does not impact on residential amenity.</p>
11	Retail Opening Hours
	<p>CONDITION: The ground floor retail uses hereby approved shall not operate except between the hours of 07:00 and 23:30 on any day.</p> <p>REASON: To ensure that the operation of the retail units does not impact on residential amenity.</p>
12	Shopfront Glass
	<p>CONDITION: The window glass of all ground floor commercial units shall not be painted, tinted or otherwise obscured and no furniture or fixings which may obscure visibility above a height of 1.4m above finished floor level be placed within 2.0m of the inside of the window glass.</p> <p>REASON: In the interest of securing passive surveillance of the street, an appropriate street frontage appearance and preventing the creation of dead/inactive frontages.</p>
13	Bicycle Storage

	<p>CONDITION: The bicycle storage area, which shall provide for no less than 327 bicycle spaces and shower and changing facilities shall be provided in accordance with the hereby approved plans prior to the first occupation of the development and maintained as such thereafter.</p> <p>REASON: To ensure adequate cycle parking and associated facilities are available and easily accessible on site and to promote sustainable modes of transport.</p>
14	Recycling/Refuse Storage Provision
	<p>CONDITION: The dedicated refuse/recycling store shown on drawing no. P26 Rev A hereby approved shall be provided prior to the first occupation of the development and shall be maintained as such thereafter.</p> <p>REASON: To secure the necessary physical waste enclosures to support the development and to ensure that responsible waste management practices are adhered to.</p>
15	Landscaping
	<p>CONDITION: A landscaping scheme for each of the proposed terraces shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of relevant works on site. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> a) an updated Access Statement detailing routes through the landscape and the facilities it provides; b) a biodiversity statement detailing how the landscaping scheme maximises biodiversity (including the provision of bats and bird nest boxes); c) proposed trees and associated planters: their location, species and size; d) soft plantings: including grass and turf areas, shrub and herbaceous areas; e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails and hedges; f) hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; g) any other landscaping feature(s) forming part of the scheme. <p>All landscaping in accordance with the approved scheme shall be completed/planted during the first planting season following practical completion of the development hereby approved. The landscaping and tree planting shall have a two year maintenance/watering provision following planting and any existing tree shown to be retained or trees or shrubs to be planted as part of the approved landscaping scheme which are removed, die, become severely damaged or diseased within five years of completion of the development shall be replaced with the same species or an approved alternative to the satisfaction of the Local Planning Authority within the next planting season.</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 biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
16	Vehicle Circulation
	<p>CONDITION: The vehicle circulation area shall be maintained in an unobstructed</p>

	<p>condition at all times to be capable of allowing vehicles to enter and exit the Snow Hill ramp in a forward gear.</p> <p>REASON: To ensure that the traffic generated by the proposed development does not prejudice the free flow of traffic nor public safety.</p>
17	Petrol/Oil Interceptors
	<p>CONDITION: Petrol/oil interceptors shall be fitted in all car parking areas hereby approved and maintained as such thereafter.</p> <p>REASON: In order to protect the environment and particularly water quality.</p>
18	Piling Method Statement
	<p>CONDITION: No impact piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>Reason: The proposed works will be in close proximity to underground sewerage and water utility infrastructure. Piling has the potential to impact on local underground sewerage and water utility infrastructure.</p>
19	Construction Logistics Plan (CLP)
	<p>CONDITION: No development shall take place unless and until a Construction Logistics Plan (CLP) has been submitted to and approved in writing by the Local Planning Authority. The approved CLP shall be adhered to throughout the construction period. The CLP shall provide details of:</p> <ol style="list-style-type: none"> 1. the parking of vehicles of site operatives and visitors 2. loading and unloading of plant and materials 3. storage of plant and materials used in constructing the development 4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate 5. wheel washing facilities 6. measures to control the emission of dust and dirt during construction 7. a scheme for recycling/disposing of waste resulting from demolition and construction works <p>The report shall assess the impacts during the construction phases of the development on the Transport for London controlled Farringdon Road, nearby residential amenity and other occupiers together with means of mitigating any identified impacts. The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Farringdon Road, local residential amenity and mitigate the impacts of the development.</p>
20	Environmental Impact Report
	CONDITION: A report assessing the environmental impacts (including but not

	<p>limited to) noise, air quality including dust, smoke and odour, vibration and TV reception) of the development shall be submitted to and approved in writing by the Local Planning Authority prior to any works commencing on site. The report shall assess impacts:</p> <ul style="list-style-type: none"> a) during the construction phase of the development on nearby residents and other occupiers together with means of mitigating any identified impacts; and b) during the operational phase of the development on the proposed occupiers of the development together with nearby residents and the relevant mitigation measures. <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure that the development does not impact on residential amenity.</p>
21	Delivery and Service Management Plan
	<p>CONDITION: A delivery and service management plan shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development. The plan shall include details of all servicing and delivery requirements of the site, including waste and recycling collection and details of how safe access to and from the disabled parking bay shall be provided and managed.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In order to secure highway safety and free flow of traffic on Farringdon Road, local residential amenity and mitigate the impacts of the development.</p>
22	Green Procurement Plan
	<p>CONDITION: No development shall take place unless and until a Green Procurement Plan has been submitted to and approved in writing by the Local Planning Authority. The Green Procurement Plan shall demonstrate how the procurement of materials for the development will promote sustainability: use of low impact, sustainably sourced, reused and recycled materials, including reuse of demolition waste.</p> <p>REASON: To ensure sustainable procurement of materials which minimises the negative environmental impacts of construction.</p>
23	Thermal modelling
	<p>CONDITION: Details of passive design and other measures incorporated within the scheme (including details of the feasibility of using external solar shading and of maximising passive ventilation, including through the atrium) to ensure adaptation to higher temperatures (taking climate change projections into account) should be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site and shall be operational prior to the first occupation of the development hereby approved. These details shall include the results of thermal modelling (under the higher future temperatures projected as a result of climate change) for non air conditioned internal spaces to demonstrate that the likelihood of internal overheating has been minimised. The development shall be</p>

	<p>carried out strictly in accordance with the details so approved, shall be maintained as such thereafter and no change there from shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: In the interest of adapting to climate change and to secure sustainable development.</p>
24	BREEAM
	<p>CONDITION: The development shall achieve a BREEAM Office (2011) and BREEAM Retail (2011) rating of no less than 'Excellent'.</p> <p>REASON: In the interest of addressing climate change and to secure sustainable development.</p>
25	SUDS
	<p>CONDITION: Development shall not commence until a drainage strategy detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority in consultation with the sewerage undertaker. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed.</p> <p>REASON: The development may lead to sewage flooding; to ensure that sufficient capacity is made available to cope with the new development; and in order to avoid adverse environmental impact upon the community.</p>
26	Rainwater Recycling
	<p>CONDITION: Details of the rainwater recycling system shall be submitted to and approved in writing by the Local Planning Authority prior any superstructure works commencing onsite. The details shall also demonstrate the maximum level of recycled water that can feasibly be provided to the development; and how the scheme will be designed to provide stormwater attenuation.</p> <p>The rainwater recycling system shall be carried out strictly in accordance with the details so approved, installed and operational prior to the first occupation of the building to which they form part or the first use of the space in which they are contained and shall be maintained as such thereafter.</p> <p>REASON: To ensure the sustainable use of water.</p>
27	Renewable Energy (Compliance)
	<p>CONDITION: In the event that it is concluded that connection to Citigen under the section 106 obligation is not feasible or technically or economically viable, a revised Energy Strategy, which shall provide for a Gas CCHP, photovoltaic panels and investigating additional energy efficiency measures to reduce regulated and unregulated carbon emissions in comparison with total emissions from a building which complies with Building Regulations 2010, shall be submitted to and approved in writing by the Local Planning Authority prior to any superstructure works commencing on site. The final agreed scheme shall be installed and operational prior to the first occupation of the development.</p>

	<p>REASON: In the interest of sustainable development and to ensure that the Local Planning Authority may be satisfied that CO₂ emission reduction targets by energy efficient measures/features and renewable energy are met.</p>
28	<p>Safeguarding Crossrail (for foundation design, noise, vibration and settlement)</p> <p>CONDITION: None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-</p> <ul style="list-style-type: none"> (i) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works, (ii) Accommodate ground movement arising from the construction thereof, (iii) Mitigate the effects of noise and vibration arising from the operation of the Crossrail railway within the tunnels and other structures. (iv) Mitigate the effects on Crossrail, of ground movement arising from development <p>The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs 1(i), 1 (ii), 1 (iii) and 1(iv) of this condition shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied.</p> <p>REASON: In order to safeguard future transport development.</p>
29	<p>Safeguarding Crossrail (Concurrent Working)</p> <p>CONDITION: None of the development hereby permitted shall be commenced until a method statement has been submitted to, and approved in writing, by the Local Planning Authority to include arrangements to secure that, during any period when concurrent construction is taking place of both the permitted development and of the Crossrail structures and tunnels in or adjacent to the site of the approved development, the construction of the Crossrail structures and tunnels is not impeded.</p> <p>REASON: In order to safeguard future transport development.</p>
30	<p>Safeguarding Crossrail</p> <p>CONDITION: No works below ground level comprised within the permitted development shall be carried out at any time:</p> <ul style="list-style-type: none"> (i) when a tunnel boring machine is operating within 100 metres of the land on which the permitted development is situated; (ii) when sprayed concrete lined tunnels or compensation grouting works are

	<p>being undertaken in close proximity.</p> <p>REASON: In order to safeguard future transport development.</p>
31	<p>SUDS Management & Maintenance Plan</p> <p>CONDITION: No development shall take place unless and until a detailed implementation, maintenance and management plan of the approved sustainable drainage scheme has been submitted to and approved in writing by the Local Planning Authority.</p> <p>Those details shall include:</p> <ol style="list-style-type: none"> I. a timetable for its implementation, and II. a management and maintenance plan for the lifetime of the development which shall include the arrangements to secure the operation of the sustainable drainage scheme throughout its lifetime. <p>No building(s) hereby approved shall be occupied unless and until the approved sustainable drainage scheme for the site has been installed /completed strictly in accordance with the approved details.</p> <p>The scheme shall thereafter be managed and maintained in accordance with the approved details.</p> <p>REASON: To ensure that sustainable management of water and minimise the potential for surface level flooding.</p>
32	<p>Thames Water</p> <p>CONDITION: Development should not be commenced until: Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.</p> <p>REASON: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.</p>
33	<p>Inclusive Design</p> <p>CONDITION: Notwithstanding what is shown on the drawings hereby approved, prior to commencement of any works above ground level details (including plans, sections and elevations) of the main entrance to the new building and a detailed assessment of this part of the development against all relevant requirements of Islington's Inclusive Design SPD and other relevant policies and guidance shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>In the event that this part of the proposed development fails to comply with the requirements of relevant policy and guidance and the justification for any non-</p>

	<p>compliance is not accepted by the Local Planning Authority, no works above ground level shall commence until amended drawings (including plans, sections and elevations) have been submitted to and approved in writing by the Local Planning Authority.</p> <p>The development shall be carried out strictly in accordance with the details so approved and no change therefrom shall take place without the prior written consent of the Local Planning Authority.</p> <p>REASON: To ensure the development is of an inclusive design.</p>
34	<p>TfL (London Underground)</p> <p>CONDITION: The development hereby permitted shall not be commenced until detailed design and method statements (in consultation with London Underground) for all of the foundations, basement and ground floor structures, or for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the local planning authority which:</p> <ul style="list-style-type: none"> • provide details on all structures • accommodate the location of the existing London Underground structures and tunnels • accommodate ground movement arising from the construction thereof • and mitigate the effects of noise and vibration arising from the adjoining operations within the structures and tunnels. <p>The development shall thereafter be carried out in all respects in accordance with the approved design and method statements, and all structures and works comprised within the development hereby permitted which are required by the approved design statements in order to procure the matters mentioned in paragraphs of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied.</p> <p>REASON: To ensure that the development does not impact on existing London Underground transport infrastructure, in accordance with London Plan 2011 Table 6.1 and 'Land for Industry and Transport' Supplementary Planning Guidance 2012.</p>
35	<p>Archaeology (GLAAS)</p> <p>CONDITION:</p> <p>A) No development shall take place 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>B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).</p>

	<p>C) The development 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 under Part (A), 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>
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List of Informatives:

1	<p>S106</p> <p>SECTION 106 AGREEMENT You are advised that this permission has been granted subject to a legal agreement under Section 106 of the Town and Country Planning Act 1990.</p>
2	<p>Superstructure</p> <p>DEFINITION OF 'SUPERSTRUCTURE' AND 'PRACTICAL COMPLETION' A number of conditions attached to this permission have the time restrictions 'prior to superstructure works commencing on site' and/or 'following practical completion'. The council considers the definition of 'superstructure' as having its normal or dictionary meaning, which is: the part of a building above its foundations. The council considers the definition of 'practical completion' to be: when the work reaches a state of readiness for use or occupation even though there may be outstanding works/matters to be carried out.</p>
3	<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> <p>Pre-Commencement Conditions: These conditions are identified with an 'asterix' * in front of the short description. These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of these unidentified pre-commencement conditions have been discharged.</p>

4	Sustainable Sourcing of Materials
	INFORMATIVE: Materials procured for the development should be selected to be sustainably sourced and otherwise minimise their environmental impact, including through maximisation of recycled content, use of local suppliers and by reference to the BRE's Green Guide Specification.
5	Car-Free Development
	INFORMATIVE: All new developments are car free in accordance with Policy CS10 of the Islington Core Strategy 2011. This means that no parking provision will be allowed on site and occupiers will have no ability to obtain car parking permits, except for parking needed to meet the needs of disabled people.
6	Roller Shutters
	<p>ROLLER SHUTTERS</p> <p>The scheme hereby approved does not suggest the installation of external rollershutters to any entrances or ground floor glazed shopfronts. The applicant is advised that the council would consider the installation of external rollershutters to be a material alteration to the scheme and therefore constitute development. Should external rollershutters be proposed a new planning application must be submitted for the council's formal consideration.</p>
7	GLAAS
	The written scheme of investigation 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.
8	GLAAS
	<p>A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.</p> <p>The watching brief should be focussed on the major ground reduction and particularly on the possibility of encountering Roman burials on the edge of Londinium's western cemetery. Where parts of the site can be 'written off' as a result of deep modern disturbance the watching brief could be discontinued in those areas.</p>
9	Thames Water
	INFORMATIVE: 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.

APPENDIX 2: RELEVANT POLICIES

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

1 National Guidance

The National Planning Policy Framework 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.

Since March 2014 Planning Practice Guidance for England has been published online.

2. Development Plan

The Development Plan is comprised of the London Plan 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 2015 - Spatial Development Strategy for Greater London, Consolidated with Alterations since 2011

1 Context and strategy

Policy 1.1 Delivering the strategic vision and objectives for London

2 London's places

Policy 2.1 London in its global, European and United Kingdom context

Policy 2.2 London and the wider metropolitan area

Policy 2.3 Growth areas and co-ordination corridors

Policy 2.5 Sub-regions

Policy 2.9 Inner London

Policy 2.10 Central Activities Zone – strategic priorities

Policy 2.11 Central Activities Zone – strategic functions

Policy 2.12 Central Activities Zone – predominantly local activities

Policy 2.13 Opportunity areas and intensification areas

Policy 2.14 Areas for regeneration

Policy 2.15 Town centres

3 London's people

Policy 3.1 Ensuring equal life chances for all

Policy 3.2 Improving health and addressing health inequalities

Policy 3.16 Protection and enhancement of social infrastructure

Policy 3.17 Health and social care facilities

Policy 3.19 Sports facilities

4 London's economy

Policy 4.1 Developing London's economy

Policy 4.2 Offices

Policy 4.3 Mixed use development and offices

Policy 4.7 Retail and town centre development

Policy 4.8 Supporting a successful and diverse retail sector

Policy 4.9 Small shops

Policy 4.10 New and emerging

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 net self-sufficiency

Policy 5.17 Waste capacity

Policy 5.18 Construction, excavation and demolition waste

6 London's transport

Policy 6.1 Strategic approach

Policy 6.3 Assessing effects of development on transport capacity

Policy 6.4 Enhancing London's transport connectivity

Policy 6.5 Funding Crossrail and other strategically important transport infrastructure

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

Policy 6.14 Freight

7 London's living places and spaces

Policy 7.1 Lifetime Neighbourhoods

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 7.9 Heritage-led regeneration

Policy 7.11 London View Management Framework

economic sectors
Policy 4.11 Encouraging a connected economy
Policy 4.12 Improving opportunities for all

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 5.4 Retrofitting
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 7.12 Implementing the London View Management Framework
Policy 7.13 Safety, security and resilience to emergency
Policy 7.14 Improving air quality
Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 7.18 Protecting local open space and addressing local deficiency
Policy 7.19 Biodiversity and access to nature

8 Implementation, monitoring and review

Policy 8.1 Implementation
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy
Policy 8.4 Monitoring and review for London

B) Islington Core Strategy 2011

Spatial Strategy

Policy CS7 (Bunhill and Clerkenwell)

Strategic Policies

Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)
Policy CS10 (Sustainable Design)
Policy CS11 (Waste)
Policy CS13 (Employment Spaces)
Policy CS14 (Retail and Services)

Policy CS15 (Open Space and Green Infrastructure)
Policy CS17 (Sports and Recreation Provision)

Infrastructure and Implementation

Policy CS18 (Delivery & Infrastructure)
Policy CS19 (Health Impact Assessments)
Policy CS20 (Partnership Working)

C) Development Management Policies June 2013

Design and Heritage

DM2.1 Design
DM2.2 Inclusive Design
DM2.3 Heritage
DM2.4 Protected views
DM2.5 Landmarks

Shops, culture and services

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

DM4.1 Maintaining and promoting small and independent shops

DM4.8 Shopfronts

Employment

DM5.1 New business floorspace

Health and open space

DM6.1 Healthy development

DM6.2 New and improved public open space

DM6.4 Sport and recreation

DM6.5 Landscaping, trees and biodiversity

DM6.6 Flood prevention

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

D) Finsbury Local Plan June 2013

BC5 Farringdon Station Area

BC8 Achieving a balanced mix of uses

BC9 Tall Buildings and contextual considerations for building heights

BC10 Implementation

BC36 Site Allocation – Caxton House, 2 Farringdon Road

3. Designations

The site has the following designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, Finsbury Local Plan 2013 and Site Allocations 2013:

- Bunhill & Clerkenwell Core Strategy Key Area
- Finsbury Local Plan Area: Bunhill & Clerkenwell
- Site Allocation BC36: Caxton House, 2 Farringdon Road
- Central Activities Zone (CAZ)
- Employment Priority Area (Offices)
- Farringdon/Smithfield Intensification Area
- Archaeology Priority Area (Clerkenwell)
- LV1 View from Farringdon/Clerkenwell Rds
- LV4 Local view from Archway Road
- LV5 Local view from Archway Bridge
- LLAA2 Parliament Hill summit to St Paul's Cathedral
- BAA10 Blackheath Point to St Paul's Cathedral
- VC2 Parliament Hill summit to St Paul's Cathedral
- VC5 Kenwood viewing gazebo to St Paul's Cathedral
- Controlled Parking Zone Area
- Crossrail Safeguarding Area
- Rail Safeguarding Area
- Major Cycle Route – Charterhouse Street
- Site within 100m of a TLRN Road

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

The following SPGs and/or SPDs are relevant:

Islington Local Plan

- Environmental Design
- Inclusive Design in Islington
- Streetbook
Inclusive Landscape Design
- Planning Obligations (Section 106)
- Islington Urban Design Guide

London Plan

- Accessible London: Achieving and Inclusive Environment
- Control of Dust and Emissions during Construction and Demolition
- Sustainable Design & Construction
- Use of Planning Obligations in the funding of Crossrail, and the Mayoral Infrastructure Levy
- London View Management Framework
- Planning for Equality and Diversity in London