

## PLANNING COMMITTEE REPORT

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

<b>PLANNING SUB-COMMITTEE A</b>		
Date:	9 <sup>th</sup> July 2015	<b>NON-EXEMPT</b>

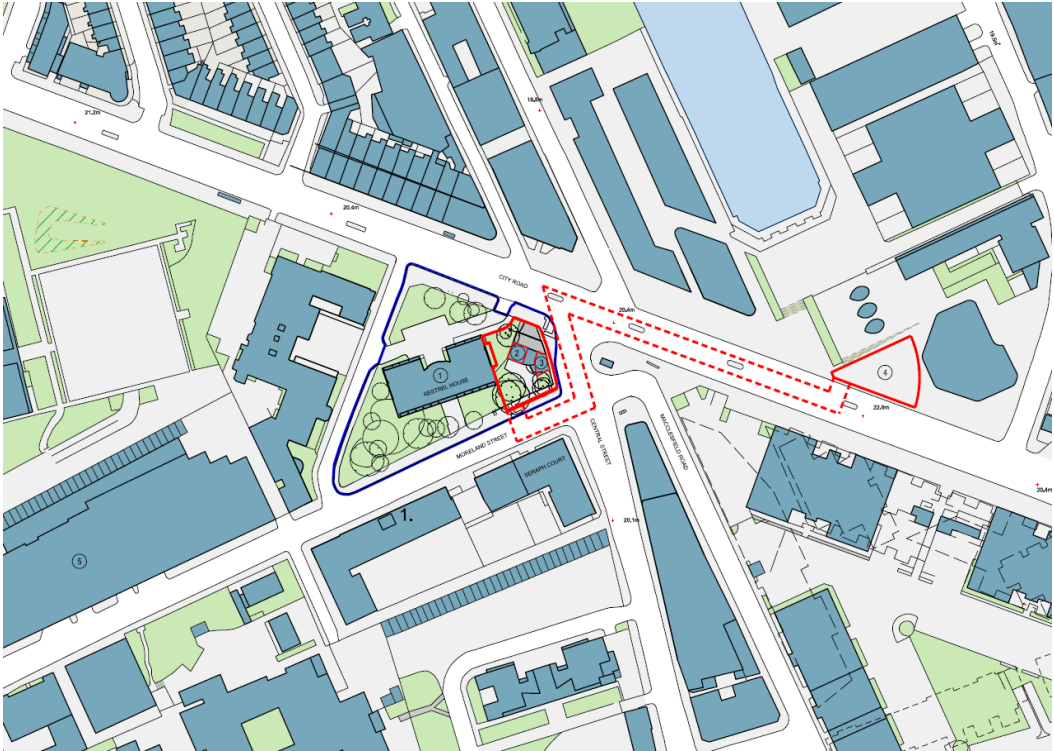
Application number	P2015/1008/FUL
Application type	Full Planning (Council's Own)
Ward	Bunhill
Listed building	No
Conservation area	No
Development Plan Context	None
Licensing Implications	None
Site Address	Ventilation Shaft Adjacent to Kestrel House, 191 Central Street & Land near City Road Bridge, City Road, London EC1
Proposal	Part demolition of the existing building and construction of a new energy centre comprising a part four / part five storey extension including heat exchanger coil, five storey stack of containerised plant to the corner of Moreland and Central Streets, new thermal store and flues on eastern elevation of Kestrel House. The new building will be metal clad; new vehicle access off Moreland Street, raised planter beds and boundary walls.

Case Officer	Krystyna Williams
Applicant	Islington Council - Huw Blackwell
Agent	Ramboll - Anthony Riddle

### 1. RECOMMENDATION

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

**2. SITE PLAN (site outlined in black)**



**3. PHOTOS OF SITE/STREET**



Image 1: Aerial photograph showing the eastern elevation of Kestral House and the existing ventilation shaft building.



Image 2: Aerial photograph showing the north and east facing elevation of Kestral House and the existing ventilation shaft building.



Image 3: Existing ventilation shaft building viewed from City Road looking south west.



Image 4: Existing ventilation shaft building viewed from City Road looking south east towards Central Street.

#### **4. Summary**

- 4.1 Planning permission is sought for the part demolition of the existing building and construction of a new energy centre comprising a part four / part five storey extension including heat exchanger coil, five storey stack of containerised plant to the corner of Moreland and Central Streets, new thermal store and flue on eastern elevation of Kestral House. The new building will be metal clad; new vehicle access off Moreland Street, raised planter beds and boundary walls.
- 4.2 The application is brought to Committee because it is a council-own development.
- 4.3 The network extension will take waste urban heat from the London Underground tube system to help heat homes. This is the reasoning for the proposed location of the energy centre as the equipment needs to be located adjacent to the heat source. The intention is to extend the supply of cheaper, greener heat to residents through a borough-wide Decentralised Energy Programme. The project aims to alleviate fuel poverty and deliver on the Council's priority of "Helping people cope with the rising cost of living" by "helping reduce energy bills through local energy schemes" (taken from the Islington Commitment).
- 4.4 The heat network will connect the existing Bunhill Phase I heat network to the new Energy Centres and to the connecting buildings via thermal substations located in the communal boiler rooms of the buildings to be connected. The scheme will add new heat pump systems and combined heat and power generation sets to the new centres. The scheme will supply an additional 669 homes, a school, a sheltered housing block and a community centre and nursery. The proposed new energy centres comprise Energy Centre 2, an above ground energy centre on the land between London Underground's ventilation shaft at City Road and Energy Centre 3, a below ground energy centre located within the compound of the UKPN substation at City Road.

- 4.5 The proposed Energy Centre's bulk, scale and massing determined by the equipment needed to take the waste heat from the tube. The immediate surrounding area is occupied by buildings of variable heights and styles. The site is also located in close proximity to existing residential uses, most notably Kestrel House. Furthermore, it is important to take account the proximity of the site to the boundary of the Duncan Terrace/Colebrooke Row Conservation Area which includes part of City Road to the west of the site and the basin to the northeast. The proposed structure therefore needs to be very carefully detailed to assist in breaking down the massing and to avoid creating a rigid, unarticulated appearance in this prominent corner location. Concerns about the proposal as submitted have been relayed to the applicant's design team who has worked to address these concerns by amending the design.
- 4.6 The proposed equipment will be screened by cladding, and in response to concerns about the submitted scheme, the screen design and materials have evolved throughout the application. At street level, robust materials are proposed which will not be damaged by graffiti, fly-posting, knocks and scratches. At upper levels, the materials must not restrict the ventilation of plant equipment whilst providing a greater level of perforation to minimize the overall bulk of the structure and provide a level of interest in this prominent corner location. In addition, artwork is proposed at ground level which is supported to provide visual interest to the streetscene. Subject to conditions, the proposed works are considered acceptable and are generally in accordance with policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.
- 4.7 A daylight and Sunlight Assessment has been submitted in support of this proposal. The proposed development satisfies the BRE direct sunlight to windows requirements.
- 4.8 The proposal is considered not to prejudice the residential amenity of neighbouring properties insofar as loss of light, outlook, sense of enclosure and disturbance in line with policy DM2.1 of the Islington Development Management Policies June 2013.
- 4.9 It is recommended that planning permission be granted subject to conditions.

## **5. SITE AND SURROUNDING**

- 5.1 The application site is located on the southern side of City Road, occupying a corner plot where City Road, Moreland Street and Central Street meet. The application site is located within the vicinity of Kestrel House an 18 storey residential tower block built in the 1960's. The site comprises the former City Road Station which lies beneath the site and closed in 1922. The only structure remaining on the site is an existing vent/lift shaft.
- 5.2 The surrounding area is mixed in character and appearance with the immediate vicinity being predominantly residential. The existing building at the site is not listed and the site is not located within a conservation area. However, there are some conservation areas nearby, the nearest being the Duncan Terrace/Colebrooke Row Conservation Area.

## **6. PROPOSAL (IN DETAIL)**

- 6.1 The proposal includes:
- Part demolition of the existing ventilation shaft building;
  - Construction of an energy centre including a heat exchanger coil, 5 storey stack of containerised plant and new thermal store;

- Construction of a part 4 storey / part 5 storey extension to screen the plant equipment;
- The heat network will connect to the existing Bunhill Phase 1 heat network;
- Erection of a flue on the eastern elevation of Kestrel House;
- New vehicle access off Moreland Street;
- New landscaping and boundary wall enclosures.

- 6.2 Islington Council intends to extend its supply of cheaper, greener heat to residents through a second phase of the Bunhill Heat and Power project, which forms part of the borough-wide Decentralised Energy Programme. Phase 2 of the Bunhill project is an extension of Phase 1 (completed in November 2012). This also brings in new, low carbon sources of heat and an extension of the network in Bunhill Ward to supply heat to the residents of the King's Square Estate. The scheme sees Islington leading the way in finding practical and innovative solutions to tackling fuel poverty, affordable warmth and carbon emissions in the borough.
- 6.3 The new network will take waste urban heat from the London Underground tube system and an electricity substation on City Road to help heat homes. This is the reason for the proposed location of the energy centre as the equipment needs to be located next to the heat sources to enable the network to take advantage of this heat in the most efficient way possible. Transporting the waste heat to another location would lead to unacceptable losses.
- 6.4 The part four / part five storey proposed energy centre bulk, scale and massing is determined by the equipment needed to take the waste heat from the tube. The equipment has been optimised to get the maximum use of the heat supplied from the tube, including future proofing for when the tube is upgraded in the near future. There is an additional container with combined heat and power equipment to enable the heat pumps (which will convert heat from the tube into hot water) to be powered with cheaper electricity during the day so that the lowest possible price of heat can be passed onto residents.
- 6.5 The energy centre will supply an additional 669 homes on the King's Square estate, a school, sheltered housing block, a community centre and a nursery and has the potential to supply a large amount of private domestic development in the area. It is therefore designed to accommodate this large increase in capacity on the network.

## 7. RELEVANT HISTORY:

### PLANNING APPLICATIONS:

- 7.1 The following is the application history for Phase I of the Bunhill project:
- 7.2 **P110239** - Redevelopment of the existing car park to provide an Energy Centre. Energy Centre comprises of a timber clad enclosure housing plant and equipment, a thermal store clad in timber and extraction flue. Various alterations to the public realm including paving and planting at Car Park, 38-50, Central Street, Islington, London, EC1V 3QB. Approved 16/06/2011.
- 7.3 **P110239(MA01)** - Non-material amendment to planning permission LBI ref: P110239 dated 16 June 2012 for the Redevelopment of the existing car park to provide an Energy Centre. Energy Centre comprises of a timber clad enclosure housing plant and equipment, a thermal store clad in timber and extraction flue. Various alterations to the public realm including paving and planting. The amendments are as follows:

- Relocation of the Thermal Store from approved location to one 500mm in due south direction.

- Reduction in height of the Thermal Store from its approved height of 14 metres above immediate surrounding ground level to 12.6 metres above.

- Various changes to the location and sizes of plant equipment and enclosures associated to the operation of the energy centre within the single storey surrounding structure.

Non-material amendment agreed 25/01/2013.

#### **ENFORCEMENT:**

7.10 None

#### **PRE-APPLICATION ADVICE:**

7.11 **Q2014/4766/MJR** – Pre-application discussions were entered into between December 2014 and March 2015.

### **8. CONSULTATION**

#### **Public Consultation**

8.1 Letters were sent to occupants of 697 adjoining and nearby properties at City Road, Moreland Street, Pickard Street, Macclesfield Road, City Garden Row, Haverstock Street, Garden Walk, Central Street and Duncan Terrace.

8.2 A site notice and press advert was also displayed. Amended document were submitted on the 23<sup>rd</sup> June 2015 and a further round of consultation was subsequently undertaken. Consultation expires on the 7th July 2015 however it is the Council's practice to continue to consider representations made up until the date of a decision. Any further representations received will be reported to Committee.

8.3 At the time of writing this report no objections have been received from the public with regard to the application.

#### **Internal Consultees**

8.4 **Highways:** No objection subject to conditions.

8.5 **Design and Conservation:** Approve subject to conditions.

8.6 **Planning Policy:** No comments provided.

8.7 **Noise Officer:** Approve subject to conditions.

8.8 **Tree Preservation Officer:** No objection subject to conditions.

#### **External Consultees**

8.9 **Canal & River Trust:** No objection. We note that the land where the substation is located is owned by the Trust. Therefore if the Council is minded to grant planning permission, it is requested that an informative is attached to draw the

applicant/developer attention to the current 'Code of Practice for Works affecting the Canal & River Trust' to ensure that any necessary consents are obtained.

- 8.10 **Network Rail:** No objection or further observations to make.
- 8.11 **London Underground:** No objection in principle subject to a condition requiring that the development 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. An informative is also recommended to advise the applicant to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statement in particular with regard to demolition, drainage, excavation and construction methods.
- 8.12 **Thames Water:** No objection subject to conditions.
- 8.13 **Energy Team:** This will form a key component for the development of heat networks within the borough, specifically the Bunhill Energy network. This aligns strongly with Council Policies, most specifically CS10A (Promoting Zero Carbon Development), DM7.3 (Decentralised Energy Networks) and also London Plan Policy 5.5 (Decentralised Energy Networks). The Core Strategy (Clause 3.2.2) and Development Management Policies (Clause 7.1) both highlight the importance of growth as a means of reducing fuel poverty and developing the Green Economy within Islington. The Environmental Design SPD discusses at length the aim of making Islington a fairer place, through the implementation of Sustainable Design. This would be achieved by reducing fuel poverty through more efficient, warmer and healthier homes and cheaper energy delivered via decentralised energy networks.

## 9. RELEVANT POLICIES

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

### National Guidance

- 9.1 The National Planning Policy Framework 2012 seeks to secure positive growth in a way that effectively balances economic, environmental and social progress for this and future generations. The NPPF is a material consideration and has been taken into account as part of the assessment of these proposals.
- 9.2 Since March 2014 Planning Practice Guidance for England has been published online.

### Development Plan

- 9.3 The Development Plan is comprised of the London Plan 2015 (Consolidated with Alterations since 2011), Islington Core Strategy 2011, Development Management Policies 2013, The 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**

- 9.4 The site has no designations under the London Plan 2015, Islington Core Strategy 2011, Development Management Policies 2013, and Site Allocations 2013:

## **Supplementary Planning Guidance (SPG) / Document (SPD)**

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

## **10. ASSESSMENT**

- 10.1 The main issues arising from this proposal relate to:
- Design, appearance and impacts on the surrounding streetscene; and
  - Impact on the amenity of neighbouring residents.

## **Land Use**

- 10.2 The site is currently occupied by an existing ventilation shaft. The use of the site as an energy centre is not considered to be unacceptable in land use terms. This is subject to the facility being acceptable in regard to other planning considerations and not conflicting with neighbouring amenities.

## **Design and Appearance**

- 10.3 The technical equipment and plant of the energy centre, with the exception of the proposed flue, is proposed to be surrounded by a part four storey / part five storey metal, perforated enclosure. The flue is proposed to run up the eastern elevation of Kestrel House.
- 10.4 The surrounding area comprises the 6-8 storey buildings located at Moreland Street and Central Street and 4-5 storey buildings on the northern side of City Road. A number of developments are currently being built including Lexicon tower (36 storeys) and Canaletto Tower (31 storeys). Kestral House is 18 storeys.
- 10.5 There have been no objections raised from surrounding residents following consultation. However, the Design and Conservation officer has raised concerns about the proposed detailed design of the metal enclosure which is proposed to house the plant and equipment.
- 10.6 The immediate surrounding area is occupied by buildings of variable heights and styles. The site is also in close proximity to existing residential uses, most notably Kestrel House. Furthermore, it is important to take account of the proximity to the boundary of the Duncan Terrace/Colebrooke Row Conservation Area which includes part of City Road to the west of the site and the basin to the northeast.
- 10.7 Phase 2 of the Bunhill project is an extension of Phase 1 (completed in November 2012). This phase is also an innovation demonstrator project for the EU, using heat from the tube which is a new low carbon source of heat. The extension of the network in Bunhill Ward will supply heat to the residents of the King's Square Estate. The scheme sees Islington leading the way above other London boroughs in finding practical and innovative solutions to tackling fuel poverty, affordable warmth, air quality and carbon emissions in the borough.

- 10.8 The network extension will take waste urban heat from the London Underground tube system to help heat homes. This is the reasoning for the proposed location of the energy centre as the equipment needs to be located adjacent to the heat source. The size of the energy centre next to Kestrel House has been determined by the equipment needed to take the waste heat from the tube. The applicant states that the size of the energy centre has been reduced as much as possible whilst still allowing the maximum use of the waste heat now and in the future, and incorporating equipment that will allow the energy centre to be powered with cheaper electricity during the day so that the lowest possible price of heat can be passed onto residents.
- 10.9 Concerns have been raised in relation to the proposed scale, bulk and massing of the proposed structure but the justification for such a large structure on the site has been accepted. However the proposed structure needs to be very carefully detailed to assist in breaking down the massing and to avoid creating a rigid, unarticulated appearance in this prominent corner location. Concerns have been relayed to the applicant's design team who have worked to address this issue.
- 10.10 The design detail has been modified to address these concerns and to move away from a rigid and industrial appearance, to adopt greater articulation and perforation detail which is considered to break down the bulk and massing. The proposed inclusion of artwork at street level is supported as it adds an element of interest at eye level and avoids the appearance of a blank frontage to pedestrians.
- 10.11 The site for the energy centre is in a prominent corner location where several roads meet City Road. The proposed structure has been set away from the adjoining residential units and organised to accommodate the required equipment. There are voids in the below ground area which restrict placing heavy equipment on the City Road side of the head-house shaft. The most efficient way to assemble the energy equipment is to stack it in prefabricated containers with minimal pipework connections. A cluster of three flues will pass below ground from the energy centre and then rise up the north east facade of Kestrel House. They will be in robust stainless steel.
- 10.12 The equipment will be screened by cladding. To address initial concerns the screen design and material has evolved throughout the application. At street level, robust materials are required which will not be damaged by graffiti, fly-posting, knocks and scratches. At upper levels, the materials must not restrict the ventilation of plant equipment. When large elements of plant equipment must be replaced, parts of the cladding must be capable of being demountable.
- 10.13 Glazed brick is proposed for the base of the energy centre, garden walls and raised beds. A mixture of vitreous enamel steel panels and cast aluminium art relief panels is proposed for the ground floor storey cladding of the energy centre. The remainder of the screening will comprise treated copper panels, (to remain a red/brown oxidised copper colour) – these would range from solid to a 50% perforation, treated copper mesh, (to remain red/brown oxidised copper colour) to the two vertical slots defining the tower, and to the rear elevation facing Kestrel House will be a mixture of solid copper panels and copper mesh treated to remain a red/brown oxidised copper colour. No bespoke perforations are proposed for this elevation.
- 10.14 This approach to the cladding is considered to create a veil that screens an assembly of plant structures and provides a greater level of perforation at upper levels to minimize the overall bulk of the structure and provide a level of interest. The proposed articulation and artwork will improve the character of this street corner site and

provide a human scale to the project. Simple strategies to create variety of colour and texture will ensure that it provides visual interest to the street scape.

- 10.15 A condition is recommended to secure details and samples of artwork, signage and information boards, lighting scheme, containers behind the screen, cladding material including detailed design of pattern of perforation and sample panel of material.
- 10.16 The application includes the erection of a flue which runs up the eastern elevation of Kestrel House and terminate above roof level. Officers have expressed concern about the location and prominence of the proposed flue. The applicant has undertaken an assessment (dated 01/06/2015) of alternative locations for the proposed flue however the initial location is deemed most appropriate.
- 10.17 Overall, the proposed works are considered acceptable and are generally in accordance with policies DM2.1 and DM2.3 of Islington's Development Management Policies 2013.

### **Neighbouring Amenity**

- 10.18 The council's planning policies seek to ensure that new development does not harm the amenity of adjacent residents, either from loss of daylight, sunlight, privacy and overlooking, perceived sense of enclosure or noise. The use of the site as an energy centre raises noise, air quality and loss of daylight/sunlight as matters to be considered.

### **Daylight and Sunlight**

- 10.19 The application has been submitted with a daylight/sunlight assessment prepared by Right of Light Consulting Chartered Surveyors, which has been carried out with reference to the 2011 Building Research Establishment (BRE) guidelines. The supporting text to Policy DM2.1 identifies that the BRE 'provides guidance on sunlight layout planning to achieve good sun lighting and day lighting'.
- 10.20 Daylight the BRE Guidelines stipulate that there should be no real noticeable loss of daylight provided that either, '*The Vertical Sky Component (VSC) as measured at the centre point of a window is greater than 27%; or the VSC is not reduced by greater than 20% of its original value. (Skylight); or*
- The area of the working plane in a room which can receive direct skylight is not reduced to less than 0.8 times its former value. (No Sky Line / Daylight Distribution)*'.
- 10.21 Sunlight the BRE Guidelines confirm that windows which do not enjoy an orientation within 90 degrees of due south do not warrant assessment. For those windows that do warrant assessment, it is considered that there would be no real noticeable loss of sunlight where, '*In 1 year the centre point of the assessed window receives more than 1 quarter (25%) of annual probable sunlight hours (APSH), including at least 5% of Annual Winter Probable Sunlight Hours (WSPH) between 21 Sept and 21 March – being winter; and less than 0.8 of its former hours during either period*'.
- 10.22 Where these guidelines are exceeded then daylighting and/or sunlighting may be adversely affected. In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings.

- 10.23 The application site is located within an extremely accessible central London location, where the potential of sites and density should, according to policy, be maximised where possible. Urban design considerations are also important when applying the guidance quoted above.
- 10.24 It is widely acknowledged that daylight and sunlight are fundamental to the provision of a good quality living environment and for this reason people expect good natural lighting in their homes. Inappropriate or insensitive development can reduce a neighbour's daylight and sunlight and thereby adversely affect their amenity to an unacceptable level.
- 10.25 All main habitable room windows, with the exception of windows 48 and 49 at Kestrel House, pass the Vertical Sky component (VSC). It is important to note, and the BRE guide acknowledges, that where existing buildings sit close to the common boundary as is the case at Kestrel House, a higher degree of obstruction may be unavoidable. In such instances where windows fail to VSC alternative targets may be applied (set out in Appendix F of the guide).



**Kestrel House**

Image 5: Location of windows 48 and 49 Kestrel House.

- 10.26 Windows 48 and 49 are located at ground floor on the eastern elevation of Kestrel House and serve the kitchen of a dual aspect unit. Windows 48 and 49 both pass the alternative VSC target. The proposed development therefore satisfies the BRS daylight requirements.
- 10.27 All windows which face within 90 degrees of due south have been tested for direct sunlight. All windows pass both the total annual sunlight hours test and the winter sunlight hours test. The proposed development subsequently satisfies the BRE direct sunlight to windows requirements.

## **Noise and Air Quality**

- 10.28 The Council's Acoustic Officer has reviewed the submitted documentation and notes that the methodology for the initial background noise readings for the proposed Energy Centre and LU fan at City Road (or Bunhill Energy Centre 2) is thorough.
- 10.29 The methodology for the initial background noise readings at the site appears reasonably sound, with design targets quoted as being 50dB during the day and 45dBA at night. Background noise levels are relatively high in this area and are dominated by the substation plant noise and road traffic noise and therefore it would be expected that the noise criteria can be achieved. At the existing Bunhill Energy Centre complaints have been received about the tonal noise/hum experienced. It is therefore recommended that conditions are attached to control noise levels from new items of fixed plant at the site.
- 10.30 To demonstrate compliance with the two conditions above it is advised that a test is carried out after installation. The Acoustic Officer recommends a further condition to ensure a report is commissioned by the applicant, using an appropriately experienced & competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with conditions 3 & 4. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.
- 10.31 In terms of air quality, any CHP system should have a negligible impact at all nearby receptors. The Air Quality Assessment refers to eight different equipment options; however the final chosen option is yet to be decided. It is therefore recommended that an Air Quality Assessment using dispersion modelling is conditions to ensure that the chosen plant is submitted for approval.

## **Outlook, sense of enclosure and privacy**

- 10.32 Whilst there have been no objections to the proposed development, consideration has been given to outlook and sense of enclosure. It is proposed to extend the private gardens serving the two ground floor flats at Kestral House (Dwg: BUN\_2\_P04 Rev P1) to provide greater amenity space. Whilst the proposed development will be of a greater scale and massing to the existing structure, the improved amenity space, landscaping and boundary enclosures are considered to go some way to mitigate any negative impact. The proposed structure is considered to be set away from the east facing windows at Kestral House an acceptable distance as not to result in any unacceptable sense of enclosure or outlook concerns. In addition there would be no loss of privacy as a result of the proposal.
- 10.33 The proposal is considered not to prejudice the residential amenity of neighbouring properties in line with policy DM2.1 of the Islington Development Management Policies June 2013.

## **Access and Servicing**

- 10.34 Vehicular access is proposed off Moreland Street. In order to facilitate this access it is proposed to relocate the existing pedestrian crossing. Highways officers raise no objection to the proposal subject to conditions. The relocated crossing must be constructed in exactly the same manner as it currently exists and must include the central pedestrian islands. The inclusion of both the relocated pedestrian crossing and the central pedestrian island ensures that vehicles entering the site do not

encroach upon the crossing to do so and provides additional pedestrian safety. Further conditions are required to ensure all vehicles above 7.5 tonnes entering the site must do so from Central Street not the Goswell Road end of Moreland Street. All reversing manoeuvres must be carried out with a banksman present.

### **Landscaping**

- 10.35 It is apparent that there are a large number of trees on site which contribute materially to the amenities of the locality, playing an important part in providing a sense of scale, maturity, screening and textural diversity to the area. A total of six trees are required to be removed to facilitate the creation of the new building footprint and access to maintain the facility but there doesn't appear to be any meaningful assessment of the tree loss or attempt to mitigate the loss of the trees and the associated amenity and environmental benefits they provide. The site is a prominent location adjacent to a major thorough fare where trees are needed most. No objection is raised to the justification for the removal of existing trees but it is recommended that a landscaping scheme is conditioned including replacement trees, their location, species, size at planting and rooting volume.

## **11.0 SUMMARY AND CONCLUSION**

### **Summary**

- 11.1 In accordance with the above assessment, it is considered that the proposed development is consistent with the policies of the London Plan, the Islington Core Strategy, the Islington Development Plan and associated Supplementary Planning Documents and should be approved accordingly.

### **Conclusion**

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

## APPENDIX 1 – RECOMMENDATIONS

### RECOMMENDATION A

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

#### List of Conditions

<b>1</b>	<b>Commencement</b>
	<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>
<b>2</b>	<b>Approved plans list</b>
	<p>CONDITION: The development hereby approved shall be carried out in accordance with the following approved plans:</p> <p>Location Plan; BUN_2_P02 Rev P1; BUN_2_P03 Rev P2; BUN_2_P04 Rev P4; BUN_2_P07 Rev P4; BUN_2_P08 Rev P4; BUN_2_P09 Rev P4; BUN_2_P10 Rev P4; BUN_2_P11 Rev P4; BUN_2_P12 Rev P3; BUN2_P20 Rev P02; BUN2_P_21 Rev P02; BUN2_P22 Rev P02; BUN2_P_P23 Rev P02; BUN2_P_24 Rev P02; BUN2_P_30 Rev P_02; Design and Access Statement Rev 04 dated June 2015; Description of Cladding Materials Issue P02_19<sup>th</sup> June 2015; MMD-329567-C-SK-00-XX-0001 Rev P1; MMD-329567-C-SK-00-XX-0002 Rev P1; Air Quality Assessment dated March 2015 prepared by Ramboll; Tree Survey dated 05/02/2015 and associated Tree Constraints Plan; Daylight and Sunlight Study dated 12 March 2015; Statement prepared by Ramboll dated 01/06/2015 to address the location of the proposed flues.</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>
<b>3</b>	<b>Fixed Plant (Bunhill Energy Centre 2)</b>
	<p>CONDITION: The design and installation of new items of fixed plant (at the site known as Bunhill Energy Centre 2) shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB (A) below the background noise level LAF90 Tbg. The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
<b>4</b>	<b>Fixed Plant (Bunhill Energy Centre 3)</b>
	<p>CONDITION: The design and installation of new items of fixed plant (at the site known as Bunhill Energy Centre 3) shall be such that when operating the cumulative noise level LAeq Tr arising from the proposed plant, measured or predicted at 1m from the facade of the nearest noise sensitive premises, shall be a rating level of at least 5dB (A) below the background noise level LAF90 Tbg.</p>

	<p>The measurement and/or prediction of the noise should be carried out in accordance with the methodology contained within BS 4142: 2014.</p> <p>REASON: To ensure that the operation of fixed plant does not impact on residential amenity.</p>
<b>5</b>	<b>Noise</b>
	<p>CONDITION: A report is to be commissioned by the applicant, using an appropriately experienced &amp; competent person, to assess the noise from the proposed mechanical plant to demonstrate compliance with conditions 3 &amp; 4. The report shall be submitted to and approved in writing by the Local Planning Authority and any noise mitigation measures shall be installed before commencement of the use hereby permitted and permanently retained thereafter.</p> <p>REASON: In the interest of protecting future residential amenity against undue noise and nuisance arising from non-residential uses.</p>
<b>6</b>	<b>Air Quality Assessment</b>
	<p>CONDITION: An air quality assessment using dispersion modelling shall be carried out to demonstrate that the stack height of the CHP is sufficient to prevent emissions having an impact greater than "negligible" on the air quality objectives for nitrogen dioxide (NO<sub>2</sub>) and particulate matter (PM<sub>10</sub>). A report shall be submitted to the local authority prior to commencement of the development outlining details of the modelling software chosen, emissions and stack parameters, building parameters, meteorological data, method used to calculate background and predicted concentrations. The location and grid reference of maximum pollution concentrations shall be identified, with distance from the stack. A full discussion of any potential breaches of air quality criteria shall be provided and a discussion of model sensitivity.</p> <p>REASON: In the interests of residential amenity.</p>
<b>7</b>	<b>Servicing and Maintenance</b>
	<p>CONDITION: Details of the servicing and maintenance plan, including responsive as well as planned maintenance, in accordance with the manufacturer's requirements, shall be submitted to and approved in writing by the local planning authority prior to the installation of the plant.</p> <p>REASON: To ensure that the resulting servicing arrangements are satisfactory.</p>
<b>8</b>	<b>Pedestrian Crossing</b>
	<p>CONDITION: The relocated crossing as shown on drawing MMD-329567-C-SK-00-XX-0001 Rev P1; must be constructed in exactly the same manner as it currently exists. It must include the central pedestrian islands. The inclusion of these ensures the vehicle entering the site does not encroach upon the crossing to do so and provides additional pedestrian safety.</p> <p>REASON: In the interest of pedestrian safety.</p>
<b>9</b>	<b>Vehicle Movements</b>
	<p>CONDITION: All vehicles above 7.5 tonnes entering the site must do so from Central Street and not the Goswell Road end of Moreland Street. All reversing manoeuvres must be carried out with a banksman present.</p>



	<p>REASON: To ensure access arrangements are satisfactory in terms of their impact on highway safety and the free-flow of traffic.</p>
<b>10</b>	<p><b>Thames Water</b></p> <p>CONDITION: No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimize the potential for damage to subsurface sewerage infrastructure, and the programme of for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.</p> <p>REASON: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to impact on local underground sewerage utility infrastructure. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.</p>
<b>11</b>	<p><b>Detailed Design and Method Statement</b></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"> <li>- provide details on all structures;</li> <li>- accommodate the location of the existing London Underground structures;</li> <li>- demonstrate access to elevations of the building adjacent to the property boundary with London Underground can be undertaken without recourse to entering our land;</li> <li>- demonstrate that there will at no time be any potential security risk to our railway, property or structures;</li> <li>- accommodate ground movement arising from the construction thereof; and</li> <li>- mitigate the effects of noise and vibration arising from the adjoining operations within the structures</li> </ul> <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><b>Reason:</b> 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>

<b>12</b>	<b>Materials</b>
	<p>In accordance with the submitted information and samples within 'Description of cladding materials issue P02_19<sup>th</sup> June 2015', the following facing materials are hereby approved for the elevational treatments:</p> <ul style="list-style-type: none"> <li>- Vitreous enamel (Vitrispan) steel panel for base at ground floor level;</li> <li>- Black glazed brick (Ibstock) for the plinth;</li> </ul> <p>Perforated copper sheet, engraved solid copper sheet and copper mesh at upper levels (KME: Tecu Bond panel system using Tecu Bronze finish).</p> <p>Notwithstanding the above hereby approved, the following details/sample of materials, as appropriate, shall be submitted to and approved in writing by the local planning authority prior to commencement of any part of the works on site:</p> <ul style="list-style-type: none"> <li>a) Details of artwork including design, sample of materials and colours;</li> <li>b) Details of signage and information boards;</li> <li>c) Lighting scheme;</li> <li>d) Details of containers behind the screen including colour scheme and materials;</li> <li>e) Sample of copper mesh;</li> <li>f) Details of perforated copper sheet including detailed design of pattern of perforation and sample panel of material; and</li> <li>g) Details of engraved solid copper sheet including detailed design of pattern and sample panel of material.</li> </ul> <p>REASON: In the interests of securing sustainable development and to ensure that the resulting appearance and construction of the development is of a high standard of design.</p>
<b>13</b>	<b>Landscaping Scheme</b>
	<p>CONDITION: A landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The landscaping scheme shall include the following details:</p> <ul style="list-style-type: none"> <li>a) existing and proposed underground services and their relationship to both hard and soft landscaping;</li> <li>b) proposed trees: their location, species, size at planting and rooting volume available;</li> <li>c) soft plantings: including grass and turf areas, shrub and herbaceous areas;</li> <li>d) topographical survey: including earthworks, ground finishes, top soiling with both conserved and imported topsoil(s), levels, drainage and fall in drain types;</li> <li>e) enclosures: including types, dimensions and treatments of walls, fences, screen walls, barriers, rails, retaining walls and hedges;</li> <li>hard landscaping: including ground surfaces, kerbs, edges, ridge and flexible pavings, unit paving, furniture, steps and if applicable synthetic surfaces; and</li> <li>g) any other landscaping feature(s) forming part of the scheme.</li> </ul> <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.</p> <p>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</p>

	<p>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><b>REASON:</b> In the interest of biodiversity, sustainability, and to ensure that a satisfactory standard of visual amenity is provided and maintained.</p>
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**List of Informatives:**

<b>1</b>	<b>Positive statement</b>
	<p>To assist applicants in a positive manner, the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website. A pre-application advice service is also offered and encouraged. Whilst no pre-application discussions were entered into, the policy advice and guidance available on the website was followed by the applicant. The applicant therefore worked in a proactive manner taking into consideration the policies and guidance available to them, and therefore the LPA delivered a positive decision in accordance with the requirements of the NPPF.</p>
<b>2</b>	<b>London Underground Infrastructure Protection</b>
	<p>The applicant is advised to contact London Underground Infrastructure Protection in advance of preparation of final design and associated method statements, in particular with regard to: demolition; drainage; excavation and construction methods.</p>
<b>3</b>	<b>Code of Practice for works affecting the Canal &amp; River Trust</b>
	<p>The applicant/developer should refer to the current "Code of Practice for Works affecting the Canal &amp; River Trust" to ensure that any necessary consents are obtained. Please visit <a href="http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property">http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property</a></p>
<b>4</b>	<b>Thames Water</b>
	<p>There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0800 009 3921 for further information.</p>
<b>5</b>	<b>Surface Water Drainage</b>
	<p>It is the responsibility of a developer to make proper provision for drainage to ground, water course or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921.</p>

<b>6</b>	<b>Signage</b>
	Please note that separate advertisement consent application may be required for the display of signage at the site.

## **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.

### **2. Development Plan**

The Development Plan is comprised of the London Plan 2011, Islington Core Strategy 2011, Development Management Policies 2013 and the Finsbury Local Plan 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**

##### **3 London's people**

**Policy 3.1 Ensuring equal life chances for all**

**Policy 3.18 Education facilities**

##### **7 London's living places and spaces**

**Policy 7.1 Building London's neighbourhoods and communities**

**Policy 7.2 An inclusive environment**

**Policy 7.3 Designing out crime**

**Policy 7.4 Local character**

**Policy 7.6 Architecture**

**Policy 7.8 Heritage assets and archaeology**

#### **B) Islington Core Strategy 2011**

##### **Spatial Strategy**

**Policy CS8 (Enhancing Islington's Character)**

##### **Strategic Policies**

**Policy CS9 (Protecting and Enhancing Islington's Built and Historic Environment)**

#### **C) Development Management Policies June 2013**

##### **Design and Heritage**

**DM2.1 Design**

**DM2.2 Inclusive Design**

**DM2.3 Heritage**

##### **Energy and Environmental Standards**

**DM7.4 Sustainable design standards**

## 5. Designations

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

- **None**

## 6. Supplementary Planning Guidance (SPG) / Document (SPD)

The following SPGs and/or SPDs are relevant:

- |   |  |
|---|--|
| <b>Islington Local Development Plan</b>             | <b>London Plan</b>                             |
| - <b>Conservation Area Design Guidelines (2002)</b> | - <b>Sustainable Design &amp; Construction</b> |
| - <b>Urban Design Guide (2006)</b>                  |  |